



City of Prince Rupert

AGENDA

For the **PUBLIC HEARING** to be held on February 21, 2023 at 6:00 p.m. in Council Chambers, Second Floor of City Hall, 424 3rd Avenue West, Prince Rupert, B.C.

1. **CALL TO ORDER**
2. **ZONING AMENDMENT BYLAW NO. 3479, 2022**
 - A) Report from Planning
 - B) Public asked to provide comments
3. **ADJOURNMENT OF PUBLIC HEARING**



REPORT TO COUNCIL

Regular Meeting of Council

DATE: December 5, 2022

TO: Robert Buchan, City Manager

FROM: Daniel Rajasooriar, Planner

SUBJECT: OFFICIAL COMMUNITY PLAN BYLAW AMENDMENT BYLAW NO. 3479,
2022 (OCPA-22-01)

RECOMMENDATION:

THAT Council:

- 1) GIVE first and second reading to City of Prince Rupert Official Community Plan Bylaw Amendment Bylaw No. 3479, 2022 to amend City of Prince Rupert Official Community Bylaw No. 3460, 2021 to specify that Council may allow a building height higher than contemplated by the Official Community Plan's building height framework for the City Core if Council considers a building height to be low impact in terms of view obstruction.
- 2) PROCEED to Public Hearing.

REASON FOR REPORT:

This report is presented so that Council considers proceeding with City of Prince Rupert Official Community Plan Amendment Bylaw No. 3479, 2022, which would specify that Council may allow a building height higher than contemplated by the Official Community Plan's building height framework for the City Core if Council considers a building height to be low impact in terms of view obstruction.

BACKGROUND AND ANALYSIS:

Council has enacted Official Community Plan Bylaw No. 3460, 2021 and Zoning Bylaw No. 3462, 2021. The aspects of the Official Community Plan and Zoning Bylaw relevant to this report pertain to maximum building heights in the City Core. The Official Community Plan, which guides zoning amendments, specifies the desired building height range, in storeys, for locations across the City Core (refer to the building heights framework mentioned in the City Core policy, and identified in Map 2, of the Official Community Plan). The Zoning Bylaw specifies the permitted maximum building height, in metres, for particular zones and/or categories of buildings.

In a scenario with a property in a location where the Official Community Plan identifies a desired building height range of 1-2 storeys, the likely interpretation of the Official Community Plan is that the following would be inconsistent with the desired building height range, especially since the Zoning Bylaw defines a storey as 4.3 metres:

- The approval of a rezoning to C2 (which permits a maximum building height of 20 metres)
- The approval of a Development Variance Permit to vary maximum building height to 20 metres

Rezoning that allows for more storeys than the building heights framework would present an absolute and direct collision between the Official Community Plan and the Zoning Bylaw. At present, to prevent an absolute and direct collision between the Official Community Plan and the Zoning Bylaw, an Official Community Plan amendment would be necessary in scenarios like the one outlined above.

Rather than having property owners seek an Official Community Plan amendment each time a relevant Zoning Bylaw amendment or Development Variance Permit is desired, it is proposed that Council amend the Official Community Plan to specify that Council may allow a building height higher than contemplated by the Official Community Plan's building height framework for the City Core if Council considers a building height to be low impact in terms of view obstruction.

Official Community Plan Bylaw Amendment Bylaw No. 3479, 2022 is attached as Attachment 1.

COST AND BUDGET IMPACT:

In terms of costs or budget impacts to the City from proceeding with City of Prince Rupert Official Community Plan Bylaw Amendment Bylaw No. 3479, 2022, it should be noted that it would result in fewer Official Community Plan amendment applications. As application fees obtained by the City in relation to Official Community Plan amendment applications may not entirely cover the expenses (especially staff time) incurred by the City while processing the applications, this amendment would likely save City funds.

CONCLUSION:

It is recommended that Council give first and second reading to City of Prince Rupert Official Community Plan Bylaw Amendment Bylaw No. 3479, 2022 and proceed to public hearing.

Report Prepared By:

Report Reviewed By:

Daniel Rajasooriar,
Planner

Robert Buchan,
City Manager

Attachment:

- Attachment 1 (A-B): Official Community Plan Bylaw Amendment Bylaw No. 3479, 2022

CITY OF PRINCE RUPERT

OFFICIAL COMMUNITY PLAN BYLAW AMENDMENT BYLAW NO. 3479, 2022

A BYLAW TO AMEND CITY OF PRINCE RUPERT
OFFICIAL COMMUNITY PLAN BYLAW NO. 3460, 2021

WHEREAS the Council of the City of Prince Rupert has enacted Official Community Plan Bylaw No. 3460, 2021 for the City of Prince Rupert;

NOW THEREFORE the Council of the City of Prince Rupert in an open meeting assembled, enacts as follows:

1. That City of Prince Rupert Official Community Plan Bylaw No. 3460, 2021 be amended as follows:
 - a. **Replace** the following (page 37):

“Map 2 (located in the Appendix) illustrates the framework for building heights in the City Core. Most building heights are to be up to four stories throughout the core, but eight story buildings will be considered in the Marina District, six stories in the hotel area on 1st Avenue as well as at the McBride Avenue gateway into the Downtown between 4th and 3rd Avenues. The intent is to have higher buildings in the new Downtown but these buildings will be lower and less dense as they approach the existing single family areas west of the City Centre.”

With the following (page 37):

“Map 2 (located in the Appendix) illustrates the framework for building heights in the City Core. The framework considers up to four stories throughout most of the City Core, with up to eight stories along parts of 1st Avenue West and in parts of the Marina District, as well as up to six stories along Stiles Place, parts of the Five Corners gateway, and the McBride Avenue gateway between 4th and 3rd Avenues. The framework aims to have higher buildings in the Downtown District of the City Core with building heights reduced gradually approaching the City Core’s western side.”

- b. **Replace** the following (page 37):
 “4.2.1 Commercial Use Policy.”

With the following (page 37):
 “4.2.1 City Core and Commercial Policy.”
 - c. **Replace** the following (page 37):
 “4. The City Centre building heights will follow a framework identified in Map 2. Building heights will be reduced gradually as they approach single family neighbourhoods to the west.”

With the following (page 37):
 “4. Building heights in the City Core will follow the building heights framework identified in Map 2. However, Council may allow a building height higher than contemplated by the framework if Council considers a building height to be low impact in terms of view obstruction.”
2. This Bylaw may be cited as “City of Prince Rupert Official Community Plan Bylaw Amendment Bylaw No. 3479, 2022.”

Read a First time this ____ day of _____, 20__.

Read a Second time this ____ day of _____, 20__.

Public Hearing this ____ day of _____, 20__.

Read a Third time this ____ day of _____, 20__.

Final Consideration and Adopted this ____ day of _____, 20__.

 MAYOR

 CORPORATE ADMINISTRATOR