

STAFF REPORT TO COUNCIL

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DATE: May 4, 2022

TO: MAYOR AND COUNCIL

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

SUBJECT: Rezoning Amendment Application No. RZ100743 (Bylaw No. 9285)

APPLICANT: Faisal Qureshi for Rock Pacific Investments Inc., Inc. No. BC1243613

LOCATION: 2093 Oak Street

ATTACHMENT(S): Location and Existing Zoning Map
Appendix "A" to Bylaw No. 9285

RECOMMENDATION(S):

That Council:

1. GIVES FIRST AND SECOND READING to "City of Prince George Zoning Bylaw No. 7850, 2007, Amendment Bylaw No. 9285, 2022"; and
2. PERMITS that consideration of Final Reading of proposed Bylaw No. 9285, 2022 BE WITHHELD until the following requirements have been met to the satisfaction of administration:
 - a. Registration of a Section 219 Covenant on the legal titles of Lots 37 and 38, Block 3, District Lot 932, Cariboo District, Plan 796 that restricts symmetrical facades and secondary suites from two-unit housing.

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

PURPOSE:

The applicant has applied to rezone 2093 Oak Street (subject property) from RT1: Two-Unit Residential to RT2: Two-Unit Residential, as shown on Appendix "A" to Bylaw No. 9285. The purpose of this application is to facilitate the development of a two-unit house (duplex) on the subject property.

Site Characteristics

Location	2093 Oak Street
Legal Description	Lots 37 and 38, Block 3, District Lot 932, Cariboo District, Plan 796
Current Use	Undeveloped land
Site Area	575 m ² (0.14 acres)
Future Land Use	Neighbourhood Residential
Growth Management Class	Infill
Servicing	City Services Available

Zoning (see Appendix “A” to Bylaw No. 9285)

Current Zoning	RT1: Two-Unit Residential
Proposed Zoning	RT2: Two-Unit Residential

Surrounding Land Use

North	Residential
South	Porter Avenue; Two-Unit Residential
East	Oak Street; Residential
West	Residential; Pine Street

POLICY / REGULATORY ANALYSIS:

Official Community Plan

Future Land Use

The subject property is designated as Neighbourhood Residential in Schedule B-6: Future Land Use of the Official Community Plan (OCP). This designation is intended to maintain a similar scale of housing to that typical to existing neighborhoods. The Neighbourhood Residential designation supports two-unit housing where the number of buildings is limited and in a dispersed manner (OCP Policy 8.3.60).

The applicant is proposing to develop a two-unit house (duplex) on vacant and underutilized properties within an existing residential area (OCP Policy 8.3.31). Administration supports this application, as the proposed two-unit house is consistent with the Neighbourhood Residential designation and OCP Policy.

Growth Management

The subject property is designated as Infill in Schedule B-4: Growth Management of the OCP. The intent of this designation is to prioritize infill development and encourage utilization of vacant sites (OCP Policy 8.1.1).

The applicant’s proposal is consistent with the Growth Priority designation. The proposed two-unit housing is considered infill development that will be constructed on a vacant and underused site. Administration supports this application, as it is consistent with the Future Land Use and Growth Management policy direction identified by the OCP.

Zoning Bylaw

The subject property is currently zoned RT1: Two Unit Residential which is intended to provide for housing, primarily in buildings with two dwellings. The zone also provides for complementary residential related uses that are compatible with the residential character of the area.

The applicant has applied to rezone the subject property from RT1 to RT2: Two-Unit Residential, as shown on Appendix “A” to Bylaw No. 9285. The intent of the RT2 zone is to provide for housing, primarily in buildings with two dwellings, although with a higher maximum density and site coverage than RT1. Table 1 below provides a comparison between the RT1 and RT2 zones.

Table 1: Zoning Comparison of RS4 and RT2

Regulations	RT1: Two-Unit Residential	RT2: Two-Unit Residential
Principal Uses	<ul style="list-style-type: none">• Community Care Facility, Minor• Housing, Single Detached• Housing, Two-Unit	<ul style="list-style-type: none">• Community Care Facility, Minor• Housing, Single Detached• Housing, Two-Unit
Secondary Uses	<ul style="list-style-type: none">• Bed & Breakfast• Home Business 1 & 2• Secondary Suite, only in Single Detached Housing	<ul style="list-style-type: none">• Bed & Breakfast• Home Business 1 & 2• Secondary Suite, only in Single Detached Housing
Maximum Density	• One Dwelling per 325 m ²	• One Dwelling per 250 m ²
Site Coverage	40%	45%
Max. Height	10.0 m	10.0 m
Min. Front Yard Setback	4.5 m	4.5 m
Min. Interior Side Yard Setback	1.2 m	1.2 m
Min. Rear Yard Setback	6.0 m	6.0 m

As identified in Table 1, the RT1 and RT2 zone are virtually identical with the exception of density and site coverage. Both zones allow the same building height and setbacks for principal developments whether single detached or two-unit housing. The density in both zones would allow for a maximum of two dwellings based on land area. Since the subject property is only 575 m² in size, the density regulations of the RT1 zone currently do not allow more than one dwelling unit. As such, the applicant has applied to rezone the subject property to RT2 in order to facilitate a duplex.

Should the proposed rezoning be approved, the RT2 zone will allow for either a single detached house with a secondary suite, or a two-unit house (no secondary suites). The proposed two-unit housing is also consistent with the surrounding residential uses being a mix of two-unit dwellings and single-family residential developments.

Administration is supportive of this application, as it is consistent with the policy direction provided in the OCP, and is consistent with the form and character of the surrounding neighbourhood. Administration does not anticipate any concerns as a result of the proposed RT2 zone.

OTHER CONSIDERATIONS:

Referrals

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

Title

A review of the legal titles of the subject properties indicated no encumbrances or restrictions that would affect this application.

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. 9285. This covenant would ensure the construction of the proposed two-unit house is asymmetrical and looks like two distinct dwellings (i.e., varying roof lines and using multiple materials for the exterior finish). Additionally, the covenant will restrict secondary suites from two-unit housing.

Administration recommends that Final Reading of Bylaw No. 9285 be withheld until the Section 219 Covenant(s) that restrict symmetrical facades and secondary suites from two-unit housing is submitted to Administration's satisfaction and registered on the title of the subject property.

Ministry of Transportation and Infrastructure

As per Section 52 of the *Transportation Act*, Bylaw No. 9285 requires the Ministry of Transportation and Infrastructure's approval prior to Final Reading and adoption.

Statutory Notification and Public Consultation

In accordance with section 464(2) of the *Local Government Act*, a public hearing regarding this application will not be held as the proposed bylaw is consistent with the "City of Prince George Official Community Plan Bylaw No. 8383, 2011."

As per the requirements set out in the *Local Government Act* and "City of Prince George Development Procedures Bylaw No. 7635, 2005", in advance of First and Second Reading of the proposed bylaw, the City of Prince George will mail or otherwise deliver a notice to adjacent property owners and tenants whose interests in property may be affected by this application.

Members of the public wanting to provide comment on the application may submit written correspondence to Council. 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 public notice to property owners and tenants whose interests may be affected by this application. Written submissions received in response to the public notice for this application will be provided to Council for their consideration at the time the application is being considered. Submissions received after the Council meeting agenda has been published will be provided to Council as a handout on the day of the Council meeting for consideration during deliberations on the application.

ALTERNATIVES:

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

Administration recommends that Bylaw No. 9285, 2022 be approved.

SUMMARY AND CONCLUSION:

The applicant has applied to rezone 2093 Oak Street from RT1: Two-Unit Residential to RT2: Two-Unit Residential, as shown on Appendix "A" to Bylaw No. 9285. The purpose of this application is to facilitate the development of a two-unit house on the subject property. Administration is supportive of this application for the reasons outlines in this report.

RESPECTFULLY SUBMITTED:

Deanna Wasnik, Director of Planning and Development

PREPARED BY: Bryce Deveau, Planner 1

APPROVED:

Walter Babicz, City Manager

Meeting Date: 2022/05/30