

# STAFF REPORT TO COUNCIL

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DATE: December 13, 2021

TO: MAYOR AND COUNCIL

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

SUBJECT: Rezoning Application No. RZ100723 (Bylaw No. 9260)

APPLICANT: Neelam Raju, Jaswinder Raju and Rupinder Raju  
LOCATION: 7023 Irene Road

ATTACHMENT(S): Location and Existing Zoning Map  
Appendix "A" to Bylaw No. 9260

## RECOMMENDATION(S):

### THAT Council:

1. **GIVES FIRST AND SECOND READING** to "City of Prince George Zoning Bylaw No. 7850, 2007, Amendment Bylaw No. 9260, 2021"; and
2. **PERMITS** that consideration of Final Reading of proposed Bylaw No. 9260, 2021 **BE WITHHELD** until the following requirements have been met to the satisfaction of Administration:
  - a. Receipt of Servicing Brief;
  - b. Receipt of Lot Grading and Drainage Plan;
  - c. Registration of a Section 219 Covenant on the legal title of Lot 9, District Lot 1599, Cariboo District, Plan 10790, that restricts symmetrical facades for two-unit housing;
  - d. Registration of Section 219 Covenant on the legal title of Lot 9, District Lot 1599, Cariboo District, Plan 10790, that restricts secondary suites within two-unit housing; and
  - e. Registration of Section 219 Covenant on the legal title of Lot 9, District Lot 1599, Cariboo District, Plan 10790, that restricts the construction of a basement.

In addition, any recommendations presented in the preceding items must be addressed to the satisfaction of the Director of Planning and Development.

## PURPOSE:

The purpose of the application is to facilitate a future four (4) lot subdivision for three (3) single family dwellings and one (1) two-unit house (duplex) at 7023 Irene Road (subject property). The applicant would like to rezone the subject property from RS1m: Suburban Residential to RS2: Single Residential (0.28 ha) and RT1: Two-Unit Residential (0.11 ha), as shown on Appendix "A" to Bylaw No. 9260.

Currently, there is an existing single detached house and two (2) accessory structures (i.e. shed and garage) on the property. The applicant is proposing to keep the existing single detached house and remove the two (2) accessory structures to facilitate the proposed development.

#### Site Characteristics

Location	7023 Irene Road
Legal Description	Lot 9, District Lot 1599, Cariboo District, Plan 10790
Current Use	Residential
Site Area	3990.3 m <sup>2</sup> (0.39 ha)
Future Land Use	Neighbourhood Residential
Growth Management Class	Infill

#### Zoning (see Appendix "A" to Bylaw No.9260)

Current Zoning	RS1m: Suburban Residential
Proposed Zoning	RS2: Single Residential and RT1: Two-Unit Housing

#### Surrounding Land Use Table

North	Residential
South	Residential
East	Irene Road and Residential
West	Undeveloped Highway Commercial and Bon Voyage Plaza

#### POLICY / REGULATORY ANALYSIS:

##### **Official Community Plan (OCP)**

##### Future Land Use

The subject property is designated as Neighbourhood Residential in Schedule B-6: Future Land Use of the Official Community Plan (OCP). Neighbourhoods are primarily residential in nature, with associated schools and parks. The Neighbourhood Residential designation encourages infill and redevelopment within existing neighbourhoods in the form of single family and duplex housing with a density of less than 22 units/ha (Policy 8.3.31 and 8.3.42). The OCP supports infill and redevelopment in existing neighbourhoods that is incremental, respects the scale and character of the existing neighbourhood and has relatively minor immediate impacts on the surrounding area (Policy 8.3.45 and Policy 8.3.48). The designation also supports two-unit housing where the number of buildings is limited and in a dispersed manner and where the two-unit housing is comprehensively designed asymmetrically (Policy 8.3.60).

The applicant would like to rezone the subject property from RS1m: Suburban Residential to RS2: Single Residential and RT1: Two-unit Residential to facilitate a future four (4) lot subdivision. The application would support infill and redevelopment within an existing neighbourhood in the form of single family dwellings and two-unit housing. The proposed RT1 zoned portion of the property is located in a dispersed manner with the closest RT1 zoned property on Tony Road approximately 90.0 m east of the subject property. Administration is supportive of the application, as it is consistent with the policy direction of the Neighbourhood Residential designation.

##### Growth Management

The subject property is designated as infill in Schedule B-4: Growth Management of the Official Community Plan. Growth Management Policies outlined by the OCP, encourage infill and redevelopment within infill and growth priority designation (Policy 8.3.45 and Policy 11.4.1). The OCP encourages incremental, small scale redevelopment where the development will have minor impacts and is well suited to the surrounding

neighbourhood (Policy 8.3.48). Growth Management designations allow the City to direct growth in ways that support community goals.

The applicant's proposal will encourage redevelopment of the subject property. Administration is supportive of the application, as it is consistent with the Future Land Use and Growth Management OCP policy direction for infill development.

### Zoning Bylaw

The subject property is zoned RS1m: Suburban Residential, which is intended to foster a suburban lifestyle on properties larger than 845 m<sup>2</sup>. The zone also provides for complementary residential uses that are compatible with the residential character of the area. Areas designated as RS1m also allow for manufactured housing that must conform to CSA A277 and CSA Z240 standards. The property owner would like to rezone the subject property from RS1m: Suburban Residential to RS2: Single Residential (0.28 ha) and RT1: Two unit Residential (0.11 ha) as shown on Appendix "A" to Bylaw No. 9260.

#### *RS2: Single Residential*

The RS2 zone is intended to foster an urban lifestyle on properties larger than 500 m<sup>2</sup>. The zone also provides for complementary residential related uses that are compatible with the residential character of the area. The applicant is proposing to rezone a 0.28 ha portion of the property from RS1m to RS2 to facilitate up to three (3) single detached dwellings on the property.

#### *RT1: Two-Unit Residential*

The RT1 zone is intended to provide for housing primarily in buildings with two dwellings. The applicant is proposing a 0.1 ha portion of the property is zoned to RT1: Two-Unit Residential to facilitate the development of one (1) two-unit duplex on the subject property.

The RS1m, RS2 and RT1 zoning regulations are compared below in Table 1.

**Table 1: Zoning Comparisons of RS1m, RS2 and RT1**

Zoning Regulations	RS1m: Suburban Residential	RS2: Single Residential	RT1: Two-Unit Residential
Principal Uses	<ul style="list-style-type: none"> <li>Community Care Facility, Minor</li> <li>Housing, Single Detached</li> <li>Housing, manufactured in RS1m</li> </ul>	<ul style="list-style-type: none"> <li>Community Care Facility, Minor</li> <li>Housing, Single Detached</li> <li>Housing, manufactured in RS2m</li> </ul>	<ul style="list-style-type: none"> <li>Community Care, Facility, Minor</li> <li>Housing, Single Detached</li> <li>Housing, Two-Unit</li> </ul>
Relevant Secondary uses	<ul style="list-style-type: none"> <li>Secondary dwelling; or</li> <li>Secondary suite</li> </ul>	<ul style="list-style-type: none"> <li>Secondary dwelling; or</li> <li>Secondary suite</li> </ul>	<ul style="list-style-type: none"> <li>Secondary suite only in single detached housing</li> </ul>
<b>Subdivision Regulations</b>			
Minimum Lot Width	20.0 m	15.0 m	<ul style="list-style-type: none"> <li>17.0 m for Two-Unit Housing</li> <li>15.0 m for single detached housing</li> </ul>
Minimum Lot Area	845.0 m <sup>2</sup>	500.0 m <sup>2</sup>	<ul style="list-style-type: none"> <li>650.0 m<sup>2</sup> for two unit housing</li> </ul>

			<ul style="list-style-type: none"> <li>500.0 m<sup>2</sup> for single detached housing</li> </ul>
Maximum Lot Area	0.4 ha	0.2 ha	0.4 ha
<b>Development Regulations</b>			
Site Coverage	30%	40%	40%
Max. Height	10.0 m	10.0 m	10.0 m
Min. Front Yard Setback	4.5 m	4.5 m	4.5 m
Min. Interior Side Yard setback	1.2 m	1.2 m	1.2 m
Min. Rear Yard setback	6.0 m	6.0 m	6.0 m

As identified in Table 1, RS1m and RS2 zone permits a single detached house, which may include either a secondary suite or a detached secondary dwelling (i.e. cottage or carriage house). The proposed RT1 zone allows for either a single detached house (with one secondary suite or detached secondary dwelling), or a two-unit house. The density of both zones is a maximum of two dwellings on the subject property with similar development regulations for height, setbacks and site coverage.

The subject property is approximately 0.39 ha in size with one existing house and two (2) accessory structures on the property, the property size is substantially larger than other residential lots within the Irene Road Neighbourhood, which range in size from 0.1 ha to 0.2 ha. As indicated previously, the OCP supports infill and redevelopment of underutilized properties within an existing neighbourhood. The proposed lot sizes for the subdivision would range from 950.0 m<sup>2</sup> to 0.1 ha, which is similar to the existing lot sizes in the area. Furthermore, the applicant is rezoning a 0.28 ha portion to RS2: Single Residential, as they are not able to meet the lot width of 20.0 m for the RS1m zone.

Administration is supportive of the proposed rezoning from RS1m: Suburban Residential to RS2: Single Residential and RT1: Two-Unit Residential to facilitate a future four (4) lot subdivision on the subject property. In addition, the proposed application is consistent with the Future Land Use and Growth Management policies and designations of the OCP.

**OTHER CONSIDERATIONS:**

**Charges and Liens on Title:**

Covenant Charge No. CA2131054: The subject property has a covenant registered on title that restricts development and placement of buildings, structures or excavation materials within the 1.5 m drainage easement that runs along the entire southern property boundary of the property. The drainage easement is intended to allow water to be discharged and flow into and through the drainage swale and not impact adjacent lots. Administration does not anticipate that the covenant will impact development on the subject property.

**Referrals**

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

City Services and Lot Grading Plan

The subject property is within an area that does not have a storm main for service connection to provide for perimeter drainage on the property. In absence of a storm connection, the applicant was provided the option to provide a letter prepared by a geotechnical engineer providing recommendation for perimeter foundation drainage or the registration of a Section 219 Covenant that restricts the construction of a basement on the

subject property. The applicant has offered to register a Section 219 Covenant to restrict a basement on the subject property.

In order to ensure that the property has adequate drainage capacity and to direct drainage without affecting the adjacent properties. A Lot Grading and Drainage Plan prepared and sealed by a Professional Engineer registered in the Province of British Columbia is required.

Administration recommends that Final Reading of Bylaw No. 9260, be withheld until a Section 219 Covenant restricting the construction of a basement on the subject property and a lot grading and drainage plan has been prepared and submitted to the satisfaction of Administration.

#### 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 Final Reading of Bylaw No. 9260 be withheld until a Servicing Brief has been prepared and submitted to the satisfaction of Administration.

#### Section 219 Covenant

The applicant has indicated that they will register a Section 219 Covenant on title of the subject property prior to Final Reading of Bylaw No. 9260, 2021. This covenant would ensure the construction of the two-unit residence is asymmetrical and looks like two distinct dwellings.

The applicant has indicated that they will register a second Section 219 Covenant on title of the subject property prior to Final Reading that restricts secondary suites within a duplex.

#### Ministry of Transportation and Infrastructure

As per Section 52 of the *Transportation Act*, Bylaw No. 9260 requires the Ministry of Transportation and Infrastructure's approval prior to Final Reading and adoption.

#### **Council Procedures and Statutory Notification**

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. Additional information on methods to provide comments to Council can be found on the [City's website](#).

#### 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. 9260, 2021 be approved.

SUMMARY AND CONCLUSION:

The applicant is proposing to rezone the subject property from RS1m: Suburban Residential to RS2: Single Residential and RT1: Two-unit Residential, as shown on Appendix "A" to Bylaw No. 9260, 2021. The purpose of this application is to facilitate a future four (4) lot subdivision for three (3) single detached dwellings and one (1) two unit housing (i.e. duplex) at 7023 Irene Road. Administration is supportive of this application for the reasons outlined in this report.

RESPECTFULLY SUBMITTED:

**Deanna Wasnik, Director of Planning and Development**

PREPARED BY: **Melissa Nitz, Planner**

APPROVED:

**Walter Babicz, City Manager**

**Meeting Date: 2022/01/10**