

STAFF REPORT TO COUNCIL

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DATE: June 27, 2022

TO: MAYOR AND COUNCIL

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

SUBJECT: Rezoning Amendment Application No. RZ100747 (Bylaw No. 9302)

APPLICANT: Devon and Amie O'Brien
LOCATION: 8366 Domagala Road

ATTACHMENT(S): Location and Existing Zoning Map
 Appendix "A" to Bylaw No. 9302

RECOMMENDATION(S):

THAT Council:

1. GIVES FIRST AND SECOND READING to "City of Prince George Zoning Bylaw No. 7850, 2007, Amendment Bylaw No. 9302, 2022"; and
2. PERMITS that consideration of Final Reading of proposed Bylaw No. 9302, 2022 BE WITHHELD until the following requirements have been met to the satisfaction of Administration:
 - 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 has applied to rezone 8366 Domagala Road (subject property) from AR1: Rural Residential to AR3: Rural Residential, as shown on Appendix "A" to Bylaw No. 9302. The purpose of this application is to facilitate a 2-lot subdivision. There is currently a manufactured home and accessory buildings on the subject property that are proposed to remain on one of the proposed 2-lots.

Site Characteristics

Location	8366 Domagala Road
Legal Description	Lot 8, District Lot 2424, Cariboo District, Plan 21853
Current Use	Rural Residential
Site Area	2.1 ha
Future Land Use	Neighbourhood Residential
Growth Management Class	Infill
Servicing	City Water Available

Zoning (see Appendix “A” to Bylaw No.9302)

Current Zoning	AR1: Rural Residential
Proposed Zoning	AR3: Rural Residential

Surrounding Land Use Table

North	Rural Residential
South	Rural Residential
East	BC Hydro Right of Way; Undeveloped land
West	Domagala Road; Rural Residential

Relevant Applications

Subdivision Application No. SD100744: The applicant has submitted a concurrent application to facilitate the proposed 2-lot subdivision. Should this application be approved, the subdivision application can be considered by Administration.

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 encourages infill and redevelopment in existing neighbourhoods in the form of single family and duplex housing with a density less than 22 units/ha (OCP Policy 8.3.31 and 8.3.42). The subject property is surrounded by single family development on a variety of parcel sizes. The OCP encourages that infill and redevelopment within existing neighbourhoods should be incremental, respects the scale and character of the existing neighbourhood, and has relatively minor immediate impacts on the surrounding area (OCP Policy 8.3.45 and 8.3.48).

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). OCP Policy supports infill and redevelopment in existing neighbourhoods that is incremental, respects the scale and character of the existing neighbourhood and has minor impacts on the surrounding area (OCP Policy 8.3.45 and 8.3.48).

The applicant’s proposal will encourage redevelopment of the subject property and is consistent with the Infill designation. 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 AR1: Rural Residential which is intended to foster agriculture and a rural lifestyle on properties of at least 4.0 ha while providing complementary residential related uses that are compatible with the rural character of the area.

The applicant is proposing to rezone the subject property from AR1 to AR3: Rural Residential to facilitate a 2-lot subdivision, as shown on Appendix “A” to Bylaw No. 9302. The intent of the AR3 zone is to foster a suburban lifestyle primarily on properties larger than 0.4 ha while providing complementary residential related uses that are compatible with the rural character of the area. The AR1 and AR3 zones are compared below in Table 1.

Table 1: Zoning Comparison of AR1 and AR3

Regulations	AR1: Rural Residential	AR3: Rural Residential
Principal Uses	<ul style="list-style-type: none">• Agriculture, General• Community Care Facility, Minor• Forestry• Greenhouse & Plant Nursery• Housing, Manufactured• Housing, Single Detached• Veterinary Service, Major• Veterinary Service, Minor	<ul style="list-style-type: none">• Community Care Facility, Minor• Housing, Single Detached
Minimum Lot Width	100 m	35.0 m
Minimum Lot Area	4.0 ha	0.4 ha
Maximum Site Coverage	30% on lots < 0.4 ha	30%
Maximum Height	20.0 m, except 10.0 m for Housing	10.0 m
Minimum Front Yard	4.5 m	4.5 m
Minimum Interior Side Yard	1.2 m	1.2 m
Minimum Exterior Side Yard	3.0 m	3.0 m
Minimum Rear Yard	6.0m	6.0 m

As identified in Table 1, the AR1 zone permits a number of agricultural and related land uses. Alternatively, the proposed AR3 zone is intended for single detached housing. Both the AR1 and AR3 zones permit the same development regulations with regards to site coverage, building height and setbacks for future potential development. As such, the proposed rezoning is not anticipated to have any significant impacts on the surrounding neighbourhood.

The applicant is proposing to keep the existing house and develop on the proposed infill lot. The surrounding area is currently a mix of AR1 and AR3 zoning. The surrounding neighbourhood is predominately single detached and manufactured housing. The proposed rezoning and subsequent 2-lot subdivision is consistent with the form and character of the surrounding neighbourhood.

Administration is supportive of this application, as it is consistent with the policy direction provided in the OCP and is consistent with the surrounding land uses.

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

BC Hydro Right of Way F18811: On October 27, 1971, a statutory right of way was registered to the legal title of the subject property that restricts building and development at the rear of the property shown on encumbrance Plan 19669. BC Hydro has no concerns with the proposed rezoning and subsequent 2-lot subdivision.

Servicing Brief

The subject property is serviced by an existing City water connection and private on-site sewage disposal system. A Servicing Brief prepared and sealed by a Professional Engineer registered in the Province of British Columbia is required to confirm a suitable location for on-site sewage disposal, setbacks, and potential reserve area.

Administration recommends that Final Reading of Bylaw No. 9302 be withheld until a Servicing Brief has been prepared and submitted to the satisfaction of Administration.

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
4. Defer or otherwise deal with the bylaw

Administration recommends that Bylaw No. 9302, 2022 be approved.

SUMMARY AND CONCLUSION:

The applicant has applied to rezone the subject property from AR1 to AR3, to facilitate a 2-lot subdivision, as shown on Appendix “A” to Bylaw No. 9302. Administration recommends that Council approve the proposed rezoning 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: 2022/07/25