

**CITY OF PRINCE GEORGE**  
**BYLAW NO. 9423, 2023**

**A Bylaw of the City of Prince George to establish procedures for land development applications including subdivision, building permits, sign permits, plumbing permits, development permits, development variance permits, temporary use permits, and amendments to the Official Community Plan, and Zoning Bylaw.**

**WHEREAS**, pursuant to provisions of the *Local Government Act*, Council has adopted an Official Community Plan, and Zoning Bylaw;

**AND WHEREAS**, pursuant to the provisions of the *Local Government Act*, the City must, by bylaw, define procedures under which an owner of land may apply for an amendment to the Official Community Plan, or Zoning Bylaw, or for the issue of a permit under Part 14 of the *Local Government Act*;

**AND WHEREAS**, the City may, pursuant to s. 484 of the *Local Government Act*, require an applicant for a development permit, temporary use permit, or an amendment to a Zoning Bylaw to provide development approval information to the City;

**AND WHEREAS**, the City must, pursuant to s. 475 of the *Local Government Act*, provide opportunities it considers appropriate for consultation with persons, organizations and authorities it considers will be affected by the amendment of an Official Community Plan;

**AND WHEREAS**, Council wishes to define procedures under which an owner of land may apply to subdivide land;

**AND WHEREAS**, Council wishes to define procedures under which an owner of land may apply for a permit to construct a building, plumbing system and install a sign;

**AND WHEREAS**, under the *Community Charter* and *Local Government Act*, Council may delegate certain powers, duties and functions to an officer or employee of the City of Prince George;

**NOW THEREFORE, Council of the City of Prince George, in an open meeting assembled, ENACTS AS FOLLOWS:**

**1. SHORT TITLE**

This *Bylaw* may be cited as the “City of Prince George Development Procedures Bylaw No. 9423, 2023”.

**2. SEVERABILITY**

If any section, subsection, clause, sub-clause or phrase of this *Bylaw* is for any reason held to be invalid, unlawful or unenforceable by the decision of any Court of competent jurisdiction, that section, subsection, clause, sub-clause or phrase shall be struck from the *Bylaw* and its severance shall not affect the validity of the remaining portions of this *Bylaw*.

### 3. REPEAL

- 3.1 The “City of Prince George Development Procedures Bylaw No. 7635, 2005”, and all amendments thereto are repealed.
- 3.2 This Bylaw shall not come into force or effect until September 1, 2023.

### 4. DEFINITIONS

- 4.1 Unless otherwise defined in this *Bylaw*, all words and phrases in this *Bylaw* shall have the meaning given to them in the *City of Prince George Zoning Bylaw*, *City of Prince George Subdivision & Servicing Bylaw*, *City of Prince George Building Bylaw*, *City of Prince George Sign Bylaw*, *Land Title Act*, *Building Act and regulations*, *BC Building and Plumbing Code*, *Local Government Act*, the *Community Charter*, and any other relevant bylaws, regulations and policies.
- 4.2 In this *Bylaw*, the following terms and words have the meanings set out below:

**Applicant:** the owner of a parcel of land, or an authorized representative of an owner, that submits an application.

**Application:** a written request by an applicant to amend a land use bylaw, approve a subdivision application, and/or for the issuance of a permit in a form and content prescribed by the Authorized Person and this *Bylaw*.

**Approving Officer:** the person appointed by Council for the City of Prince George as Approving Officer under the *Land Title Act*.

**Authorized Person:** the person appointed by Council as head of the City department responsible for the land use planning, subdivision and building inspection function, or a person designated in writing by the head of the department responsible for the above-mentioned functions, to carry out any act or function under this *Bylaw*.

**Building:** any structure used or intended for supporting or shelter any use or occupancy.

**Building Act:** the *Building Act*, SBC 2015, c 2.

**Building Bylaw:** *City of Prince George Building Bylaw*.

**Building Code:** the provincial regulation under the *Building Act* that governs new construction, alterations, repairs, rehabilitation, change in occupancy and demolitions of buildings. This code establishes minimum requirements for safety, health, accessibility, fire and structural protection for persons and property, energy and water efficiency.

**Building Official:** a person qualified under the *Building Act* and appointed as a Building Official for the City.

**Business License Bylaw:** the *City of Prince George Business Regulation and Licensing Bylaw*.

**Bylaw Enforcement Officer:** an officer or employee of the City who has responsibility for inspection and enforcement relating to bylaw compliance including a member of the Royal Canadian Mounted Police or other Peace Officer.

**Bylaw Notice Enforcement Bylaw:** the *City of Prince George Bylaw Notice Enforcement Bylaw*.

**City:** the City of Prince George.

**Community Charter:** the *Community Charter*, SBC 2003, c 26.

**Construct:** includes, but is not limited to, build, erect, install, repair, alter, add, enlarge, move, locate, relocate, reconstruct, demolish, remove, excavate or shore.

**Corporate Officer :** the person assigned by Council to carry out the powers, duties and functions under s. 148 of the *Community Charter*.

**Council:** the elected officials of the City.

**Department:** the Planning and Development Department of the City of Prince George.

**Development Approval Information:** information on the anticipated impact of a proposed activity or development on the community as identified within this Bylaw. This information is only required for a development permit, temporary use permit and Zoning Bylaw application in accordance with the *Local Government Act*.

**Election and Political Signs Bylaw:** the *City of Prince George Election and Political Signs Bylaw*.

**Fees and Charges Bylaw:** the *City of Prince George Comprehensive Fees and Charges Bylaw*.

**Flood Plain Bylaw:** the *City of Prince George Flood Plain Regulation Bylaw*.

**Land Title Office:** the land registry office for the Province of British Columbia.

**Letter of Assurance:** confirmation from a qualified professional(s) that they are responsible for the design, and have been engaged by the applicant, to provide supervision to certify the works have been constructed in accordance with City *Bylaws* and other applicable enactments for the design, drawings, specifications and review of an application. The letters of assurance shall be in the form of Schedule “A”, “B” and “C” of the *Building Code*.

**Local Government Act:** the *Local Government Act*, RSBC 2015, c 1.

**Local Government Bylaw Notice Enforcement Act:** the *Local Government Bylaw Notice Enforcement Act*, SBC 2003, c 60.

**Offence Act:** the *Offence Act*, RSBC 1996, c 338.

**Official Community Plan:** the *City of Prince George Official Community Plan*.

**Owner:** a person listed in the land title office as the owner of a parcel.

**Parcel:** any lot, block or other area of land registered in the land title office.

**Part 3 Buildings:** buildings that are used for major occupancies and classified as assembly, detention, treatment, care and high hazard industrial. This also includes buildings exceeding 600 m<sup>2</sup> in area, or exceeding three (3) storeys in height that are used for major occupancies and classified as residential, business and personal services, mercantile and medium hazard and low hazard industrial.

**Part 9 Buildings:** buildings that are used for major occupancies classified as residential, business and personal service, mercantile, and medium to low hazard industrial occupancies. This also includes buildings three (3) storeys or less in building height and have a building areas not exceeding 600 square meters.

**Person:** an individual, firm, partnership, association, company, corporation, or society.

**Plumbing Code:** Book II of the *Building Code*.

**Plumbing System:** the water supply distribution and disposal piping of a building, including appliances and equipment attached between the connection points for either a public or private system.

**Qualified Professional:** an applied scientist or technologist acting alone or together with another qualified professional that is:

- a) registered and in good standing in British Columbia with an appropriate professional organization constituted under an Act, and acting under that association's code of ethics and subject to the disciplinary actions by that association (includes, but not limited to, biologists, foresters, agrologists, architects, engineers, geologists, technicians, and technologists);
- b) acting within the individual's area of expertise;
- c) the individual's area of expertise is recognized by their professional organization as acceptable for the purpose of providing a report or other information required under this bylaw; and
- d) a full member and is not in training, articling, retired or on leave or a student member.

**Sign:** any structure, device, fixture, or visual representation that uses colour, form, graphic illumination, symbol, or writing to advertise, announce the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind to the public.

**Sign Bylaw:** the *City of Prince George Sign Bylaw*.

**Strata Conversion:** a strata conversion pursuant to section 242 of the *Strata Property Act*.

**Strata Property Act:** the *Strata Property Act*, SBC 1998, c 43.

**Subdivision:** the division of land into two (2) or more parcels, whether by plan or metes and bounds description or otherwise, with the exception of a subdivision that adjusts a boundary without creating additional lots.

**Subdivision and Development Servicing Bylaw:** the *City of Prince George Subdivision and Development Servicing Bylaw*.

**Zoning Bylaw:** the *City of Prince George Zoning Bylaw*.

## 5. GENERAL PROVISIONS

- 5.1 Words in this *Bylaw* directing or empowering any officer or employee of the City to do any act in the purview of their office, shall also include their successors in such office, and be their lawful deputy. This may also include any person that Council may by bylaw or resolution designate to act in their place.
- 5.2 A reference in this *Bylaw* to any enactment of British Columbia is a reference to the enactment as amended, revised, consolidated or replaced from time to time, and a reference to any bylaw of the City is a reference to the bylaw as amended, revised, consolidated or replaced from time to time.
- 5.3 Headings for each section of this *Bylaw* are intended to organize the content and are to be used for reference purposes only.
- 5.4 Wherever the singular or masculine form of a word is used, it shall also mean the plural or feminine form of the word.
- 5.5 The provisions of this *Bylaw* shall apply to the whole territorial area of the City.

## 6. APPLICATION

### Application Submission

- 6.1 An applicant must complete and submit an application, including only true and accurate information, in the form prescribed by the Authorized Person. Items that an Authorized Person may require be included with an application include but are not limited to:
  - a) application form;
  - b) land title search obtained within thirty (30) days of the date of application, and within (30) days of the date of Council's consideration;

- c) copies of applicable legal notations;
  - d) corporate search;
  - e) appointment of agent form; and,
  - f) document, map, plan and drawing submission in a form and with the content identified on Schedule “A” to this *Bylaw*.
- 6.2 If there is a change of ownership of a parcel of land that is the subject of an application pursuant to this *Bylaw*, the City will require an updated title certificate and written authorization from the new owner prior to proceeding with the application.
- 6.3 Application fees in accordance with the *Fees and Charges Bylaw* are payable to the City at the time of application submission. Review of the application may only proceed when the applicable fees have been paid by the applicant.

#### **Application Review**

- 6.4 Upon receipt of a complete application, the Authorized Person may refer the application to internal City departments and external agencies. Once the referral period is complete, the applicant may be notified in writing of the following applicable items:
- a) summary of information gathered during the referral of the application;
  - b) the need for further clarification concerning an aspect of the application;
  - c) any additional information required to review and process the application;
  - d) the next steps in the application process; and,
  - e) the requirement of development approval information, if applicable.
- 6.5 Should an applicant not submit information referenced in the above section within six (6) months of being notified of this requirement, the application shall be closed and the applicable fee(s), if any, may be reimbursed in accordance with the *Fees and Charges Bylaw*.
- a) If the applicant wishes to proceed with the activity or development that was the subject of the original application, the applicant must submit a new application.

#### **Development Approval Information**

- 6.6 Council delegates to the Authorized Person the powers of Council to require development approval information for the issuance of a development permit, temporary use permit and approval of a Zoning Bylaw amendment.

- 6.7 Where required, development approval information must be submitted to the Authorized Person, at the applicant's expense, in the form of a report certified by a qualified professional that addresses the terms of reference provided by the Authorized Person in accordance with this *Bylaw*.
- 6.8 The terms of reference for development approval information may include the following items:
- a) compliance of the activity or development with the Official Community Plan and any other relevant City bylaw, plan or policy in preparation or adopted by Council;
  - b) compatibility with adjacent and community land uses, functions, form, character, aesthetic and scale of development;
  - c) socio-economic impacts affecting the day-to-day quality of life of people and communities, including direct and indirect economic impacts, demographics, housing, local services and sociocultural issues;
  - d) land use impacts such as noise, vibration, glare and electrical interference;
  - e) transportation including public transit, parking demand, traffic safety, pedestrian and vehicular traffic flow or operation, trip generation, site access and egress, network connectivity, and accessibility;
  - f) air quality including pollution, dust, fumes, smoke, and odours;
  - g) water quality including pollution, temperature, oxygen levels, acidity, nutrients, silts, and pathogens;
  - h) geotechnical assessment of any affected area including soil composition, profile, classification, agricultural suitability and capability, geologic process and terrain stability;
  - i) hydrological assessment of any affected area including infiltration, interception, groundwater and overland flow, as well as hydrologic processes including accretion and erosion;
  - j) terrestrial and aquatic ecology including biological diversity, impacts to flora and fauna, habitat size, complexity, fragmentation or isolation, change to suitability or capability, restoration, creation or enhancement;
  - k) historical, cultural and archeological buildings, sites or assets;
  - l) the phasing and timing of the activity or development;
  - m) hazardous conditions including mud flow, debris torrents, erosion, lands slip, rock falls, subsidence, avalanche, wildfire, flood, inundation (including appropriate construction elevations and setbacks) or other hazard;
  - n) compatibility with adjacent City owned land, rights of way and easements;

- o) local infrastructure and site servicing including drainage, water, sewer or other utilities;
- p) community facilities and services including schools, parks, recreation, protective, and health services; and/or,
- q) any other topic in relation to which the Authorized Person considers the proposed activity or development impacts the jurisdiction of the City.

6.9 Within thirty (30) days of the Authorized Person's decision to require development approval information, the applicant may request that Council reconsider this decision in accordance with the following:

- a) the request shall be in writing and include reasons in support of the reconsideration;
- b) upon receipt of a complete written request for Council's reconsideration, the Authorized Person shall prepare and forward a report to Council attaching the application and setting out the reasons for the decision;
- c) following receipt of the applicant's written request, and the report of the Authorized Person, Council shall reconsider the decision of the Authorized Person and either uphold the decision, or substitute Council's decision for the Authorized Person.

6.10 Should an applicant not submit development approval information required under this *Bylaw* within six (6) months of being notified of this requirement, the application shall be closed and the applicable fee(s), if any, may be reimbursed in accordance with the *Fees and Charges Bylaw*.

- a) If the applicant wishes to proceed with the activity or development that was the subject of the original application, the applicant must submit a new application.

## 7. LAND USE BYLAW

An applicant who intends to amend the *Official Community Plan* and/or *Zoning Bylaw* shall seek approval from Council in accordance with the *Local Government Act* and this *Bylaw*.

### Report to Council

7.1 Upon receipt of a complete application and following referral review, the Authorized Person may prepare a report to Council that contains:

- a) a summary of the application;
- b) an assessment of the anticipated impact of the activity or development on the community;



- c) a review of the application with reference to City bylaws and policies; and,
  - d) any other matters the Authorized Person considers necessary or advisable.
- 7.2 Council delegates to the Authorized Person the duty of Council under section 475 of the *Local Government Act* to provide opportunities for appropriate consultation with persons, organizations and authorities that will be affected by an amendment to the *Official Community Plan*, provided that the Authorized Person advises Council in advance:
- a) which persons and organizations will be consulted, if any;
  - b) how consultation will occur; and,
  - c) the timing of consultation.
- 7.3 Where the Authorized Person has determined that a rezoning application is consistent with the *Official Community Plan*, such that a public hearing is not required, written comments received following the provision of notice under section 467 of the *Local Government Act* may be attached to the Authorized Person's report to Council for that application.

#### **Responsibilities of the Corporate Officer**

- 7.4 Following receipt of the Authorized Person's report, the Corporate Officer shall:
- a) if a public hearing is not required, prepare and mail or deliver public notice under section 7.11 to adjacent property owners and tenants whose interests in the property may be affected by a rezoning application in advance of 1st reading of the amending bylaw in accordance with this Bylaw;
  - b) forward the report to Council for consideration;
  - c) prepare and forward the amending bylaw for Council's consideration for 1st reading;
  - d) if Council forwards the amending bylaw to a public hearing, prepare and provide notification in advance in accordance with the *Community Charter, Local Government Act* and this Bylaw; and
  - e) if Council approves the amending bylaw at 3rd reading, and if the bylaw is subject to section 52 of the *Transportation Act*, refer that amending bylaw to the Minister responsible for the *Transportation Act* for approval.

#### **Council's Consideration**

- 7.5 Upon receiving the Authorized Person's report, Council shall consider the application in accordance with the *Local Government Act*, City of Prince George Council Procedures Bylaw and this Bylaw.

- 7.6 Council shall consider the application and may as applicable:
- a) authorize the drafting of an amending bylaw in accordance with the application;
  - b) provide first three readings (1<sup>st</sup> reading, 2<sup>nd</sup> reading and 3<sup>rd</sup> reading), and final reading adoption of the amending bylaw, in accordance with the procedures under this Bylaw, the *Community Charter*, and the *Local Government Act*. With exception that a public hearing may be waived as indicated in section 7.3 of this Bylaw;
  - c) direct that a public hearing be held after 1<sup>st</sup> reading, and before 3<sup>rd</sup> reading;
  - d) reject or refuse the application; or
  - e) defer or otherwise deal with the application.
- 7.7 Where Council considers an application that the Authorized Person does not support, that applicant shall be given an opportunity to submit written comments or other documents (but not oral comments) outlining the merits of their proposal and the reasons for the application to proceed to a public hearing. These written comments are to be included in the council meeting agenda, attached to the Authorized Person's report for that application.
- 7.8 If an applicant submits a proposal for Council's consideration that is different from the proposal that was reviewed by the Authorized Person, Council may table the bylaw until such time the Authorized Person reviews the amended proposal and provides an updated report for Council's reconsideration.

#### **Notice of Council's Consideration**

- 7.9 In circumstances where the *Local Government Act* requires the delivery of a notice of public hearing to owners and tenants in occupation, the applicant shall post at least ten (10) days before the public hearing and maintain a notice on the parcel that is the subject of the bylaw alteration, in accordance with Schedule "B" of this *Bylaw*.
- 7.10 Noncompliance with this *Bylaw* due to the removal, destruction or alteration of the notice by unknown persons, vandalism or natural occurrence shall not affect the validity of the *Bylaw* that is the subject of the application.
- 7.11 The distance for mailing or delivery of public notice under section 466 of the *Local Government Act* is 30 metres.

#### **Bylaw Lapse and Reapplication**

- 7.12 If Council has not adopted the bylaw within one (1) year of the date of Council's consideration of the bylaw after 1<sup>st</sup> reading, 2<sup>nd</sup> reading and 3<sup>rd</sup> reading, the bylaw may lapse and will be of no force or effect. If the applicant wishes to proceed with the activity or development that was the subject of the application, the applicant must submit a new application.

- 7.13 No person may reapply to amend the *Official Community Plan* or *Zoning Bylaw* for a period of six (6) months after Council's refusal of substantially the same application as per section 460 (3) of the *Local Government Act* such that Council may authorize the application to proceed by a 2/3 vote of eligible members.

## 8. LAND USE PERMIT

An applicant who wishes to undertake an activity or work requiring a development permit, development variance permit, or temporary use permit shall seek approval from Council, or the Authorized Person as applicable, in accordance with the *Local Government Act* and this *Bylaw* for a permit to:

- a) develop a parcel within a designated development permit area;
- b) vary regulation(s) of the *Zoning Bylaw*, *Subdivision and Development Servicing Bylaw* and *Sign Bylaw*; and
- c) temporarily allow a use on a parcel.

### Development Permit

- 8.1 Council delegates to the Authorized Person the powers of Council to issue, amend, or refuse a development permit in that in accordance with the *Local Government Act*:
- a) includes requirements and conditions or sets standards under section 491 of the *Local Government Act*;
  - b) vary a land use regulation or the *Subdivision and Development Servicing Bylaw*;
  - c) imposes conditions for the sequence and timing of construction.
- 8.2 The form and content of the development permit shall be prescribed by the Authorized Person and this *Bylaw*.
- 8.3 If an applicant fails to satisfy any condition of permit issuance, within one (1) year of the date of the Authorized Person approving the permit conditions, the permit shall lapse and be of no force or effect. If the applicant wishes to proceed with the activity or development that was the subject to that application, the applicant must submit a new application.

### Temporary Use Permit

- 8.4 Council delegates to the Authorized Person the powers of Council to issue, renew, refuse, set conditions, establish the permit expiration date, require security and require an undertaking with respect to a temporary use permit, in accordance with the *Local Government Act* for a period less than and equal to fourteen (14) days.

8.5 Council shall consider all applications for temporary use permits for a temporary use that is proposed for a period greater than or equal to fifteen (15) days. This consideration shall be in accordance with the *Local Government Act, City of Prince George Council Procedures Bylaw* and this *Bylaw*.

8.6 The form of the temporary use permit shall be prescribed by the Authorized Person and this *Bylaw*.

#### **Development Variance Permit**

8.7 Council delegates to the Authorized Person the powers of Council to issue, renew, refuse, set conditions, establish the permit expiration date, require security and require an undertaking with respect to a minor development variance permit, in accordance with the *Local Government Act*, and Schedule “C” of this *Bylaw*.

8.8 Council shall consider all development variance permits not consistent with Schedule “C” of this *Bylaw*. Council’s consideration shall be in accordance with the *Local Government Act, City of Prince George Council Procedures Bylaw* and this *Bylaw*.

8.9 The form of the development variance permit shall be prescribed by the Authorized Person and this *Bylaw*.

#### **Council’s Consideration**

8.10 Upon receiving the Authorized Person’s report, Council shall consider the application in accordance with the *Local Government Act, City of Prince George Council Procedures Bylaw* and this *Bylaw*.

8.11 In circumstances where the Authorized Person considers that the application should be considered by Council, the Authorized Person shall provide a report for Council’s consideration, and may as applicable, in accordance with this *Bylaw* and the *Local Government Act*:

- a) issue, amend, renew or refuse the permit;
- b) establish an expiration date and require undertakings;
- c) impose requirements, set conditions and standards;
- d) impose conditions for the sequence and timing of construction;
- e) require security; or
- f) defer or otherwise deal with the application.

- 8.12 If an applicant fails to satisfy any condition of permit issuance, within one (1) year of the date of the Authorized Person approving the permit conditions, the permit shall lapse and be of no force or effect. If the applicant wishes to proceed with the activity or development that was the subject to that application, the applicant must submit a new application.

#### **Responsibilities of the Corporate Officer**

- 8.13 Upon receipt of the Authorized Person's report, the Corporate Officer may:
- a) forward the report and permit to council for consideration;
  - b) where required, provide notice of Council's intent to consider a resolution to approve the permit in accordance with the *Local Government Act* and this *Bylaw*;
  - c) refer the permit to the Minister responsible for the administration of the *Transportation Act*, if Council approves the development permit or development variance permit, and the permit is subject to s. 52 of the *Transportation Act*;
  - d) register the permit, including permit amendment(s), or the cancellation of a permit in the Land Title Office in accordance with the *Land Title Act* and the *Local Government Act*;
  - e) notify the applicant of Council's decision within thirty (30) days immediately following Council's decision;
  - f) if a resolution of Council is not required for the issuance of the permit, the Corporate Officer may:
    - a. where required, provide notice of the Authorized Person's intent to consider the issuance of the permit in accordance with the *Local Government Act* and this *Bylaw*;
    - b. register the permit, including permit amendment or cancellation in the Land Title Office in accordance with the *Land Title Act* and *Local Government Act*; and
    - c. notify the applicant of the Authorized Person's decision in writing within thirty (30) days immediately following the date of the Authorized Person's decision.

#### **Notice of Council's Consideration**

- 8.14 In addition to the *Local Government Act* notification requirement for Council's consideration of a resolution to issue a development variance permit, the Corporate Officer shall give notice of Council's consideration of a resolution to issue a development permit which varies a *Bylaw* under the *Local Government Act*, as if the permit were a development variance permit.

- 8.15 The distance for mailing or delivery of notice of council consideration under section 499 of the *Local Government Act* is 30 metres.

## **9. SECURITY**

- 9.1 Council delegates to the Authorized Person the powers of Council to require security as a condition of the issuance of a building permit, development permit, development variance permit, temporary use permit, demolition permit, and moving permit.

### **Landscaping Security**

- 9.2 The Authorized Person may require that the applicant provide security based on a complete construction cost estimate, in a form approved by the Authorized Person, from a qualified professional in an amount equal to 120% of the estimated cost to:
- a) satisfy a landscaping condition of the permit;
  - b) correct an unsafe condition; and/or
  - c) correct damage to the environment.
- 9.3 The Authorized Person may require that the applicant enter into a landscape agreement, in a form approved by the Authorized Person.

### **Demolition and Moving Security**

- 9.4 The Authorized Person may require that the applicant provide security as prescribed in the *Fees and Charges Bylaw*.

### **Form of Security**

- 9.5 The Authorized Person may require that the applicant provide security, in a form approved by the Authorized Person, and in an amount stated in the permit, by whichever of the following the applicant chooses:
- a) irrevocable letter of credit;
  - b) cash;
  - c) bank draft; and/or
  - d) certified cheque.

## 10. BUILDING PERMITS

An applicant who intends to construct a building shall submit an application and obtain approval of a building permit from a Building Official in accordance with the *Building Bylaw*, *Building Code*, this *Bylaw*, and any other applicable enactments.

10.1 Plans and specifications submitted with the application must comply with regulations of the *Building Code*, form and content prescribed in the *Building Bylaw*, and any other applicable enactments respecting safety of persons or buildings.

10.2 Each building to be constructed on a site requires a separate permit and permit application in the form and content prescribed in this *Bylaw*.

### **Additional Application Requirements**

10.3 In addition to the application submission requirements identified in section 6 of this *Bylaw*, a Building Official may require that the following items be included with a building permit application.

- a) foundation and floor plans showing the dimensions and uses of all areas, the dimension and height of crawl and roof spaces, the location, size and swing of doors, the location, size and opening of windows, floor, wall and ceiling finishes, structural elements and stair dimensions;
- b) construction, civil, mechanical and/or other relevant site service drawings prepared and sealed by a qualified professional that demonstrates the design(s), specification(s) and drawing(s) are to City Bylaws, policies, guidelines, and all other Provincial enactments;
- c) cross sectional details of the building illustrating foundations, drainage, ceiling heights and construction systems;
- d) elevations of all sides of the building showing finish details, roof slopes, windows, doors and finished grade;
- e) supporting documentation and specialist reports, if applicable, to demonstrate that *Building Code*, *City Bylaws*, policies, guidelines and all regulatory requirements have been met, including but not limited to: safety relating to a building or structure; tree clearing and disposal; environmental and sediment management; lot grading; and storm water management;
- f) when the building will include residential occupancy, information required pursuant to the *Homeowner Protection Act* demonstrating that:
  - a. the proposed building is covered by home warranty insurance; and
  - b. the residential builder is licensed.

- g) copies of any approvals required from external agencies, including health and safety, and highway access permits under the *Highways Bylaw*; and/or
- h) any other information required by the Building Official or the *Building Code* to establish substantial compliance with this *Bylaw*, the *Building Code*, or other applicable enactments respecting safety related to the building or structure.

10.4 In addition to the application submission requirements identified in section 6 and section 10 of this *Bylaw*, a Building Official may require that a building permit application for a Part 9 building include:

- a) drawings and/or an equivalency report that is prepared and sealed by a qualified professional when any portion of the design of the building or structure deviates from the requirement of Division B Part 9 of the *Building Code*.

### **Letters of Assurance**

10.5 In addition to the application submission requirements identified in section 6 and section 10 of this *Bylaw*, letters of assurance may be provided by a qualified professional that is in the form and content prescribed in Schedule “A” and Schedule “B” of Division C, Part 2 of the *Building Code*. Should the qualified professional identified on the letter of assurance change, a new letter of assurance shall be submitted to the City with accompanying sealed drawings.

### **Demolition and Moving of Buildings**

10.6 In addition to the application submission requirements identified in section 6 of this *Bylaw*, each demolition permit and moving permit application shall also include:

- a) a certified copy of the comprehensive general liability insurance policy that:
  - a. covers risks of personal and bodily injury, and property damage, and risk to City infrastructure, related to the moving or demolition of a building or structure. The comprehensive general liability insurance policy shall not be less than five million dollars (\$5,000,000) all-inclusive per occurrence for bodily injury, death and property damage or loss;
  - b. names the City as additional insured; and
  - c. indicates that the City will receive from the insurer at least thirty (30) days prior written notice of any proposed revocation or termination or material alteration to the policy.
- b) security in the form prescribed in this *Bylaw* in the amount prescribed in the *Fees and Charges Bylaw*;
- c) asbestos abatement reporting, when applicable.



## 11. PLUMBING PERMITS

An applicant who intends to install or alter a plumbing system shall submit an application and obtain approval from a Building Official in accordance with the *Plumbing Code*, *Building Code*, *Building Bylaw*, this *Bylaw*, and any other applicable enactments.

- 11.1 Plans and specifications submitted with the application must comply with the *Plumbing Code*, the *Building Bylaw*, and other applicable enactments respecting safety.
- 11.2 Each separate plumbing system constructed in a unit of a duplex, secondary suite, or a separate building will require a separate permit and permit application submission in the form and content prescribed in this *Bylaw*.
- 11.3 The plumber shall be certified in accordance with the *BC Plumbing Code* and shall sign the application form. This person shall be responsible for the design of the work, and/or responsible for the installation of the plumbing system.

### **Additional Application Requirements**

- 11.5 In addition to the application submission requirements identified in section 6 of this *Bylaw*, a Building Official may require that the following items be included with a plumbing permit application.
  - a) a floor plan indicating plumbing fixture location for Part 9 buildings;
  - b) a sealed drawing that indicates the plumbing system, and other applicable site service drawings for Part 3 buildings;
  - c) where the design of the plumbing system deviates from the *Plumbing Code*, drawings and/or an equivalency report shall be included in the application submission that are sealed by a qualified professional;
  - d) where on-site sewage treatment disposal system is being considered for an application, the submission must be accompanied by a record of sewerage approved by the Northern Health Authority. The approved certificate of sewerage must be received by the Building Official prior to occupancy;
  - e) where an on-site potable water system is being considered for an application, the submission must include a provincially certified testing agency that indicates the water source is potable and is of a quality that falls with the *Drinking Water Protection Act*; and/or
  - f) any other information required by the Building Official to establish substantial compliance with this *Bylaw*, the *Building Code*, *Plumbing Code* or other applicable enactments with respect to health and safety of persons or building.

## 12. SIGN PERMITS

An applicant who intends to construct, place, structurally alter, relocate, re-build or enlarge a sign requires approval from a Building Official in accordance with the *Sign Bylaw*, this *Bylaw* and any other applicable enactments.

### Additional Application Requirements

12.1 In addition to the application submission requirements identified in section 6 of this *Bylaw*, the following items may be included with a sign permit application.

- a) the sign installer's name and address referenced on the site plan and detailed drawings;
- b) site plan must include accurate placement of the proposed sign, including the setbacks to existing signs, buildings and property boundaries;
- c) detailed drawings must include all dimensions of the sign, supporting structure and height above finished grade;
- d) structural, footing and material specifications for the proposed sign;
- e) a master signage plan; and
- f) any other information the Building Official may require to determine full compliance with the *Sign Bylaw*, this *Bylaw* and other applicable enactments.

12.2 The applicant will ensure that the sign installer has an active business license as required by the *Business License Bylaw*, and any other City or Provincial licensing requirements.

## 13. SUBDIVISION APPLICATIONS

An applicant who intends to subdivide a parcel within the City requires approval from the Approving Officer in accordance with the *Land Title Act* and *Strata Property Act*.

13.1 The application submission requirements are identified in section 6 of this *Bylaw*.

## 14. SCHEDULES

14.1 Schedules "A", "B" and "C" attached to this *Bylaw* are incorporated in and form part of this *Bylaw*.

READ A FIRST TIME THIS	<b>16<sup>TH</sup></b>	DAY OF	<b>AUGUST</b>	, <b>2023.</b>
READ A SECOND TIME THIS	<b>16<sup>TH</sup></b>	DAY OF	<b>AUGUST</b>	, <b>2023.</b>
READ A THIRD TIME THIS	<b>16<sup>TH</sup></b>	DAY OF	<b>AUGUST</b>	, <b>2023.</b>

First three readings passed by a **MAJORITY** decision of Members of City Council present and eligible to vote.

ADOPTED THIS  
BY A  
ELIGIBLE TO VOTE.

DAY OF \_\_\_\_\_, **2023**  
DECISION OF ALL MEMBERS OF CITY COUNCIL PRESENT AND

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE OFFICER

# Document, Map, Plan and Drawing

## Submission

### A.1 Submission Format

- a) If required by the authorized person, a qualified professional shall certify all documentation including drawings, reports, construction and security estimates, technical letters and other documentation submitted to the authorized person for the purposes of reviewing the application.
  - a. Building permits, sign permits and plumbing permits may require one (1) certified hard copy and a digital copy of all the documents prepared by the qualified professional shall be submitted to the authorized person.
  - b. For all other applications, a digital copy in a format acceptable to the authorized person is acceptable.
- b) The Authorized Person may review all documents and design drawings to verify general compliance with the requirements but will not necessarily check the adequacy or accuracy of the qualified professional's design. Any errors or omissions will be the sole responsibility of the qualified professional who has certified the documents and design drawings.
- c) Maps, plans and drawings shall be prepared with a graphic scale in the following format:
  - a. Building permits, sign permits, and plumbing permits drawings shall be prepared using a metric scale (imperial equivalent can be noted); and
  - b. For all other applications, a metric scale.

### A.2 Submission Content

- a) The documents, maps, plans and drawings shall include details of the existing site conditions and improvements, as well as details of the proposed activity or development.
- b) The documents, maps, plans and drawings shall include, but not limited to, the following information when requested by the authorized person:

#### Cartographic Representation

- a. the name and address of the author;
- b. the date of the map, plan or drawing's creation;
- c. the name and address of the qualified professional who has reviewed the map, plan, or drawing;
- d. the seal or signature of the qualified professional;
- e. an arrow indicating true north;
- f. a legend for symbols and marks used in the map, plan or drawing;
- g. metric representative fraction scale and graphic scale; and
- h. revision reference block with associated dates.

#### Legal

- a. cadastral information including existing, proposed parcel boundaries, and adjacent lands;
- b. legal description of the parcel;
- c. area and width of the parcel;
- d. name and address of the owner;

- e. name and address of the applicant, if different from the owner;
- f. official community plan Schedule B-6: Future Land Use Map designation;
- g. zoning bylaw zoning boundaries;
- h. location, extent, and density of land use;
- i. development permit area boundaries;
- j. central business district parking exempt area boundaries;
- k. business improvement area boundaries; and
- l. Agricultural Land Reserve boundaries.

### **Environmental**

- a. topographic information for any relevant area including point elevations and contour lines of equal elevation;
- b. hydrographic information for any relevant area including rivers, creeks, streams, ditches, drainage swales, lakes, ponds, and swamps whether regular or intermittent, including the natural boundary, top of bank, 200 year floodplain construction level and appropriate setbacks;
- c. geotechnical information of any relevant area including underlying geology, and geologic process, terrain stability and the type and rate of movement;
- d. soil characteristics including classification;
- e. flora including vegetation type, location and maturity; and
- f. proposed land clearing including logging, vegetation and debris removal.

### **Engineering**

- a. location and dimension of rights of way and easements;
- b. location and dimension of City utilities including cross-sections;
- c. location of private utilities including gas, hydro, telephone and cable;
- d. location of on-site and off-site works including signs, street lights, signals, adjacent street laning and geometry, sidewalks, hydrants, bus stops or shelters, power and telephone structures, retaining walls, etc;
- e. location and dimension of on-site services including water, sanitary and storm sewer lines, oil interceptors, wells, lagoons, septic tanks, septic fields, and fuel tanks;
- f. site grading plan with proposed point elevations, grades, and drainage works such as swales, gutters, catch basins, sub-drains, curbs, ponds or other drainage works, including cross-sections and rim invert elevations;
- g. location and dimension of vehicular and pedestrian access and egress on the parcel and any relevant adjacent property; and
- h. location and dimension of vehicular and pedestrian travel lanes in any adjacent road right of way.

### **Design**

- a. building or structure floor plans including the dimension of rooms, walls, ramps, steps;
- b. building or structure elevations and cross sections including the location and dimension of openings, doors, windows, façade features and building height;
- c. building or structure site coverage, gross floor area, and gross leasable floor area;
- d. building or structure setbacks from the front, rear, and side site lines including setbacks from other buildings or structures, the natural boundary, and top of bank of any watercourse or water body;
- e. location and dimension of all rooftop equipment, vents and chimneys;
- f. location and dimension of all projections;
- g. off-street parking and loading areas including the surfacing, location, number and dimension of any access or egress, maneuvering aisle, raised islands, barriers, curb and wheel stops, and parking and loading spaces, handicapped parking, access ramp to sidewalk and main entrance, signage, as well as on-site traffic control devices including crosswalks, traffic guidance signs;
- h. parking and loading area setbacks from the front, rear, and side site lines including setbacks to

- any building or structure;
- i. simple perspective or massing model. Photographs or photomontages may be used if relevant;
- j. shadow, wind, and snow deposition analysis;
- k. location, access and screening for garbage and recycling receptacles;
- l. landscaping treatment of the adjacent road rights of way including vegetation, and hard surfaces;
- m. treatment of landscaping and screening on the parcel, and adjacent boulevard, including dimension and location of all existing and proposed landscaping relative to the existing and final grades, naturalized areas, off-street parking and loading areas and outdoor storage and display areas; property lines, fencing, easements, rights of way, adjacent land use, building entrances and walkways, signage, exterior lighting, outdoor furniture, hydrants, garbage and recycling receptacles; utilities and works; and
- n. plant materials to be protected, relocated, or removed, and proposed plant material including common and botanical plant names; quantity, caliper, root ball size, height and/or spread at planting and maturity; plant spacing, growing medium and surface treatment; landscape fabrics or liners, edging treatment, typical plant details.

# Notice of Public Hearing or Council's Consideration

## B.1 General

When the posting of notice is required by this *Bylaw* the applicant shall, at the **applicant's** expenses, post the notice in accordance with this Schedule "B".

## B.2 Size and Material

- a) The notice shall be a minimum of 1.8 meters X 1.2 meters in dimension.
- b) The notice shall be constructed of 1.3 cm plywood or other durable material.

## B.3 Content

- a) The notice shall be in English and state the following, as applicable to the application:
  - a. application type;
  - b. time and date of the public hearing;
  - c. place of the public hearing;
  - d. bylaw number;
  - e. in general terms the purpose of the bylaw;
  - f. civic address of the parcel subject to the application; and
  - g. the City's address and phone number.
- b) The notice shall have:
  - a. a white background;
  - b. dark blue or black block capital lettering that is not less than 5 centimeters (cm) in height;
  - c. lettering material that is weatherproof or non-wearing; and
  - d. a map or rendering of the proposal.

#### **B.4 Number**

One (1) notice is required for each 150 meters of highway frontage, or portion thereof, provided that no more than three (3) notices are required for any one parcel.

#### **B.5 Location**

- a) the notice shall be located within 3 meters of the property line of the parcel subject to the application(s), in a conspicuous location facing and clearly visible from the abutting highway, or as specified by the Authorized Person;
- b) the notice shall be located so as not to interfere with pedestrian or vehicular traffic flow, or obstruct visibility from a highway, lane, walkway, or driveway; and
- c) if the placement of the notice is not feasible on the parcel that is the subject of the application, then the notice may be posted on an abutting highway, subject to the approval of the Authorized Person.

#### **B.6 Installation**

The notice must be installed in a safe, sturdy manner capable of withstanding wind and weather.

#### **B.7 Removal**

The applicant must remove the notice within 3 days of the conclusion of any related public hearing or Council's consideration.

#### **B.8 Postponement of the Public Hearing**

Failure to post and keep posted the required notice in accordance with this *Bylaw* may result in the postponement of the public hearing or Council's consideration. Any notification costs incurred by the City as a result of such postponement shall be the responsibility of the applicant in accordance with *City of Prince George Comprehensive Fees and Charges Bylaw*.

#### **B.9 Statutory Declaration Required**

The applicant must provide the authorized person with a statutory declaration, in an approved format, that indicates all notices have been posted as required by this *Bylaw*.



# Minor Development Variance Criteria

## C.1 General

Minor Development Variance Permits may be issued by the Authorized Person in accordance with the *Local Government Act* and this *Bylaw*. The intent of Schedule “C” is to ensure consistent interpretation of the minor development variance applications, and clarify the guiding criteria considered during application evaluation.

## C.2 Minor Variance Categories

This section outlines the type of variance categories that may be delegated to the Authorized Person in accordance with the *Local Government Act* and this *Bylaw*:

- a) siting, size and dimensions of buildings, structures;
- b) regulation of signs;
- c) off-street parking and loading spaces; and
- d) screening and landscaping.

## C.3 Information Required

The Authorized Person may require the applicant to provide the following information to determine if the requested variance is minor.

### Notice

The applicant shall provide notice to adjacent parcel owners and their tenants, of the proposed variance, and obtain their level of support in writing. This notice may take the form of a petition letter or individual letters that shall be in a form prescribed by the Authorized Person.

### Demonstrated Rationale

The applicant shall demonstrate in detail the rationale for the proposed variance request. The rationale provided to the Authorized Person shall consider the following, when applicable:

- a) consistency with the goals, objectives and policies identified within the *Official Community Plan* and other relevant policy documents (e.g. consistency with form and character);
- b) consistency with the intent and purpose of the *Zoning Bylaw* and *Sign Bylaw*;
- c) appropriateness of the development;
- d) effects on the surrounding neighbourhood (i.e., use and enjoyment of adjacent lands); and/or
- e) effects or constraints of the natural environment.

#### C.4 Minor Development Variance Criteria

Based on the demonstrated rationale provided by the applicant in section C.3, the Authorized Person shall review, consider and may approve minor Development Variance Permit applications using the following guiding criteria, when applicable:

- a) all adjacent parcel owners are supportive of this application;
- b) the request shall be consistent with the *Official Community Plan* and other relevant policy documents;
- c) the proposed variance is consistent with the general intent of the *Zoning Bylaw*. On a site-specific basis, the criteria below may be used to determine scale and similarity to bylaw standards:
  - a. siting of buildings and structures:
    - i. site coverage – up to 25% variance;
    - ii. floor area of buildings and structures – up to 25% variance;
    - iii. setbacks of buildings and structures – up to 30% variance;
    - iv. height of buildings and structures – up to 1 m increase.
  - b. parking and loading spaces – up to 30% variance, and professional reporting, such as a traffic impact assessment, that would support the proposed reduction; and/or
  - c. screening and landscaping – up to 10% variance.
- d) the proposed variance is consistent with the general intent of the *Zoning Bylaw*;
- e) the proposed variance will not negatively impact adjacent uses; and
- f) there are demonstrated parcel constraints to meeting bylaw standards.