CITY OF PRINCE GEORGE

STAFF REPORT TO COUNCIL

1100 Patricia Blvd. I Prince George, BC, Canada V2L 3V9 I www.princegeorge.ca

DATE: December 15, 2021

TO: MAYOR AND COUNCIL

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

SUBJECT: Amendments to Official Community Plan Application No. CP100186 (Bylaw No. 9202) and Rezoning Application No. RZ100730 (Bylaw No. 9203)

APPLICANT: McWalter Consulting Company Limited for 1127415 BC Ltd., Inc. No. BC1127415

LOCATION: 9048 Sintich Road

ATTACHMENT(S): Previously submitted staff report to Council dated June 22, 2021

RECOMMENDATION(S):

THAT Council:

1. **RESCINDS FIRST AND SECOND READINGS of "City of Prince George Official Community Plan Bylaw No. 8383, 2011, Amendment Bylaw No. 9202, 2021";**

2. **RESCINDS FIRST AND SECOND READINGS of "City of Prince George Zoning Bylaw No. 7850, 2007, Amendment Bylaw No. 9203, 2021";**

3. **GIVES FIRST READING, as amended to "City of Prince George Official Community Plan Bylaw No. 8383, 2011, Amendment Bylaw No. 9202, 2021";**

4. **CONSIDERS "City of Prince George Official Community Plan Bylaw No. 8383, 2011, Amendment Bylaw No. 9202, 2021", in conjunction with the current Financial Plan and confirm there are no Issues;**

5. **CONSIDERS "City of Prince George Official Community Plan Bylaw No. 8383, 2011, Amendment Bylaw No. 9202, 2021", in conjunction with the current Regional District of Fraser Fort-George Solid Waste Management Plan and confirm there are no issues;**

6. **CONSIDERS "City of Prince George Official Community Plan Bylaw No. 8383, 2011, Amendment Bylaw No. 9202, 2021", in conjunction with the City of Prince George Strategic Framework for a Sustainable Prince George and confirm there are no issues;**

7. **GIVES SECOND READING, as amended to "City of Prince George Official Community Plan Bylaw No. 8383, 2011, Amendment Bylaw No. 9202, 2021";**

8. **APPROVES the following public consultation process to fulfill the requirements of Section 475 of the *Local Government Act*:**

    a. **Two Citywide Newspaper advertisements requesting written comment; and**
    b. **Request for written comment from properties identified on Exhibit "A" to CP100186;**

9. GIVES FIRST AND SECOND READING, as amended to "City of Prince George Zoning Bylaw No. 7850, 2007, Amendment Bylaw No. 9203, 2021"; and

10. PERMITS that consideration of Final Reading of proposed Bylaw No. 9203, 2021 BE WITHHELD until the following requirements have been met to the satisfaction of Administration:

    a. Receipt of a Servicing Brief.

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 purpose of this report is to amend City of Prince George Official Community Plan Bylaw No 8383, 2011, Amendment Bylaw No. 9202, 2021 and City of Prince George Zoning Bylaw No. 7850, 2007, Amendment Bylaw No. 9203, 2021 to reflect the new owner and use proposed for the property located at 9048 Sintich Road.

BACKGROUND:

On July 12, 2021, Council approved First and Second Reading of City of Prince George Official Community Plan Bylaw No 8383, 2011 and City of Prince George Zoning Bylaw No. 7850, 2007, Amendment Bylaw No. 9203, 2021.

Bylaw No. 9202 proposed to amend the Official Community Plan (OCP) designation of the subject property from Light Industrial and Rural Resource to Light Industrial, while Bylaw No. 9203 proposed to rezone the subject property from M2: General Industrial and AF: Agriculture & Forestry to M2: General Industrial.

The Staff Report to Council dated June 22, 2021 indicated the changes to the OCP and zoning were to facilitate a machine, fabrication and equipment maintenance shop on the subject property.

DISCUSSION

A new owner has purchased the subject property and envisions a different use for the site than was initially proposed under the Staff Report to Council dated June 22, 2021 and Bylaw No. 9203.

This report to Council is intended to amend Bylaw No. 9202 and 9203, by modifying i) the applicants name to reflect the name of the new owner; and ii) the use intended for the site under the new owner.

The applicant name "Leif Norrgard for Boo Jinx Enterprises Ltd., Inc. No. BC1285869" currently noted on Bylaw No. 9202 and 9203 should be removed and be replaced with "McWalter Consulting Company Limited for 1127415 BC Ltd., Inc. No. BC1127415".

The proposed land use indicated on Bylaw No. 9203 should be updated from "machine, fabrication and equipment maintenance shop" to "hydrogen service station and contractor service".

The updates to the applicant name, and the proposed use for the subject property does not affect the OCP land use designation and zone proposed through Bylaw No. 9202 and 9203. In order to address the change in ownership and revised land use, Council approval is needed for the amendments to Bylaw Nos. 9202 and 9203 as described above.

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 Citywide Newspaper advertisements requesting written comment; and
- Request for written comment from properties identified on Exhibit "A" to CP100174.

This consultation would occur after First and Second Reading to Bylaw No. 9202 and prior to the Public Hearing.

SUMMARY AND CONCLUSION:

This report is intended to amend Bylaw Nos. 9202 and 9203, in order to address the change in ownership and intended land use for the site. Administration continues to support the application for the reasons outlined in the Report to Council dated June 22, 2021 (attached) and recommends Council support the proposed amendments to Bylaw No. 9202 and 9203 described in this report to allow the Bylaws to proceed.

RESPECTFULLY SUBMITTED:

Deanna Wasnik, Director of Planning and Development

PREPARED BY: Kali Holahan, Planner II

APPROVED:

Walter Babicz, City Manager

Meeting Date: 2022/01/10