

STAFF REPORT TO COUNCIL

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DATE: June 1, 2022

TO: MAYOR AND COUNCIL

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

SUBJECT: Development Variance Permit Application No. VP100619

APPLICANT: Rod McLeod for R.G. McLeod Development Inc., Inc. No. BC1300885 and the City of Prince George

LOCATION: 700 Kinsmen Place

ATTACHMENT(S): Location and Existing Zoning Map
Development Variance Permit No. VP100619
Exhibit "A" to VP100619
Supporting Document

RECOMMENDATION(S):

That Council DENIES Development Variance Permit No. VP100619 to vary "City of Prince George Zoning Bylaw No. 7850, 2007" for the property legally described Lot 1, District Lot 937, Cariboo District, Plan 22864, Except: Part Dedicated Road on Plan BCP40229; and Lot 2, District Lot 937, Cariboo District, Plan 22864 as follows:

- a. Vary Section 11.4.6 3. by increasing the maximum gross leasable floor area of an office in one tenancy from 280 m² to 1,967 m², as shown on Exhibit "A" to VP100619; and
- b. Vary Section 11.4.6 4. by increasing the maximum total gross leasable floor area of office uses for any site from 560 m² to 1,967 m², as shown on Exhibit "A" to VP100619.

PURPOSE:

The applicant has applied to vary the C4: Local Commercial development regulations to facilitate an office development at 700 Kinsmen Place (subject property). The subject property includes two C4 zoned parcels that belong to different property owners (i.e. applicant and City). The applicant is currently working with the City to purchase this parcel and consolidate to facilitate the proposed development.

The C4 zone restricts the maximum gross leasable floor area of an office in one tenancy to 280 m² and the maximum combined gross leasable floor area of office uses on a site to 560 m². The applicant has applied to increase the maximum gross leasable floor area of an office in one tenancy from 280 m² to 1,967 m², and the maximum combined gross leasable floor area of office uses on a site from 560 m² to 1,967 m², as shown on Exhibit "A" to VP100619. The proposed increase to the gross floor area will facilitate development of a 1,967 m² office building on the subject property.

Administration does not support the applicant's proposed variances due to the inconsistency and scale of office development being considered for this Development Variance Application. The applicant has provided a rationale letter and preliminary development drawings for consideration, which is attached to this report as supporting documents.

Background

Site Characteristics

Location	700 Kinsmen Road
Current Use	Vacant
Site Area	1832 m ²
Zoning	C4: Local Commercial

Official Community Plan

Future Land Use	Neighbourhood Centre Corridor and Neighbourhood Residential Corridor
Growth Management	Growth Priority and Infill

Surrounding Land Use Table

North	5 th Avenue;
South	Kinsmen Place;
East	Stuart Drive; Single Residential
West	Commercial (Skyline Dental Clinic; Kinsmen Community Complex; Fire Hall No. 2

Title

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

Relevant Applications

Development Permit No. DP100822 – 700 Kinsmen Place : The applicant has submitted a Development Permit Application to facilitate construction of a 1,960 m² office building. The proposed building exceeds the development regulations for office use under the current zoning. Variance Permit Application No. VP100619 will, therefore, help facilitate the issuance of the Development Permit.

Development Variance Permit No. VP100291 – 760 Kinsmen Place: In 2013, Council considered a Development Variance Permit Application for the adjacent parcel located at 760 Kinsmen Place. The application proposed to vary Section 11.4.6 3. to increase the maximum gross leasable floor area of an office in one tenancy from 280 m² to 488.47 m². Administration did not support the application as the proposal did not meet the policy direction of the OCP. On January 21, 2013, Council recommended approval of the Development Variance Permit No. VP100291.

POLICY / REGULATORY ANALYSIS:

Official Community Plan Bylaw No. 8383, 2011

Neighbourhood Corridor Designations

The subject property is designated as Neighbourhood Centre Corridor and Neighbourhood Residential Corridor in Schedule B-6: Future Land Use of the Official Community Plan (OCP). The Neighborhood Centre Corridor designation encourages mixed-use developments, incorporating retail and service commercial (this includes neighbourhood and local commercial uses) at grade with residential above (OCP Policy 8.3.34). The Neighbourhood Residential Corridor designation encourages retail, personal services, service-oriented office

uses (insurance, banks, medical and dental offices), and restaurant establishments to serve and be developed to a similar scale and design to the surrounding neighbourhood (OCP Policy 8.3.54).

This application does not propose to incorporate mixed-uses development, retail, personal services, service-oriented office, or restaurant uses that are preferable adjacent to residential areas. Therefore, Administration is not supportive of this application.

Downtown Designation

The Downtown Designation indicates the downtown core as the central business district, and the primary location for significant office development (OCP Objective 8.3.8). The OCP also aims to maintain the downtown as the primary business area for significant office development. To reinforce this direction, the OCP Policy recommends restricting offices outside of the downtown to professional services only where nearby access is important (insurance, banks, medical and dental offices) (OCP Policy 8.3.3). Administration does not support this application as it is inconsistent with the policy direction of the OCP.

Zoning Bylaw No. 7850, 2007

The subject property is zoned C4: Local Commercial. The purpose of the C4 zone is to provide for local commercial areas, complementary to surrounding residential uses. The C4 zone permits an office use subject to the regulations identified within Section 11.4.6 of the Zoning Bylaw.

To ensure that office uses are primarily located downtown, the Zoning Bylaw restricts the maximum gross leasable floor area in one tenancy and the maximum combined gross leasable floor area on a site in all commercial zones outside of the downtown (C1: Downtown). The C4 restricts the maximum gross leasable floor area of an office in one tenancy to 280 m² and the maximum combined gross leasable floor area of office uses on a site to 560 m². The applicant has applied to increase the maximum gross leasable floor area of an office in one tenancy, and the maximum combined gross leasable floor area of office uses on a site to 1,967 m², as shown on Exhibit "A" to VP100619. The proposed increase to the gross floor area will facilitate development of a 1,967 m² office building on the subject property.

Administration has conducted a review of Development Variance Permit records to determine the precedent on approving this scale of office development. As previously mentioned, one similar application on the adjacent property (760 Kinsmen Place) was considered by Council. This application was not supported by Administration to permit a gross floor area, and gross leasable floor area of an office to 488.48 m². This value is considerably less in scale than the proposed application (1,967 m²). Therefore, the proposed office building does not maintain a similar scale to the surrounding commercial and residential uses due to the proposed office space. The proposed variance is considered significant in scale, and may set precedent for larger office tenants to locate outside of the downtown.

In terms of scale of development, the proposed increase in the gross leasable floor area of an office in one tenancy (280 m²) to 1,967 m², would be an additional 1,687 m² in office space. The proposed tenancy size is seven (7) times larger than the Zoning Bylaw regulations, and the permitted office space outside of the downtown.

Further to this, the proposed increase in combined gross leasable floor area of office uses on a site (560 m²) to 1,967 m² is an additional 1,407 m² in tenancy space. This proposed office size is three and half times (3.5) larger in scale than the Zoning Bylaw, and the permitted office space located outside of the downtown.

As the proposed variance is not consistent with the intent of the Zoning Bylaw regulation and scale of development for office development outside of the downtown, Administration does not support this application.

OTHER CONSIDERATIONS:

Statutory Notification and Public Consultation

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 and granting of the permit 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.

Referrals

This application was referred to internal City divisions and external agencies with no outstanding concerns.

ALTERNATIVES:

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

Administration recommends that Development Variance Permit No. VP100619 be denied.

SUMMARY AND CONCLUSION:

Administration recommends that Council deny the applicant’s request to increase the maximum gross leasable floor area of an office in one tenancy and the maximum combined gross leasable floor area, as shown on Exhibit “A” to VP100619, for the reasons outlined in this report.

RESPECTFULLY SUBMITTED:

Deanna Wasnik, Director of Planning and Development

PREPARED BY: Kali Holahan, Acting Supervisor of Planning

APPROVED:

Walter Babicz, City Manager

Meeting Date: 2022/06/27