

**DATE:** August 23, 2021

**TO:** MAYOR AND COUNCIL

**NAME AND TITLE:** Deanna Wasnik, Acting Director of Planning and Development Services

**SUBJECT:** Official Community Plan Amendment Application No. CP100175 (Bylaw No. 9218) and Rezoning Amendment Application No. RZ100704 (Bylaw No. 9219)

**APPLICANT:** L&M Engineering Ltd. on behalf of Niho Land (1986) Ltd., Inc. No. 311471

**LOCATION:** 7920 Highway 97 S

**ATTACHMENT(S):** Location and Existing Zoning Map  
Appendix "A" to Bylaw No. 9218  
Appendix "B" to Bylaw No. 9218  
Appendix "A" to Bylaw No. 9219  
Appendix "B" to Bylaw No. 9219  
Exhibit "A" to Application No. CP100175

## RECOMMENDATION(S):

That Council:

1. GIVES FIRST READING to "City of Prince George Official Community Plan Bylaw No. 8383, 2011, Amendment Bylaw No. 9218, 2021."
2. CONSIDERS "City of Prince George Official Community Plan Bylaw No. 8383, 2011, Amendment Bylaw No. 9218, 2021", in conjunction with the current Financial Plan and confirms there are no issues.
3. CONSIDERS "City of Prince George Official Community Plan Bylaw No. 8383, 2011, Amendment Bylaw No. 9218, 2021", in conjunction with the current Regional District of Fraser Fort-George Solid Waste Management Plan and confirms there are no issues.
4. CONSIDERS "City of Prince George Official Community Plan Bylaw No. 8383, 2011, Amendment Bylaw No. 9218, 2021", in conjunction with the City of Prince George Strategic Framework for a Sustainable Prince George and confirms there are no issues.
5. GIVES SECOND READING to "City of Prince George Official Community Plan Bylaw No. 8383, 2011, Amendment Bylaw No. 9218, 2021"
6. APPROVES the following public consultation process to fulfill the requirements of Section 475 of the *Local Government Act*:
  - a. Two (2) Citywide Newspaper advertisement requesting written comment; and

- b. Request for written comment from properties identified on Exhibit “A” to CP100175;
  - 7. EXPANDS, from 30 metres to 150 metres, the distance, as required in the "City of Prince George Development Procedures Bylaw No. 7635, 2005", for the mailing of notice of the public hearing for the "City of Prince George Official Community Plan Bylaw No. 8383, 2011, Amendment Bylaw No. 9218, 2021" and "City of Prince George Zoning Bylaw No. 7580, 2007, Amendment Bylaw No. 9219, 2021."
  - 8. GIVES FIRST AND SECOND READING to “City of Prince George Zoning Bylaw No. 7850, 2007, Amendment Bylaw No. 9219, 2021”; and
  - 9. DIRECTS the Public Hearing for proposed Bylaws No. 9218 and No. 9219, 2021 BE WITHHELD until the following requirements have been met to the satisfaction of Administration:
    - a. Receipt of Servicing Brief
  - 10. DIRECTS that consideration of Final Reading of proposed Bylaw No. 9218 and 9219 BE WITHHELD until the following requirements have been met to the satisfaction of Administration:
    - a. Receipt of Traffic Impact Study
- In addition, any recommendations presented in the preceding items must be addressed to the satisfaction of the Acting Director of Planning and Development Services.

**PURPOSE:**

The applicant is proposing to amend the Official Community Plan (OCP) and Zoning Bylaw to facilitate the development of light industrial uses (i.e. Arctic Machinery and Citra Logistics Trucking) at 7920 Highway 97 S (subject property). The applicant has applied to amend the OCP as follows:

- Schedule B-6: Future Land Use from Rural Resource to Light Industrial as shown on Appendix “A” to Bylaw No. 9218; and
- Schedule B-4: Growth Management from Rural Resource to Phase 1 as shown on Appendix “B” to Bylaw No. 9218.

The applicant has also applied to rezone the subject property from AF: Agriculture and Forestry to M1: Light Industrial as shown on Appendix “A” to Bylaw No. 9219.

Administration is also conducting a housekeeping amendment to remove the subject property from the Home Business Overlay (HBO) layer from Schedule B of the Zoning Bylaw No. 7850, 2007, as the proposed M1 zone does not require the Home Business Overlay (HBO) layer as shown on Appendix “B” to Bylaw No. 9219.

Site Characteristics

Location	7920 Highway 97S
Legal Description	Lot 1, District Lot 750, Cariboo District, Plan 16725
Current Use	Undeveloped land
Site Area	6.6 ha (16.32 acres)

Schedule B-6: Future Land Use Designation (see Appendix “A” to Bylaw No. 9218)

Current Future Land Use	Rural Resource
Proposed Future Land Use	Business District, Light Industrial

Schedule B-4: Growth Management (see Appendix “B” to Bylaw No. 9218)

Current Growth Management	Rural Resource
Proposed Growth Management	Phase 1

Zoning (see Appendix “A” to Bylaw No. 9219)

Current Zoning	AF: Agriculture and Forestry
Proposed Zoning	M1: Light Industrial

Home Business Overlay (see Appendix “B” to Bylaw No.9219)

Existing	Home Business Overlay
Proposed	Removal of the subject property from Home Business Overlay

Surrounding Land Use Table

North	Unconstructed road right of way and developed industrial zoned land (Boundary Road Industrial Area)
South	Highway 97 S, Highway Commercial development and Manufactured Home Park
East	Unconstructed road right of way and Regional District of Fraser Fort George Boundary
West	Industrial zoned lands (Boundary Road Industrial Area) and Boundary Road

**POLICY / REGULATORY ANALYSIS:**

**Intent of the Official Community Plan**

As identified in Section 1.2 of the Official Community Plan (Intent, Application, and Interpretation): The *Local Government Act* explains that all bylaws enacted or works undertaken by Council after adoption of the Official Community Plan must be consistent. An Official Community Plan, however, is not intended to be a static document, but should adapt to new trends within society and respond to changing circumstances. As such, following appropriate public consultation and careful consideration by Council, policies and land use designations in an Official Community Plan may be revised by an amending bylaw pursuant to provisions outlined within the *Local Government Act*.

**Official Community Plan**

Future Land Use

The subject property is designated as Rural Resource in Schedule B-6: Future Land Use of the Official Community Plan. This designation includes areas used for agriculture, forestry and resource extraction activities that are important in the long term health of the regional economy. It also encompasses natural open spaces, environmental sensitive areas, and natural hazard areas in which development is restricted or prohibited.

In order to facilitate the light industrial use, the applicant would like to amend the designation to Business District, Light Industrial as shown on Appendix “A” to Bylaw No. 9218. This designation area is intended to accommodate light industrial uses, which have low noise and air emissions based on Provincial Offsetting Guidelines. This may include, but not limited to: manufacturing, processing, household repair, research, broadcasting studio, building and garden supply, minor truck or rail terminal and similar uses. The light industrial designation includes areas adjacent to or within close proximity to the Boundary Road Industrial area and Airport Light Industrial Plan areas.

The OCP encourages industrial growth within the urban area, encouraging intensification of light industrial lands with existing services and development with full City water and sanitary sewer service (Policy 8.3.92 and Policy 8.3.94). The applicant is providing a servicing brief prior to the public hearing that will address water supply, sanitary sewer and storm drainage system designs for the subject property. In addition, light industrial uses are to be located within adequate access to ancillary services and local road networks to help facilitate the movement of people and goods (Policy 8.3.93). The applicant is providing a traffic review of the proposed M1 zone to determine any potential impacts to the adjacent road network (i.e. Boundary Road and Highway 97 S) from the proposed use.

Administration is supportive of the amendment as the proposal is an expansion to the existing industrial uses that are occurring to the north and west of the subject property. The proposed application will also provide an opportunity to connect to existing City services (i.e. sanitary, storm and water) in the area. Furthermore, the subject property is adjacent to the Boundary Road industrial area with access to arterial designated roads of Boundary Road and Highway 97 that would allow for movement of goods and people within the City.

### Growth Management

The subject property is designated as Rural Resource in Schedule B-4: Growth Management of the Official Community Plan. This designation is intended for areas used for agriculture, forestry and resource extraction activities that are important in the long-term health of the regional economy. The applicant is proposing to amend the Growth Management Designation from Rural Resource to Phase 1 to ensure consistency with the surrounding industrial uses as shown on Appendix "B" to Bylaw No. 9218.

The Phase 1 designation is intended to provide for a gradual expansion of the Urban Area, the City shall phase and guide growth within these areas based on required servicing (Policy 8.1.13). The infrastructure required to support development in Phase 1 areas should be funded in full by the developer (Policy 8.1.16).

Administration is supportive of the amendment to the growth management designation to ensure consistency with the surrounding industrial area in the Boundary Road Industrial Area.

### **Zoning Bylaw No. 7850, 2007**

The subject property is zoned as AF: Agriculture and Forestry, the purpose of this zone is to conserve and manage agricultural and forestry land by providing for a compatible range of uses with regulations that maintain parcels of at least 15.0 ha. The applicant has applied to rezone the subject property from AF: Agriculture and Forestry to M1: Light Industrial zone as shown on Appendix "A" to Bylaw No. 9219. The purpose of M1 zone is to provide for a mix of business and light industrial uses.

The subject property is bounded by Industrial zoned lands to the north and west of the subject property (i.e. M1: Light Industrial and M2: General Industrial). The subject property is adjacent to an unconstructed road allowance to the east and the municipal boundary with the Regional District of Fraser Fort George. Administration is supportive of the proposed M1 zone, as the subject property is directly adjacent to the Boundary Road Industrial Area. The proposed application is also consistent with the policy direction of the OCP and the form and character of the Boundary Road Industrial area.

### *Home Business Overlay (HBO)*

The subject property is designated under the Home Business Overlay in *Schedule B* of the Zoning Bylaw No. 7850, 2007, as shown on Appendix "B" to Bylaw No. 9219. The Home Business 3 designation allows an ancillary home based business to occur with a single residential use. The proposal to rezone the subject property to M1: Light Industrial will not require a home business overlay designation. Therefore, Administration is recommending that the subject property be removed from the Home Business Overlay (HBO) layer.

## **OTHER CONSIDERATIONS:**

### **Notification to Adjacent Property Owners**

As per the requirements set out in the *Local Government Act*, the City of Prince George will mail or otherwise deliver a notice to adjacent property owners and tenants whose interests may be affected by this land use application. Administration is recommending that the Notice of Public Hearing and OCP consultation mail out area that is required as per the “City of Prince George Development Procedures Bylaw No. 7635, 2005” is increased from 30 meters to 150 meters as shown on Exhibit “A” to CP100175.

The increase to the consultation area from 30 meters to 150 meters is due the subject property being located adjacent to the municipal and Regional District of Fraser Fort George boundary. In addition, the land use change from agriculture and forestry to light industrial may have impacts outside of the property boundaries that may impact the adjacent rural residential uses within the City of Prince George and Regional District of Fraser Fort George.

### **Referrals**

This application was referred to internal City divisions and external agencies for comments. The following comments were received during the referral process.

#### Servicing Brief

A Servicing Brief prepared and sealed by a Professional Engineer registered in the Province of British Columbia is required. The Servicing Brief will address technical issues related to water supply, sanitary sewer collection, and storm drainage system designs.

Administration recommends that the public hearing of Bylaw No. 9218 and Bylaw No. 9219 be withheld until a Servicing Brief has been prepared and submitted to the satisfaction of Administration.

#### Traffic Impact Study

The property is adjacent to the Ministry of Transportation and Infrastructure (MoTI) right of way and Bylaw No. 9219 requires Ministry approval prior to final reading. Through the referral process, Ministry of Transportation and Infrastructure (MoTI) requested a Traffic Impact Study (TIS) that reflects the maximum allowable development under the proposed rezoning.

Administration recommends that Final Reading of Bylaw No's. 9218 and 9219 be withheld until a Traffic Impact Study prepared and sealed by a Transportation Engineer registered in the Province of British Columbia is prepared and submitted to the satisfaction of Administration.

#### Ministry of Transportation and Infrastructure

The property is adjacent to the Ministry of Transportation and Infrastructure (MOTI) Right-of-Way (i.e. Highway 97) and as per Section 52 of the *Transportation Act*, Bylaw No. 9219 requires the Ministry of Transportation and Infrastructure's approval prior to Final Reading and adoption.

### **Council Procedures during COVID-19 Pandemic**

As per the requirements set out in the *Local Government Act* and “City of Prince George Development Procedures Bylaw No. 7635, 2005”, the City of Prince George will mail or otherwise deliver a notice to adjacent property

owners and tenants whose interests may be affected by these applications. Members of the public may provide comment by written submission, telephone or in person. Written submissions received in response to the public notice for these applications will be provided to Council for their consideration during the public hearing and prior to third reading of the proposed bylaws. Residents who wish to speak in person can do so during the Public Hearing in Council Chambers. The City of Prince George follows the guidelines of the Provincial Health Officer as measures have been put in place to ensure the safety of members of the public attending the Public Hearing to provide comments. Additional information on methods to provide comments to Council can be found on the [City's website](#).

### **Sequence of Adoption for the Official Community Plan**

Pursuant to the *Local Government Act*, City of Prince George Official Community Plan Bylaw No. 8383, 2011 was adopted by considering the Financial Plan, Solid Waste Management Plan and Strategic Framework. Therefore, any amending bylaws to the Official Community Plan must also consider these plans.

Section 477 of the *Local Government Act* identifies the adoption procedures for the development, repeal or amendment to the Official Community Plan bylaw. This sets in motion the following sequence which identifies the *Local Government Act* requirements and the City's own procedures:

1. After a bylaw has been given first reading the following must occur:
  - a) Consideration of the plan in conjunction with the current [Financial Plan](#);
  - b) Consideration of the plan in conjunction with the current [Regional District Solid Waste Management Plan](#);
  - c) Consideration of any other plan and policies that the local government considers relevant (i.e. [Strategic Framework for a Sustainable Prince George](#));
  - d) Referral to the Agricultural Land Commission if the Plan applies to Agricultural Land Reserve land (*not applicable to these applications*);
  - e) Second Reading;
  - f) Public notice of the Public Hearing; and
  - g) Public Hearing.
2. Third Reading of the bylaw
3. Final Reading and Adoption of the bylaw

The *Local Government Act* requires that each reading of the OCP bylaw must receive an affirmative vote of a majority of all Council members. The adoption procedures found in Section 477 of the *Local Government Act* are required, and should any changes occur to the bylaw, the sequence of steps would be repeated.

### **Statutory Consultation**

The Department recommends that Council approve the consultation method outlined in the recommendation section of this Staff Report to Council to provide:

- Two (2) Citywide Newspaper advertisement(s) requesting written comment; and
- Request for written comment from properties identified on Exhibit "A" to CP100175;

This consultation would occur after First and Second Reading to Bylaw No. 9218, 2021 and prior to the Public Hearing.

**ALTERNATIVES:**

1. Approve the bylaw
2. Approve the bylaw as amended
3. Refuse the bylaw
4. Defer or otherwise deal with the bylaw

Administration recommends that Bylaw No. 9218, 2021 and 9219, 2021 be approved.

**SUMMARY AND CONCLUSION:**

The applicant has applied to amend the OCP and rezone the subject property to facilitate the development of light industrial uses on 7920 Highway 97S (subject property). Administration is supportive of the proposed amendment as per the rationale provided in the report.

**RESPECTFULLY SUBMITTED:**

Deanna Wasnik, Acting Director of Planning and Development Services

PREPARED BY: Melissa Nitz, Planner

**APPROVED:**

Walter Babicz, City Manager

Meeting Date: 2021/09/20