

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: Rezoning Application No. RZ100734 (Bylaw No. 9275)

APPLICANT: McWalter Consulting Ltd. for 5001 N. Nechako Road Holdings Ltd., Inc.
No. BC1306112

LOCATION: 5001 North Nechako

ATTACHMENT(S): Location and Existing Zoning Map
Appendix "A" to Bylaw No. 9275
Covenant Explanatory Plan
Public Consultation Summary Report

RECOMMENDATION(S):

THAT Council:

1. GIVES FIRST AND SECOND READING of "City of Prince George Zoning Bylaw No. 7850, 2007, Amendment Bylaw No. 9275, 2021"; and
2. PERMITS that consideration of Final Reading of proposed Bylaw No. 9275, 2021 BE WITHHELD until the following requirements have been met to the satisfaction of Administration:
 - a. Receipt of a Traffic Impact Analysis,
 - b. Receipt of a Servicing Brief, and
 - c. Registration of a Section 219 Covenant that restricts "housing, apartment":
 - To a maximum of two buildings;
 - Maximum of 36 dwellings/building; and
 - No "housing, apartment" forms from development at the southwest corner zoned RM3, as shown on the Covenant Explanatory Plan.
 - d. Registration of a Section 219 Covenant that restricts "two-unit housing":
 - To be limited and dispersed; and
 - Asymmetrically designed.

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 rezone 5001 North Nechako (subject property) to facilitate the development of a residential neighbourhood offering a mix of housing forms including single detached, two-unit and apartment housing. This application also includes commercial zoning intended to offer daily needs amenities and a landscaped berm along North Nechako Road to provide a buffer from the proposed adjacent residential neighbourhood.

In order to facilitate the proposed development, the applicant has applied to rezone the subject property from AF: Agriculture and Forestry and U1: Minor Utility to C3: Neighborhood Commercial, RM3: Multiple Residential, RS2: Single Residential, RT3: Residential Cluster, and AG: Greenbelt, as shown on Appendix "A" to Bylaw No. 9275. The applicant has also applied to allow "Retail, Liquor" as a principal use in the C3 zone, as a site-specific text amendment.

Site Characteristics

Location	5001 North Nechako
Legal Description	Lot 1, District Lot 4050, Cariboo District, Plan 25854, Except Plan EPP89775
Current Use	Vacant
Site Area	15.77 ha (38.98 acres)
Future Land Use	Neighbourhood Centre Corridor, Neighbourhood Centre Residential, Neighbourhood Residential, Utility, and Parks and Open Space
Growth Management Class	Infill
Servicing	City Services Available

Zoning (see Appendix "A" to Bylaw No. 9275)

Current Zoning	AF: Agriculture and Forestry and U1: Minor Utility
Proposed Zoning	C3: Neighborhood Commercial (4.1 ha), RM3: Multiple Residential (3.4 ha), RS2: Single Residential (3.6 ha), RT3: Residential Cluster (4.1 ha), AG: Greenbelt (0.5 ha)

Surrounding Land Use Table

North	North Nechako Road; North Meadows Residential Subdivision
South	Vacant Residential Land
East	Vacant Residential Land; Slate Avenue
West	Foothills Boulevard; Gravel Extraction

Relevant Applications

Rezoning Application No. RZ100659 (Bylaw No. 9123): The applicant (T.R. Projects Ltd., Inc. No. BC0729296 and Rock 'N' Roll Aggregates Ltd., Inc. No. 0406286) previously requested to rezone 5001 North Nechako Road, 2599 North Nechako Road, and 4439 Craig Drive to create a residential neighbourhood with a mix of housing forms and a neighbourhood commercial area. This application and related bylaws were rescinded by Council on July 26, 2021.

Official Community Plan Amendment Application No. CP100157 (Bylaw No. 9070): An amendment to the Official Community Plan (OCP) was adopted by Council at the October 23, 2019, Council Meeting. Bylaw 9070, 2019, facilitated the approval of the North Nechako Neighbourhood Plan, and the consequential amendments to the OCP.

POLICY / REGULATORY ANALYSIS:

Official Community Plan

Future Land Use

The subject property has a range of designations in Schedule B-6: Future Land Use of the OCP, which provides Administration and Council with policy direction when considering land use changes. These designations are described below.

Neighbourhood Centre

Approximately 45% of the subject property is designated as a Neighbourhood Centre in Schedule B-6: Future Land Use of the OCP. Neighbourhood Centres (Neighbourhood Centre Corridor and Neighbourhood Centre Residential) are intended to provide local shops, services, and similar amenities with housing in a mixed-use context and encourages a diverse range of building types (OCP Policy 8.3.34).

Neighbourhood Centre Corridors encourage a range of building types and densities including 3-4 storey apartments having a density between 75 and 135 units/ha (OCP Policy 8.3.37). Housing developments in a Neighbourhood Centre Corridor designation should ensure effective buffering of residents from traffic noise and adjacent lower density uses through appropriate building and site design (building form, setbacks and landscaping) (OCP Policy 8.3.38).

The Neighbourhood Centre Residential designation encourages infill through a range of housing types such as single-family, two-unit, row housing and others having densities up to 60 units/ha (OCP Policy 8.3.42).

The proposed development is consistent with OCP policy for Neighbourhood Centres.

Neighbourhood Residential

Approximately 45% of the subject property is designated as Neighbourhood Residential in Schedule B-6: Future Land Use of the OCP. This designation is intended to provide for neighbourhoods that are primarily residential in nature and dominated by single-detached housing and similarly sized buildings. The applicant is proposing that these areas will provide a mix of single-detached housing, two-unit housing (i.e., duplex) and small scale multiple residential (i.e. four-plex, row housing).

OCP policy encourages ground oriented multiple residential forms, a wide range of housing forms having a density less than 22 units/ha, and to support two-unit housing in a limited manner (Policy 8.3.58, 8.3.59 and 8.3.60). The proposed development is consistent with OCP policy.

Parks & Open Space

Approximately 2% of the subject property is designated as Parks & Open Space in Schedule B-6 of the OCP. This designation encompasses a broad range of areas that may include public land held for a special use, protected environmental areas and buffer strips (Policy 8.6.12). Proposed land uses within this designation include a landscaped buffer along the Nechako Nechako Road to effectively buffer residents from traffic noise. The proposed use is consistent with the Parks & Open Space designation.

Utility

Approximately 8% of subject property is designated as Utility in Schedule B-6 of the OCP to accommodate BC Hydro transmission lines. All works are protected by right of ways registered on the legal titles.

The proposed rezoning is consistent with the Future Land Use designations. Administration supports the proposed rezoning to facilitate a commercial and residential development on the subject property.

Growth Management

The subject property is designated as Infill in Schedule B-4: Growth Management of the Official Community Plan. The OCP directs growth and redevelopment within Infill areas and encourages mixed-use development along major roads (Policy 8.1.1 and 8.1.3). The proposed commercial and residential development will provide infill and densification of an underutilized site in an existing neighbourhood (OCP Policy 8.3.31).

Administration supports the proposed application as it is consistent with the Growth Management policies of the OCP to develop infill areas and encourage a range of housing types.

Development Permit

Development of the proposed commercial and multiple residential zones, as shown on Appendix "A" to Bylaw No. 9275, will trigger Form and Character Development Permits. The City may consider the following criteria to determine proposed land use suitability: location; lot size; site access; volume of site usage and traffic; parking; landscaping and screening; development size, massing, and quality of design (Policy 8.3.7).

The Commercial Form and Character Development Permit area is intended to foster improved design of commercial buildings given the high visibility of these areas and their exposure to major traffic routes; provide an opportunity for human-scale considerations for all users of a commercial site; and provide an appropriate degree of landscaping of commercial sites with special attention to the human-scale, streetscape, and adjacent non-commercial uses.

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 (Policy 8.2.10).

City of Prince George Housing Needs Report

The City's [Housing Needs Report dated December 2021](#), notes a need for a variety of housing types. The proposed rezoning would provide housing options for residents.

North Nechako Neighbourhood Plan

The subject property is located within the North Nechako Neighbourhood Plan (NNNP) area. The NNNP was adopted by Council on October 23, 2019, after an extensive community consultation process for the area. The NNNP is intended to be a guiding document allowing Council the opportunity to consider development proposals that may be inconsistent with the NNNP but which Council considers to be in the public interest.

The NNNP proposes an overall housing density mix of 54% low density residential (10 dwellings/ha) and 46% medium density residential (20-60 dwellings/ha). The NNNP residential design guidelines encourage a variety of housing forms (excluding apartment) to ensure diversity in both the form and function, and that multiple residential dwellings develop underground parking. The NNNP recognizes the need to provide commercial uses in conjunction with residential development and has identified the northwest corner of the subject property for neighbourhood commercial uses.

The applicant is proposing a combination of low density housing development predominantly consisting of single-family (RS2) and two-unit housing (RT3); medium density residential (RM3); and neighbourhood commercial (C3). The applicant is proposing apartment, housing within the proposed medium density residential area along North Nechako Road to offer a transition from the proposed neighbourhood commercial uses and North Nechako Road to the low density, single-family and two-unit housing.

Since the proposed apartment forms are inconsistent with the NNNP, the applicant has offered to register a Section 219 Covenant on the legal title of the subject property to limit the number of apartment buildings to two (2), the maximum number of units within each building to 36 dwellings, and restrict apartment buildings on the proposed medium density residential (RM3) area at the southwest corner of the subject property, as shown on the Covenant Explanatory Plan attached to this report.

Administration supports this application, as it is consistent with the guiding recommendations identified by the NNNP and the Housing Needs Report.

Zoning Bylaw

The subject property is currently zoned AF: Agriculture & Forestry and U1: Minor Utility. The AF zone is intended to conserve and manage agricultural and forestry lands by permitting a range of agricultural, forestry, service and single-residential uses on large parcels. The U1 zone is intended to provide for utilities that may only have a minor impact on adjacent uses.

The applicant is proposing to rezone the subject property from AF and U1 to C3: Neighborhood Commercial, RM3: Multiple Residential, RS2: Single Residential, RT3: Residential Cluster, and AG: Greenbelt, as shown on Appendix "A" to Bylaw No. 9275. The applicant has also applied to allow "Retail, Liquor" on the subject property as a principal use in the C3 zone.

This application is intended to facilitate a residential neighbourhood offering a mix of housing forms and neighbourhood commercial uses intended to offer daily needs amenities. The RM3 zone is intended to provide multi-family housing with a maximum density of 60 dwellings/ha. As previously mentioned, the applicant is proposing to develop two (2) apartments with a maximum of 36 dwellings/building within the RM3 zone proposed at the north of the subject property, nearest North Nechako Road. The RM3 zoned portion at the southwest corner of the subject property will be restricted from apartment building forms while still offering medium density residential. As previously noted, the applicant has offered to register a Section 219 Covenant to ensure that housing forms are consistent with the NNNP while providing housing options.

The RT3 zone is intended to provide for comprehensively planned clusters of single detached and two-unit housing, in bare land strata format with urban services. The applicant has indicated that they will register a Section 219 Restrictive Covenant on the legal title of the subject property to ensure that development of two-unit housing is limited, dispersed (i.e., not side by side) and asymmetrical designed (i.e., varying rooflines and using multiple materials on the exterior finish). The RT3 zone is consistent with the low density residential area of the NNNP.

The 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 RS2 zone only allows single-detached housing forms consistent with the low density residential area in the NNNP.

The C3 zone is intended to provide for neighbourhood commercial areas and complimentary residential uses. The applicant is proposing to offer daily needs amenities to improve access from housing to provide retail shops, services, and similar amenities. The applicant would also like to add "retail, liquor" as a principal use in the C3 zone, specific to the subject property only.

The AG zone is intended to preserve environmentally sensitive lands. The applicant is proposing to utilize the AG zoning to accommodate a landscaped berm along North Nechako Road to provide a buffer from the proposed residential development. This is a continuation of the buffer provided on the adjacent property located to the east.

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

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

Section 219 Covenant No. P30610: A Covenant was registered to the legal title of the subject property on September 9, 1980, for a City of Prince George sanitary sewer extension regarding the North Meadows Residential Subdivision. This Covenant does not impact the current rezoning application.

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. 9275, 2021 be withheld until a Servicing Brief has been prepared and submitted to the satisfaction of Administration.

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. 9275, 2021 be withheld until a Traffic Impact Study has been prepared and submitted to the satisfaction of Administration.

Section 219 Covenant

In order to ensure the proposed apartment, housing aligns with the OCP Future Land Use and NNNP, the applicant has volunteered to limit “housing, apartment” to two buildings with a maximum of 36 dwellings per building. The covenant will further restrict “housing, apartment” forms from developing on the proposed medium density residential (RM3) area at the southwest corner of the subject property, as shown on the Covenant Explanatory Plan attached to this report.

Administration recommends that Final Reading of Bylaw No. 9275, 2021 be withheld until the Section 219 Covenant has been submitted to the satisfaction of Administration and registered to the legal title of the subject property.

Section 219 Covenant

The applicant has indicated that they will register a Section 219 Covenant on the legal title of the subject property to ensure the construction of two-unit housing is asymmetrical designed and looks like two distinct dwellings

(i.e., varying roof lines and using multiple materials for the exterior finish). The covenant will also ensure that two-unit housing is limited and dispersed throughout the RT3 zone.

Administration recommends that Final Reading of Bylaw No. 9275, 2021 be withheld until the Section 219 Covenant has been submitted to the satisfaction of Administration and registered on the legal title of the subject property.

Statutory Notification and Public Consultation

In order to understand potential impacts of the proposed rezoning, the applicant conducted community consultation from March 31 to April 18, 2022. The applicant's consultation summary report is attached as a supporting document.

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. 9275, 2021 be approved.

SUMMARY AND CONCLUSION:

In order facilitate a residential neighbourhood with a mix of housing forms including single detached, two-unit and apartment housing on the subject property, the applicant has applied to amend the OCP and rezone from AF and U1 to C3, RM3, RT3, 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: Bryce Deveau, Planner I, and
Kali Holahan, Planner II

APPROVED:

Walter Babicz, City Manager
Meeting Date: 2022/09/21