

STAFF REPORT TO COUNCIL

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DATE: November 15, 2021

TO: MAYOR AND COUNCIL

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

SUBJECT: Official Community Plan Amendment Application No. CP100183 (Bylaw No. 9254) and Rezoning Amendment Application No. RZ100720 (Bylaw No. 9255)

APPLICANT: L&M Engineering Ltd., for Ellen Barr

LOCATION: 2989 Barr Road

ATTACHMENT(S): Location and Existing Zoning Map
Appendix "A" to Bylaw No. 9254
Appendix "A" to Bylaw No. 9255
Exhibit "A" to Application No. CP100183
Conceptual Site Layout

RECOMMENDATION(S):

THAT Council:

1. GIVES FIRST READING to "City of Prince George Official Community Plan Bylaw No. 8383, 2011, Amendment Bylaw No. 9254, 2021".
2. CONSIDERS "City of Prince George Official Community Plan Bylaw No. 8383, 2011, Amendment Bylaw No. 9254, 2021", in conjunction with the current [Financial Plan](#) and confirm there are no issues.
3. CONSIDERS "City of Prince George Official Community Plan Bylaw No. 8383, 2011, Amendment Bylaw No. 9254, 2021", in conjunction with the current [Regional District Solid Waste Management Plan](#); and confirm there are no issues.
4. CONSIDERS "City of Prince George Official Community Plan Bylaw No. 8383, 2011, Amendment Bylaw No. 9254, 2021", in conjunction with the City of Prince George [Strategic Framework for a Sustainable Prince George](#) and confirm there are no issues.
5. GIVES SECOND READING to "City of Prince George Official Community Plan Bylaw No. 8383, 2011, Amendment Bylaw No. 9254, 2021".
6. 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 CP100183

7. EXPANDS, the notification distance required in "City of Prince George Development Procedures Bylaw No. 7635, 2005", from 30 metres to the area shown on Exhibit 'A' to CP100183, 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. 9254, 2021" and "City of Prince George Zoning Bylaw No. 7580, 2007, Amendment Bylaw No. 9255, 2021."
8. GIVES FIRST AND SECOND READINGS to "City of Prince George Zoning Bylaw No. 7850, 2007, Amendment Bylaw No. 9255, 2021"; and
9. PERMITS that Public Hearing of proposed Bylaw No. 9255, 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 Director of Planning and Development.

PURPOSE:

The applicant is proposing to amend the Official Community Plan (OCP) and Zoning Bylaw to facilitate the future development of a 20-lot subdivision at 2989 Barr Road (subject property).

In order to facilitate the proposed subdivision, the applicant has applied to amend the OCP designation and zoning of an approximate 1.79 ha portion of the subject property ("subject area"). The applicant would like to amend the OCP designation from Rural Resource to Neighbourhood Residential; and rezone the subject area from AF: Agriculture & Forestry to RS2: Single Residential, as shown on Appendix "A" to Bylaw No. 9254 and Bylaw No. 9255.

Site Characteristics

Location	2989 Barr Road
Legal Description	Lot 1, District Lot 4028, Cariboo District, Plan 23398, Except Plans 24401 and EPP66495
Current Use	Residential
Subject Property Size	19.5 ha
Subject Area Size	1.79 ha
Growth Management Class	Rural Resource
Servicing	Services Available

Official Community Plan – Future Land Use (see Appendix "A" to Bylaw No. 9254)

Current Designation	Rural Resource
Proposed Designation	Neighbourhood Residential

Zoning (see Appendix "A" to Bylaw No. 9255)

Current Zoning	AF: Agriculture & Forestry
Proposed Zoning	RS2: Single Residential

Surrounding Land Use Table

North	Glenview Elementary School; Single Residential
South	Single Residential; Austin Road East
East	Vacant Land
West	Single Residential; Dawson Road

Relevant Applications

Official Community Plan Amendment Application No. CP100114 (Bylaw No. 8705) and Rezoning Amendment Application No. RZ100505 (Bylaw No. 8706): In 2018, Council adopted Bylaw No. 8705 and 8706, 2016 to amend the OCP from Rural Resource to Neighbourhood Residential; and rezone approximately 0.5 ha from AF: Agriculture & Forestry to RS2: Single Residential to facilitate a 6-lot residential subdivision.

Subdivision Application No. SD100526: In 2019, a 6-lot subdivision was complete at the corner of Dawson Road and Austin Road East, as per survey plan EPP66495.

Property Title

Restrictive Covenant No. CA6851129: Registered to title on June 7, 2018, this covenant restricts building and disturbance from occurring on a 0.8 ha portion of land near the water feature at the south end of the subject property, which is identified within the covenant.

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 supports agriculture, forestry, and resource extraction activities. In order to facilitate the proposed 20-lot subdivision, the applicant would like to amend the designation of the subject area (1.79 ha) from Rural Resource to Neighbourhood Residential. The Neighbourhood Residential designation encourages a similar scale of housing typical to existing neighbourhoods, having a density of less than 22 units per hectare, and limiting the size of new buildings (Policy 8.3.58 and 8.3.59).

The surrounding neighbourhood is predominantly low density residential. The proposed 20-lot subdivision is consistent with the size and scale of the surrounding area and reflects a scale of development supported by the Neighbourhood Residential designation.

OCP Policy encourages infill and redevelopment of existing vacant and underused sites, with an emphasis on enhancing the pedestrian experience (Policy 8.3.31). The subject property is within a transit catchment area and within walking distance of daily needs amenities (Policy 8.7.23). The proposed development will require an extension of Barr Road, which accesses onto Dawson Road. Barr Road is classified as a local road whereas Dawson Road is classified as a minor collector. The proposed low density residential development is not anticipated to impact the surrounding road network; as such, a Traffic Impact Study has not been required.

Schedule B-3: Significant Slopes

The subject property has been identified within Schedule B-3: Significant Slopes. Significant slopes are slopes greater than 20% grade and may be subject to landslide, erosion and sedimentation hazards (Policy 6.4.54 and 6.4.57). However, the subject area (1.79 ha) is relatively flat and does not contain any significant slopes on Schedule B-3: Significant Slopes.

Administration supports the proposed application as proposed, since all significant slopes are outside of the subject area.

Growth Management

The subject property is identified as Rural Resource as per *Schedule B-4: Growth Management* class of the OCP. The intent of this designation is to prioritize agriculture, forestry, and resource extraction activities that are important in the long-term health of the regional economy.

Administration supports re-designating the subject property to Neighbourhood Residential, as it is consistent with OCP policy direction to encourage infill of existing vacant and underused sites.

Zoning Bylaw

The subject property is zoned as AF: Agriculture & Forestry, which is intended to conserve and manage agricultural and forestry land by providing for a compatible range of uses including residential directly west of the subject area. The applicant has applied to rezone the subject area from AF: Agriculture & Forestry to RS2: Single Residential. The RS2 zone is intended to foster an urban lifestyle on properties larger than 500 m² while allowing complementary residential uses compatible with the character of the area.

The subject property is surrounded by RS1m: Suburban Residential and RS2: Single Residential zoned properties. The proposed RS2 zone will complement the surrounding neighbourhood. The proposed development is not anticipated to generate potential land use impacts or have negative impacts on the surrounding neighbourhood. As previously mentioned, Barr Road connects the subject property to Dawson Road which is classified as a minor collector. This road network has capacity to facilitate future development of 20-lot subdivision.

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.

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 Public Hearing of Bylaw No. 9255 be withheld until a Servicing Brief has been prepared and submitted to the satisfaction of Administration.

Ministry of Transportation and Infrastructure

As per Section 52 of the *Transportation Act*, Bylaw No. 9255 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.

Administration is recommending 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 the area shown on Exhibit ‘A’ to CP100183. The notification area has been expanded in order to incorporate the surrounding neighbourhood to capture comments from those potentially affected by the proposed development.

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](#).

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 of Proposed OCP Amendments

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 CP100183.

This consultation would occur after First and Second Reading to Bylaw No. 9254 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's. 9254 and 9255, 2021 be approved.

SUMMARY AND CONCLUSION:

In order facilitate a future single residential subdivision on a 1.79 ha portion of the subject property, the applicant has applied to amend the OCP from Rural Resource to Neighbourhood Residential; and rezone the subject area from AF: Agriculture & Forestry to RS2: Single Residential. Administration is supportive of this application for the reasons outlined in this report.

RESPECTFULLY SUBMITTED:

Deanna Wasnik, Director of Planning and Development

PREPARED BY: Kali Holahan, Planner II

APPROVED:

Walter Babicz, City Manager

Meeting Date: 2021/12/06