

STAFF REPORT TO COUNCIL

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DATE: July 20, 2022

TO: MAYOR AND COUNCIL

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

SUBJECT: Official Community Plan Amendment No. CP100179 (Bylaw No. 9334) and Rezoning Application No. RZ100745 (Bylaw No. 9335)

APPLICANT: L&M Engineering Ltd. on behalf of Ellora Enterprises Ltd., Inc. No. 132652 and City of Prince George

LOCATION: 4443 and 4505 Ospika Boulevard

ATTACHMENT(S): Location and Existing Zoning Map
Appendix "A" to Bylaw No. 9334
Appendix "A" to Bylaw No. 9335
Exhibit "A" to CP100179
Public Consultation Summary Report

RECOMMENDATION(S):

THAT Council:

1. GIVES First Reading to "City of Prince George Official Community Plan No. 8383, 2011, Amendment Bylaw No. 9334, 2022".
2. CONSIDERS "City of Prince George Official Community Plan Bylaw No. 8383, 2011, Amendment Bylaw No. 9334, 2022", 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. 9334, 2022", 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. 9334, 2022", 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. 9334, 2022".
6. APPROVES the following public consultation process to fulfill the requirements of Section 475 of the *Local Government Act*:
 - a. One Citywide Newspaper advertisements requesting written comment; and,
 - b. Request for written comment from properties identified on Exhibit "A" to CP100179.

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 CP100179, 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. 9334, 2022" and "City of Prince George Zoning Bylaw No. 7580, 2007, Amendment Bylaw No. 9335, 2022."
8. GIVES First and Second Reading to "City of Prince George Zoning Bylaw No. 7850, 2007, Amendment Bylaw No. 9335, 2022."
9. PERMITS the Public Hearing for proposed Bylaw No. 9335, 2022 BE WITHHELD until the following requirements have been met to the satisfaction of Administration:
 - a. Receipt of a Traffic Impact Study
10. PERMITS that consideration of Final Reading of proposed Bylaw No. 9335, 2022 BE WITHHELD until the following requirements have been met to the satisfaction of Administration:
 - a. Receipt of a Servicing Brief; and
 - b. Registration of a Section 219 Covenant on legal title of Lot A, District Lot 2003, Cariboo District, Plan PGP40105, Except Plan PGP46853 and Lot 1, District Lot 2003, Cariboo District, Plan PGP46853 that limits the density of the proposed development to no more than 22 dwelling units per hectare, and limits the number of dwelling units in a building to a maximum of six (6).

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 a single-family and row housing development at 4443 and 4505 Ospika Boulevard (subject area).

In order to facilitate the proposed development, the applicant has applied to amend the OCP designation for a 1.2 ha portion of the subject area from Parks and Open Space to Neighbourhood Residential; and a 0.4 ha portion of the subject area from Neighbourhood Residential to Parks and Open Space, as shown on Appendix "A" to Bylaw No. 9334. This application also proposes to rezone a 1.5 ha portion of the subject area from AF: Agriculture & Forestry to RS2: Single Residential; an 8.9 ha portion from AF: Agriculture & Forestry to RM3: Multiple Residential; and a 1.4 ha portion from AF: Agriculture & Forestry to AG: Greenbelt, as shown on Appendix "A" to Bylaw No. 9335.

Site Characteristics

Location	4443 Ospika Boulevard	4505 Ospika Boulevard
Legal Description	Lot A, District Lot 2003, Cariboo District, Plan PGP40105, Except Plan PGP46853	Lot 1, District Lot 2003, Cariboo District, Plan PGP46853
Current Use	Vacant land	Vacant land
Site Area	9.6 ha (23.8 acres)	2.1 ha (5.2 acres)
Future Land Use	Neighbourhood Residential	Parks and Open Space
Growth Management Class	Phase 1	Phase 1
Servicing	City Services Available	City Services Available

Official Community Plan – Future Land Use (see Appendix “A” to Bylaw No. 9334)

Location	4443 Ospika Boulevard	4505 Ospika Boulevard
Current Designation	Neighbourhood Residential (9.6 ha)	Parks and Open Space (2.1 ha)
Proposed Designation	Neighbourhood Residential (10.4 ha) and Parks and Open Space (1.4 ha)	

Zoning (see Appendix “A” to Bylaw No. 9335)

Location	4443 Ospika Boulevard	4505 Ospika Boulevard
Current Zoning	AF: Agriculture & Forestry (9.6 ha)	AF: Agriculture & Forestry (2.1 ha)
Proposed Zoning	RS2: Single Residential (1.5 ha); RM3: Multiple Residential (8.9 ha); and AG: Greenbelt (1.4 ha)	

Surrounding Land Use Table

North	Residential (University Heights); Greenbelt
South	Tyner Blvd
East	Ospika Blvd
West	Residential (University Heights)

POLICY / REGULATORY ANALYSIS:

Intent of the Official Community Plan

As identified in Section 1.2 of the OCP (Intent, Application, and Interpretation): The *Local Government Act* explains that all bylaws enacted or works undertaken by Council after adoption of the OCP must be consistent. An OCP, 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 OCP may be revised by an amending bylaw pursuant to provisions outlined within the *Local Government Act*.

Official Community Plan

Future Land Use

The subject area is designated as Neighbourhood Residential and Parks & Open Space in Schedule B-6: Future Land Use of the OCP. The Neighbourhood Residential designation is intended to maintain a similar scale of housing to that typical to existing neighborhoods (OCP Policy 8.3.45). The Neighbourhood Residential designation supports a wide range of housing forms having densities of less than 22 units/ha (OCP Policy 8.3.59). Row housing developments are encouraged to be integrated within the overall neighbourhood (OCP Policy 8.3.63). The Parks and Open Space designation is intended to provide quality open space areas within neighbourhoods to enhance the overall livability of the community, accommodate gatherings and develop a sense of place (OCP Objective 8.6.1 and 8.6.2).

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 area is within a proposed transit catchment area and within walking distance of active transit routes (Policy 8.7.23). The proposed development will require an extension of Chancellor Boulevard, which will access onto Ospika Boulevard (arterial road). In order to determine potential impacts to the surrounding road network, a Traffic Impact Study has been required prior to Public Hearing.

In order to facilitate the proposed development, the applicant has applied to amend the OCP designation for a 1.2 ha portion of the subject area from Parks and Open Space to Neighbourhood Residential; and a 0.4 ha portion of the subject area from Neighbourhood Residential to Parks and Open Space, as shown on Appendix

“A” to Bylaw No. 9334. The surrounding University Heights neighbourhood is predominantly low density residential with pockets of multiple residential adjacent to Tyner Road (arterial road). The proposed single family and row housing development is consistent with the size and scale of the surrounding area. The proposed row housing will offer a transition between the existing single-family neighbourhood and Ospika Boulevard (arterial road) which reflects a scale of development supported by the Neighbourhood Residential designation.

Administration supports the proposed Neighbourhood Residential designation as it aligns with the policy direction of the OCP for a range of housing forms and is consistent with the designation of the surrounding neighbourhood.

Growth Management

The subject area is designated as Phase 1 in Schedule B-4: Growth Management of the OCP. The intent of this designation is to guide gradual expansion adjacent to existing urban areas and close to identified Neighbourhood Centres (OCP Policy 8.1.13). OCP Policy supports infill and redevelopment in existing neighbourhoods (OCP Policy 8.3.45).

The subject area is adjacent to existing urban areas and is consistent with the Phase 1 designation. Administration supports this application, as it is consistent with the Future Land Use and Growth Management policy direction identified by the OCP.

Development Permit

Development of the subject area will trigger a Multiple Residential Form and Character Development Permits. The Multiple Residential Form and Character Development Permit area is intended to diversify housing stock options that provide for an appropriate level of design and site layout compatible with and complementary to adjacent uses; considers the human-scale; and provides the City with the ability to tailor new multiple residential area sites to local site conditions and area character. Through the Development Permit process, the City will review that the proposed development is designed to reflect local identity, align with design guidelines, and enhance the built environment (OCP Policy 8.2.10).

University Heights Neighbourhood Plan

The subject property is located within the University Heights Neighbourhood Plan (UHNP) area. The UHNP is intended to be a guiding document for rezoning and provide more specific land use policy direction over the 674 ha identified within the UHNP area (UHNP Policy 10.1.1). The UHNP encourages a variety of housing forms to ensure diversity in both the form and function of residential design (UHNP Policy 3.5.6.5). The UHNP further encourages maximizing medium density housing development to increase residential densities up to 30 dwellings/ha (UHNP Policy 3.5.6.4).

The applicant is proposing a low-density housing development predominantly consisting of row houses with a density of 22 units/ha. This application includes some single-family housing providing a gradual transition between the existing single-family University Heights neighbourhood and the proposed row housing development.

Administration supports this application, as it is consistent with the residential policy direction identified by the UHNP.

Zoning Bylaw

The subject area is currently zoned AF: Agriculture & Forestry. The AF zone is intended to conserve and manage agricultural and forestry land by providing for a compatible range of agricultural, forestry, service and single-

residential uses on large parcels. The applicant is proposing to rezone 1.5 ha portion of the subject area from AF to RS2: Single Residential, an 8.9 ha portion from AF to RM3: Multiple Residential; and a 1.4 ha portion from AF to AG: Greenbelt, as shown on Appendix "A" to Bylaw No. 9335.

This application is intended to facilitate a single-family and row housing development. The proposed RS2 zone is intended to foster an urban lifestyle on properties larger than 500 m² while providing for complementary uses that are compatible with the residential character of the area. The proposed RS2 portion is consistent with zoning north and west of the subject property and will provide a transition between the existing University Heights neighbourhood and the proposed row housing development.

The RM3 zone is intended to provide for multi-family housing with a maximum density of 60 dwellings/ha. The applicant is proposing to rezone an 8.9 ha portion of the subject area from AF to RM3 to facilitate a row housing development. As noted in the City's [Housing Needs Report dated December 2021](#), there is increased demand for multi-family housing options. The applicant has offered to register a Section 219 Covenant on the legal titles of the subject area to limit density to 22 units/ha to align with OCP Future Land Use and UHNP policy.

The remaining 1.4 ha of the subject area is proposed to be rezoned from AF to AG. The AG zone is intended to preserve sensitive lands in a natural state. This includes lands with characteristics such as steep slopes, poor drainage, flood or other hazards, unique scenic values, significant vegetation, and wildlife habitat by providing for a limited range of uses.

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

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.

Property Title

Statutory Right of Way No. CA3778583: A Statutory Right of Way was registered to the legal title of 4443 Ospika Boulevard (Lot A) on June 13, 2014, for a City of Prince George water main terminus. This Right of Way does not impact the current rezoning application.

Statutory Right of Way No. CA7566051: A Statutory Right of Way was registered to the legal titles of the subject area on June 18, 2019, for the extension of Chancellor Boulevard and Munro Way, which would connect the University Heights neighbourhood to Ospika Boulevard. The Right of Way will be reviewed through a subsequent Subdivision Application and does not impact the current rezoning application.

Traffic Impact Study

A Traffic Impact Study prepared and sealed by a Professional Engineer registered in the Province of British Columbia is required to address technical issues related to traffic for the proposed development (e.g., access to and from the subject property and adjacent intersections, trip generation information, and recommendations to reduce the impacts associated with traffic).

Administration recommends that the Public Hearing for Bylaw No.'s 9334 and 9335, 2022 be withheld until a Traffic Impact Study has been prepared and submitted to the satisfaction of Administration.

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 Final Reading of Bylaw No.'s 9334 and 9335, 2022 be withheld until a Servicing Brief has been prepared and submitted to the satisfaction of Administration.

Section 219 Covenant

In order to ensure the density of the proposed development aligns with the OCP Future Land Use and UHNP policy, the applicant has volunteered to limit density to 22 units/ha and restrict the number of units permitted in a building to six (6) through registration of a Section 219 Restrictive Covenant.

Administration recommends that Final Reading of Bylaw No.'s 9334 and 9335, 2022 be withheld until the Section 219 Covenant has been submitted to the satisfaction of Administration and registered to the legal titles for the subject area.

Ministry of Transportation and Infrastructure

As per Section 52 of the *Transportation Act*, Bylaw No. 9335 require the Ministry of Transportation and Infrastructure's approval prior to Final Reading and adoption.

Statutory Notification and Public Consultation

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 that 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 CP100179. The notification area has been expanded to incorporate the surrounding neighbourhood to capture comments from those potentially affected by the proposed development.

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.

Sequence of Adoption for the Official Community Plan

Pursuant to the *Local Government Act*, City of Prince George Official Community Plan Bylaw No. 8383, 2017 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. Management Plan;
 - d. Consideration of any other plan and policies that the local government considers relevant (i.e. Strategic Framework for a Sustainable Prince George);
 - e. Referral to the Agricultural Land Commission if the Plan applies to Agricultural Land Reserve land (*not applicable to these applications*);
 - f. Second Reading;
 - g. Public notice of the Public Hearing; and
 - h. 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 applicant conducted community consultation from May 26 to June 15, 2022. The applicant's consultation summary report is attached as a supporting document. Administration recommends that Council approve the consultation method outlined in the recommendation section of this Staff Report to Council to provide:

- One Citywide Newspaper advertisements requesting written comment; and
- Request for written comment from properties identified on Exhibit "A" to CP100179.

This consultation would occur after First and Second Reading of Bylaw No.'s 9334 and 9335, 2022 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 9334 and 9335, 2022 be approved.

SUMMARY AND CONCLUSION:

In order facilitate a future single-family and row housing development on the subject area, the applicant has applied to amend the OCP and rezone the subject area from AF to RM3, RS2, and AG. Administration is supportive of this application for the reasons outlined in this report.

RESPECTFULLY SUBMITTED:

Deanna Wasnik, Director of Planning and Development

PREPARED BY: Imogene Broberg-Hull, Planner

APPROVED:

Walter Babicz, City Manager

Meeting Date: 2022/08/15