



# City of Prince Rupert

## AGENDA

For the **PUBLIC HEARING** to be held on March 28, 2022 at 6:00 p.m. in Council Chambers, Second Floor of City Hall, 424 3<sup>rd</sup> Avenue West, Prince Rupert, B.C.

**1. CALL TO ORDER**

**2. OCP AMENDMENT BYLAW NO. 3489**

- 3. Report from Planning.
- 4. Public asked to provide comments.

**5. ZONING BYLAW NO. 3490, 2022**

- a) Report from Planning.
- b) Public asked to provide comments.

**6. ADJOURNMENT OF PUBLIC HEARING**

CITY OF PRINCE RUPERT

**OFFICIAL COMMUNITY PLAN AMENDMENT BYLAW NO. 3489, 2022**

A BYLAW TO AMEND THE CITY OF PRINCE RUPERT OFFICIAL  
COMMUNITY PLAN BYLAW NO. 3460, 2020

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

That the City of Prince Rupert Official Community Plan Bylaw No. 3460, 2020 be amended as follows:

1. That Lot 1, District Lot 251, Range 5, Coast District, Plan 11720 be designed as follows:  
  
From: Residential - Detached  
To: Industrial
2. That the City Wide Land Use Framework, Map 1A, to the City of Prince Rupert Official Community Plan Bylaw No. 3460, 2020 shall be amended according to Schedule A attached hereto and forming a part of this Official Community Plan Amendment Bylaw No. 3489, 2022.
3. This Bylaw may be cited as "Official Community Plan Amendment Bylaw No. 3489, 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\_\_.

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MAYOR

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CORPORATE ADMINISTRATOR

# Schedule A OCP Amendment Bylaw 3489, 2022



OPERATIONS DEPARTMENT

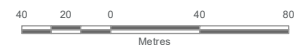
## Subject Property

Lot 1 District Lot 251 Range 5  
Coast District, Plan 11720

## Land Use

- Downtown Retail/Mixed Use
- Local Retail/Mixed Use
- Large Format/Service Retail/Mixed Use
- Residential - Detached
- Residential - Townhouse
- Residential - Apartment
- Hotel
- Industrial
- Office
- Civic/Community
- Park/Open Space
- Future Neighbourhoods
- Residential/Industrial Flex
- Potential New Park Location

Project #: Bylaw 3489  
 Author: RB  
 Checked: XX  
 Status: FINAL  
 Revision: A  
 Date: 2022 / 3 / 8  
 Scale: 1:3,400



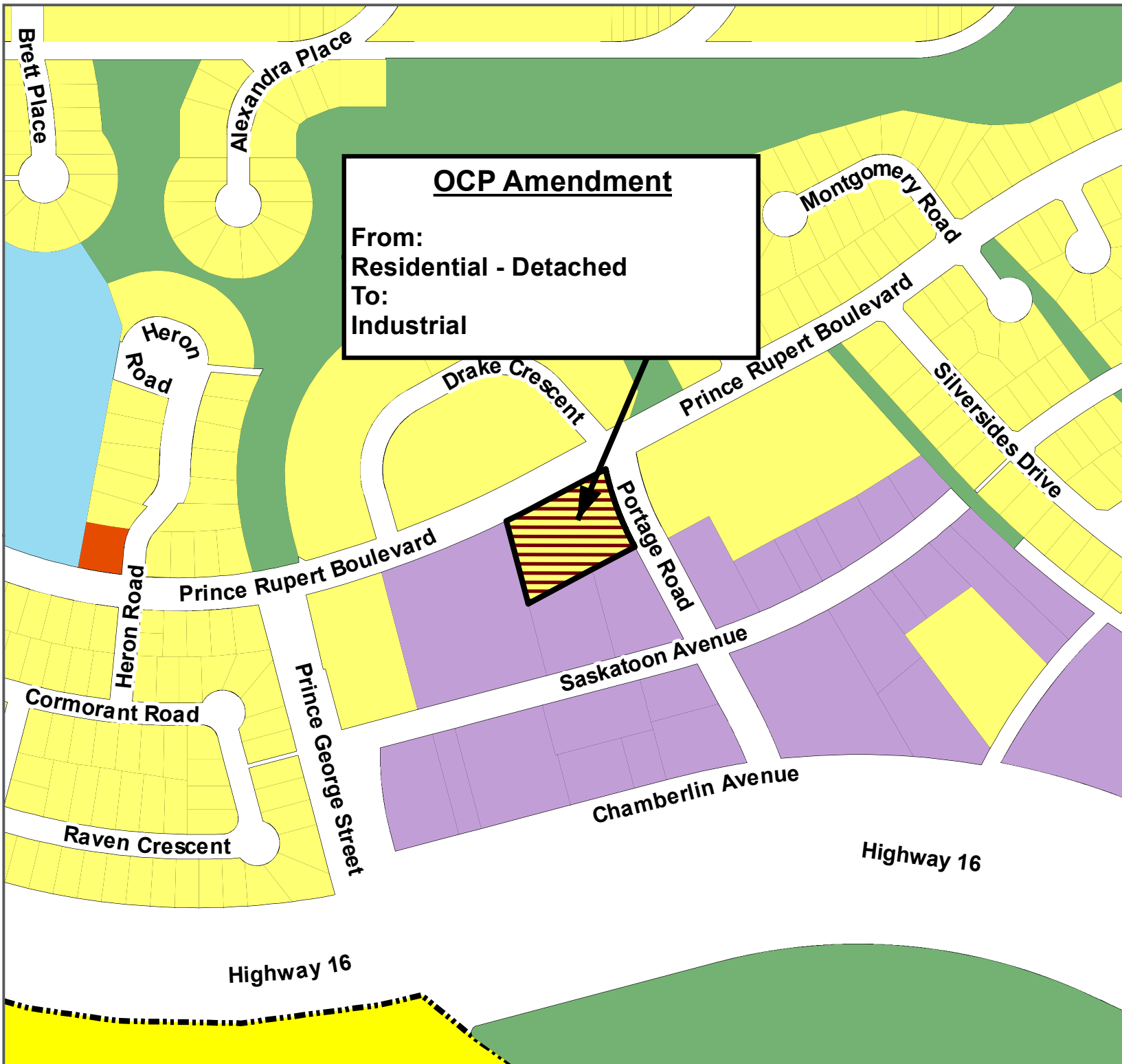
Coordinate System:  
NAD 1983 UTM Zone 9N

Data Sources:  
Integrated Cadastral Information Society (ICIS)  
City of Prince Rupert  
2021 Orthophoto

**OCP Amendment**

**From:**  
Residential - Detached

**To:**  
Industrial



CITY OF PRINCE RUPERT

ZONING AMENDMENT BYLAW NO. 3490, 2022

A BYLAW TO AMEND THE CITY OF PRINCE RUPERT ZONING  
BYLAW NO. 3462, 2021

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**WHEREAS** the Council of the City of Prince Rupert has enacted Zoning Bylaw No. 3462, 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 the City of Prince Rupert Zoning Bylaw No. 3462, 2021 be amended as follows:
  - a. Amend "Schedule B" Zoning Map by rezoning Lot 1, District Lot 251, Range 5, Coast District, Plan 11920 *from* P1 Public Facility and *to* M1 Light Industrial as indicated on the map attached.
2. This Bylaw may be cited for all purposes as "City of Prince Rupert Zoning Amendment Bylaw No. 3490, 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\_\_.

Approved by the Ministry of Transportation and Infrastructure this \_\_\_ day of \_\_\_\_\_, 20\_\_.

Final Consideration and Adopted this \_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE ADMINISTRATOR

# Schedule A Zoning Amendment Bylaw 3490, 2022

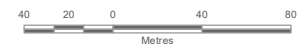


OPERATIONS DEPARTMENT

## Subject Property

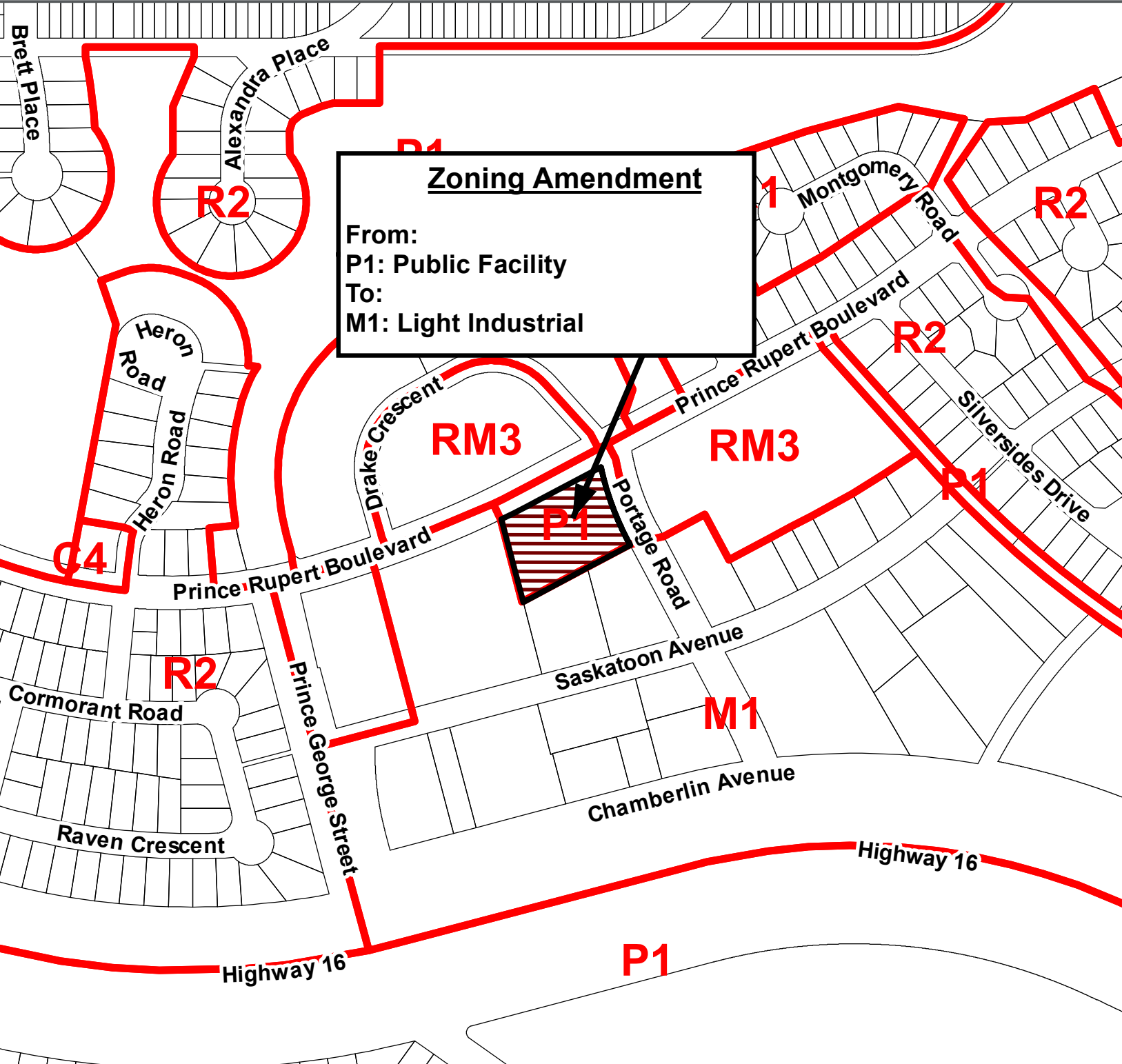
Lot 1 District Lot 251 Range 5  
Coast District, Plan 11720

Project #: Bylaw 3490  
Author: RB  
Checked: XX  
Status: FINAL  
Revision: A  
Date: 2022 / 3 / 8  
Scale: 1:3,400



Coordinate System:  
NAD 1983 UTM Zone 9N

Data Sources:  
Integrated Cadastral Information Society (ICIS)  
City of Prince Rupert  
2021 Orthophoto



**Zoning Amendment**  
From:  
P1: Public Facility  
To:  
M1: Light Industrial



**DRAKE HEIGHTS DEVELOPMENT GP LIMITED**  
1000 – 1055 West Hastings Street  
Vancouver, British Columbia,  
V6E 2E9

March 25, 2022

**Mayor and Council**  
**City of Prince Rupert**  
424 3<sup>rd</sup> Ave West  
Prince Rupert, BC  
V8J 1L7

**REFERENCE: ZBLA-21-03 –Lot 1, District Lot 251, Range 5, Coast District, Plan 11720**  
**Potential Rezoning of the noted property from P1 Public to M1 Industrial**

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Dear Mayor and Council,

Further to the request for a Zoning Amendment Application **ZBLA-21-03**, we wish to call on Council to request a further review of this application, as it is not in the interest of neighbouring properties and is not consistent with the recent updated Official Community Plan adopted only 9 months ago.

**OCP Amendment Requirement**

It appears that the initial written application was submitted to request a M2 Zoning, subsequently the proponent is requesting M1 Zoning and that applications did not include an OCP Amendment. It would appear the requested rezoning is inconsistent with the OCP and Public Hearing process, and that the Planning report missed this. We would assume that this discussion should be deferred until this technicality is corrected.

If the application is deemed valid, below is our response:

**Preface:**

Our company owns the property directly west of the applicant's property, legally described as "Lot 3 Plan PRP10313 District Lot 251 Range 5 Land District 14, PID: 005-372-895" though described as "Drake Heights." We have recently received a Development Permit for the

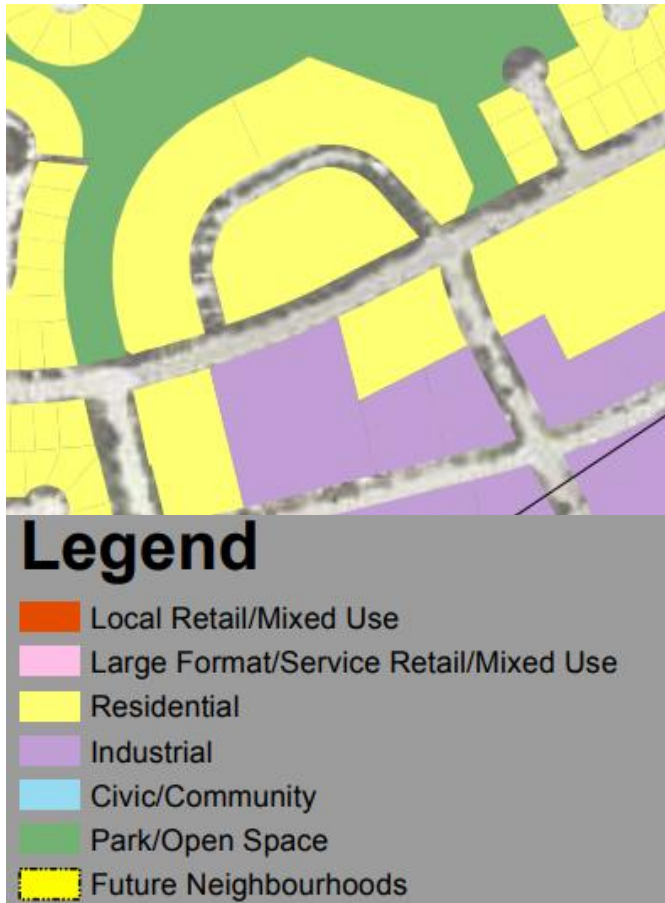
construction of 42 homes and are currently completing our feasibility study in hopes of commencing construction. Our group participated in the OCP surveys, and the Rupert Rebuild envisioning sessions, which in turn led to the several changes including designating the subject property to become designated Residential.

### Subject Property attributes

The subject property does border RM3, on two sides. It would be best served as a future residential site as it is within proximity of Charles Hayes High School and Conrad Elementary, it is on a bus route, and it is within walking distance of the recreation centre and Lester Theatre.

### OCP – Designates Property as Residential

The March 14<sup>th</sup>, 2022, Report to Council did not recognize that the subject property is in fact designated as Residential in the updated community plan. Given that the Official Community plan was updated in June 2021, the application should have been denied and referred the applicant to seek neighbourhood support before applying.



**M1 Zoning Restricted Use Alternative:**

We received notice of this Zoning via registered mail on Wednesday March 23, 2022 – only two days before the response cut off. Fortunately, with help from the local realtors, we were able to make contact directly with the proponent and had a discussion in which we expressed our concerns. We understand the proponent wishes to utilize the buildings in their current state as personal storage, and a shop.

We are still in conversation and if we are to be the first new major residential development in years, we could not accept this as a neighbouring M1 property unless the uses were softened substantially – as noted below:

**Amended M1 Zoning with Restriction Overview** – we may accept a reduced use via text amendment if agreeable with the proponent. Amend the permitted uses of the M1 Zone for this particular property to be restricted as follows:

**We would propose only the following as permitted uses:**

- (c) Service commercial use.
- (d) Office.
- (e) Retail use with a floor area not exceeding 1000m<sup>2</sup>
- (f) Contractor offices, shops, works and storage use.
- (g) Accessory buildings and structures.

**We proposed to remove the following possible M1 uses for the property:**

- (a) Automobile body and repair shops, sales and rentals.
- (b) Light industrial use.
- (i) Freight and truck terminal.
- (j) Impoundment Yard.
- (k) Unenclosed Storage
- (l) Assembly Halls.
- (m) Traveler Accommodation and Restaurant.
- (n) Shipping Container.
- (h) Entertainment centre.

**Additional requirements:**

1. Amend the requirement for buffering of 1.5m trees to be 2.5m trees flanking Prince Rupert Boulevard.
2. Require a development permit for the property for any renovation or new construction.
3. Restrict noise on this site to the same as other residential areas, that being 7am to 9pm.



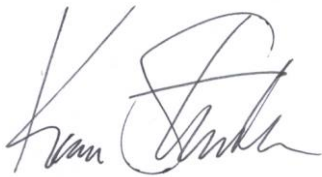
**Proposed updated Council Options**

We wish Council to consider adopting one of the following choices:

1/ Deny rezoning as it is not compliant with the June 2021 Official Community Plan, have applicant seek neighbourhood support for planned use in a future application.

2/ Accept an amended rezoning with suggested restricted uses, with respect to consultation with neighbours.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin Stunder". The signature is written in a cursive style with a large, stylized initial "K".

Kevin Stunder,

CC:

Tom Lessing

Randy Cooke

George Reifel