

STAFF REPORT TO COUNCIL

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DATE: August 23, 2022

TO: MAYOR AND COUNCIL

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

SUBJECT: Temporary Use Permit Application No. TU000080

APPLICANT: Andrew Seabrook of St. Mary's Catholic School for The Roman Catholic Episcopal Corporation of Prince Rupert

LOCATION: 1206 Freeman Street

ATTACHMENT(S): Location and Existing Zoning Map
Temporary Use Permit No. TU000080
Letter of Support

RECOMMENDATION(S):

That Council APPROVES Temporary Use Permit No. TU000080 for the properties legally described as Lots 13-15, Block 17, District Lot 1429, Cariboo District, Plan 646.

PURPOSE:

The applicant has applied for a Temporary Use Permit to allow a "Community Care Facility, Major" use at 1206 Freeman Street (subject property). The proposed "Community Care Facility, Major" use will allow the applicant (St. Mary's Catholic Church) to operate a daycare out of the existing house that will no longer be used as a residence.

Background

Site Characteristics

Location	1206 Freeman Street
Current Use	Residential
Site Area	860 m ² (0.2 acres)
Zoning	RS4: Urban Residential

Official Community Plan

Future Land Use	Neighbourhood Residential
Growth Management	Infill

Surrounding Land Use Table

North	12 th Avenue; Residential
South	Residential

East	Residential; Ewert St
West	Freeman St; Ball Fields; St. Mary's School

POLICY / REGULATORY ANALYSIS:

A Temporary Use Permit (TUP) is a tool to allow a short-term use that does not comply with the Zoning Bylaw. As per the *Local Government Act*, a TUP may be issued for a maximum of three years and may only be renewed once for an additional three years. Following the expiration of the proposed TUP, the applicant must apply for a Zoning Bylaw amendment, cease the use, or relocate to a property that supports the proposed uses.

Zoning Bylaw

The subject property is currently zoned RS4 Urban Residential. The intent of the RS4 zone is to accommodate single detached housing on lots with lane access. The zone also provides for complimentary residential related uses that are compatible with the residential character of the area including “Community Care Facility, Minor”.

The applicant has applied for a TUP to allow “Community Care Facility, Major” use on the subject property to allow a daycare to operate out of the existing house that will no longer be used as a residence.

Official Community Plan

The subject property is designated as Neighborhood Residential as per Schedule B-6: Future Land Use of the Official Community Plan (OCP). The Neighbourhood Residential designation is intended to maintain the typical character of existing neighbourhoods. Section 9.2 of the OCP outlines a number of considerations to avoid conflicts between different types of uses when considering a temporary use permit.

Temporary Nature of Use

The applicant would like to permanently establish a “Community Care Facility, Major” use on the subject property. The applicant has applied for a TUP to better understand the impacts of “Community Care Facility, Major” in the neighbourhood prior to applying to rezone.

Compatibility of Adjacent Uses

The subject property is located at the corner of Freeman Street and 12th Avenue, across the street from Freeman Park and St. Mary's Catholic School. These sites are both institutionally zoned and allow for a “Community Care Facility, Major” use. As such, a “Community Care Facility, Major” use is not anticipated to have negative impacts on the surrounding neighbourhood. The proposed TUP will allow the applicant to assess any unforeseen impacts.

Impact on Natural Environment

The proposed use is not anticipated to negatively impact the natural environment.

Intensity of Proposed Use

As operation of a “Community Care Facility, Minor” use is currently permitted, the proposal is not anticipated to impact local traffic or parking. Furthermore, being located at the corner of Freeman Street and 12th Avenue allows for comfortable traffic circulation.

The applicant is proposing to operate a daycare in the existing house on the subject property while no longer using the house for residence. The subject property currently permits a “Community Care Facility, Minor” use, however since the existing house will no longer also include a residence, the applicant has applied to allow a “Community Care Facility, Major”. Operating under a TUP will allow the applicant and Administration to better understand the impacts of “Community Care Facility, Major” in the neighbourhood prior to rezoning.

Inability to Conduct Proposed Use Elsewhere

“Community Care Facility, Major” is permitted in all multiple residential and commercial zones, and in several institutional and site-specific zones, as per Zoning Bylaw No. 7850, 2007. While the applicant’s adjacent property (St. Mary’s Catholic School located at 1125 Freeman Street) allows a “Community Care Facility, Major” use, the school does not have the space required to offer the proposed daycare.

Administration is supportive of this TUP to better understand the impacts of a “Community Care Facility, Major” use on the subject property and surrounding area prior to rezoning.

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 Temporary Permit No. TU000080 be approved.

SUMMARY AND CONCLUSION:

Administration recommends that Council approve the applicant’s request for a TUP allowing “Community Care Facility, Major” use on subject property.

RESPECTFULLY SUBMITTED:

Deanna Wasnik, Director of Planning and Development

PREPARED BY: Bryce Deveau, Planner 1

APPROVED:

Walter Babicz, City Manager

Meeting Date: 2022/09/21