

STAFF REPORT TO COUNCIL

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DATE: December 7, 2022

TO: MAYOR AND COUNCIL

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

SUBJECT: Official Community Plan Amendment No. CP100190 (Bylaw No. 9319) and Rezoning Amendment No. RZ100755 (Bylaw No. 9320)

APPLICANT: McWalter Consulting Ltd., for 1127415 BC Ltd., Inc. No. BC1127415

LOCATION: 9048 Sintich Road

ATTACHMENT(S): Location and Existing Zoning Map
Appendix "A" to Bylaw No. 9319
Appendix "A" to Bylaw No. 9320
Exhibit "A" to CP100190
Exhibit "A" to RZ100755
Supporting Document

RECOMMENDATION(S):

THAT Council:

1. GIVES First Reading to "City of Prince George Official Community Plan Bylaw No. 8383, 2011, Amendment Bylaw No. 9319, 2022."
2. CONSIDERS "City of Prince George Official Community Plan Bylaw No. 8383, 2011, Amendment Bylaw No. 9319, 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. 9319, 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. 9319, 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. 9319, 2022".
6. APPROVES the following public consultation process to fulfill the requirements of Section 475 of the *Local Government Act*:
 - a. Request for written comment from properties identified on Exhibit "A" to CP100190.

7. GIVES First and Second Reading to “City of Prince George Zoning Bylaw No. 7850, 2007, Amendment Bylaw No. 9320, 2022.”

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 hydrogen production and storage facility, and service station on an approximately 2.7 ha portion (subject area) of 9048 Sintich Road (subject property).

To facilitate the proposed development, the applicant has applied to amend the Future Land Use designation of the OCP from Light Industrial to Medium Industrial, as shown on Appendix “A” to Bylaw No. 9319. This application also proposes to rezone the subject area from M2: General Industrial to M6: Special Heavy Industrial, as shown on Appendix “A” to Bylaw No. 9320.

To allow for a service station use, the applicant has proposed a site-specific text amendment to allow service station, major as a principal use within the M6 zone on the subject property only.

The remaining 1.3 ha portion of the subject property is not included in the proposed rezoning and will remain M2: General Industrial.

Site Characteristics

Location	9048 Sintich Road
Legal Description	Lot 1, District Lot 751, Cariboo District, Plan 14660, Except Plan 22376
Current Use	Outdoor Storage
Subject Property Size	4.0 ha (9.9 acres)
Subject Area	2.7 ha (6.6 acres)
Growth Management Class	Infill and Rural Resource
Servicing	Water Services Available

Official Community Plan – Future Land Use (see Appendix “A” to Bylaw No. 9319)

Current Future Land Use	Light Industrial
Proposed Future Land Use	Medium Industrial

Zoning (see Appendix “A” to Bylaw No. 9320)

Current Zoning	M2: General Industrial
Proposed Zoning	M6: Special Heavy Industrial

Surrounding Land Use Table

North	Transmission Lines; Vacant Lands
South	Sintich Road; Wrecking Yard; Sawmill
East	Sintich Road; Vacant Lands
West	Sintich Road; Equipment, Major and Vehicle Repair; Rail Lines

Related Applications

Official Community Plan Amendment Application No. CP100186 (Bylaw No. 9202) and Rezoning Application No. RZ100730 (Bylaw No. 9203): On April 25, 2022, Council adopted Amendment Bylaw No.’s 9202 and 9203 to amend the OCP from Light Industrial and Rural Resource to Light Industrial and rezoned a portion of the subject

property from AF: Agriculture & Forestry to M2: General Industrial. This application was intended to facilitate the development of a machine, fabrication, and equipment maintenance shop at 9048 Sintich Road.

Subdivision Application No. SD100732: The applicant has concurrently submitted a Subdivision Application which aligns with the proposed zoning boundary to facilitate a 2-lot subdivision, as shown on Appendix “A” to Bylaw No. 9320. The purpose of this application is to allow the proposed 2-lots to be owned and/or operated independently.

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 property is designated as Light Industrial in Schedule B-6: Future Land Use of the OCP. The Light Industrial designation is intended to accommodate light industrial uses which have low noise and air emissions based on Provincial Offsetting Guidelines. To facilitate the proposed hydrogen production facility on the subject area, the applicant has applied to amend the OCP Future Land Use designation from Light Industrial to Medium Industrial, as shown on Appendix “A” to Bylaw No. 9319.

The Medium Industrial designation is intended to accommodate medium to heavy industrial uses which have low to moderate noise and air emissions based on Provincial Offsetting Guidelines. Development within the Medium Industrial designation typically has an area, intensity and land use impacts with a greater magnitude and significance than light industry but does not have significant air emissions (OCP Policy 8.3.102). Typical medium industrial uses include, but are not limited to modern (low emission) sawmills, cement processing, manufacturing, major truck or rail terminals, wrecking yards. OCP Policy encourages new or expanded medium industrial uses to locate outside of the CNR Industrial (1st Avenue and River Road) or Pulpmill Road Industrial areas, and to locate in areas with adequate access to highways and rail lines (OCP Policy 8.3.100 and 8.3.104).

The subject property is located within the Danson Industrial Park and has previously been used for outdoor storage. The subject property is bound by Sintich Road to the south and east, transmission lines to the north and a trucking facility (equipment, major) to the west.

Sintich Road is classified as a major collector providing adequate access to rail lines and Highway 97 S. South of Sintich Road is an expansive wrecking yard and sawmill located on Northern Crescent. The surrounding area is a mix of light-medium industrial uses and vacant rural resource lands east of Sintich Road. The applicant has identified that the proposed hydrogen production will be produced through water electrolysis using electric power and therefore will have no direct carbon emissions and limited noise pollution. The applicant has provided additional information on the production process and is attached as a supporting document dated December 8, 2022.

The proposed hydrogen production and storage facility, and service station is consistent with existing medium industrial uses in the surrounding area and reflects a scale of development supported by the Medium Industrial designation with regards to low noise and air emissions. Administration supports re-designating the subject property from Light Industrial to Medium Industrial as the proposed development aligns with the policy direction of the OCP.

Growth Management

The subject area is designated as Infill and Rural Resource in Schedule B-4: Growth Management of the OCP. The Infill designation encourages infill and redevelopment of existing vacant and underused sites (OCP Policy 8.1.11). The Rural Resource designation advocates for agriculture, forestry, and resource extraction activities. Growth management policy further encourages redevelopment and infill by removing barriers to growth (OCP Objective 8.1.6) while advocating for an appropriate type and scale of uses to mitigate potential negative environmental impacts (OCP Policy 8.3.91). Growth management policy further encourages redevelopment and infill by removing barriers to growth (OCP Objective 8.1.6) while advocating for an appropriate type and scale of uses to mitigate potential negative environmental impacts (OCP Policy 8.3.91).

As previously mentioned, the subject area has been cleared and has previously used for outdoor storage. The proposed OCP amendment will allow the vacant and underused site to be redeveloped while maintaining low noise and air emissions based on Provincial Offsetting Guidelines. Administration supports this application, as it is consistent with the Future Land Use and Growth Management policy direction identified by the OCP.

Development Permit

Section 488 of the *Local Government Act* gives municipalities the authority to designate development permit areas for specific purposes including the establishment of objectives for the form and character of industrial developments. Once a development permit area has been designated, a development permit must be obtained prior to development.

An Industrial Form and Character Development Permit Area has been designated over the Carter Light Industrial Area, Queensway Light Industrial Area, Airport Light Industrial Area, and any industrially zoned lands within 50 m of a major road identified on Schedule B-10: 15-year Road Network and Provincial highways. The Industrial Form and Character Development Permit area is intended to foster improved design of industrial buildings, especially where such buildings occur in an urban environment in proximity to commercial uses or visible from major roads and highways; encourage sustainable design, green practices, air quality considerations; and provide an appropriate degree of landscaping for industrial sites with special attention to the streetscape and adjacent non-industrial uses.

The subject property is within 50 m of the proposed Boundary Road, as shown on Schedule B-10: 15-year Road Network of the OCP. Should Council support this application, an Industrial Form and Character Development Permit will be required for the proposed development.

Zoning Bylaw

The subject property is zoned M2: General Industrial. The M2: General Industrial zone is intended to provide for a mix of business and light industrial uses. This application proposes to rezone the subject area (2.7 ha) from M2: General Industrial to M6: Special Heavy Industrial, as shown on Appendix "A" to Bylaw No. 9320. This application is intended to facilitate a hydrogen production and storage facility, and service station for hydrogen and diesel fuel. To allow for a service station use, the applicant has proposed a site-specific text amendment to allow service station, major as a principal use within the M6 zone on the subject property only, as shown on Exhibit "A" to RZ100755. The remaining 1.3 ha portion of the subject property is not included in the proposed rezoning and will remain M2: General Industrial.

The intent of the proposed M6 zone is to provide for specialized heavy industries. The M6 zone is intended to facilitate the proposed hydrogen production and storage facility defined as Industry, Special Heavy. The surrounding area is a mix of M2: General Industrial, M5: Heavy Industrial, U1: Minor Utilities and AF: Agriculture and Forestry. The subject property is bound by Sintich Road to the south and east, U1: Minor Utilities (transmission lines) to the north and M2: General Industrial (equipment, major) to the west. South of Sintich Road, Northern Crescent is zoned M5: Heavy Industrial and is predominately developed as a wrecking yard and sawmill. Per the supporting document received from the applicant dated December 8, 2022, the proposed hydrogen production and storage facility, and service station are not anticipated to generate potential land use impacts or have negative impacts on surrounding uses. The applicant has identified that the proposed hydrogen production will be produced through water electrolysis using electric power and therefore will have no direct carbon emissions and limited noise pollution.

Administration supports the proposed rezoning as the application is consistent with the policy direction of the OCP and existing 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.

Ministry of Environment and Climate Change Strategy

The Ministry expressed no comments or concerns with respect to this application.

Property Title

A review of the legal title of the subject property indicated no encumbrances or restrictions that would affect this 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, 2011 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 Notification and Public Consultation

Administration recommends that Council approve the consultation method outlined in the recommendation section of this Staff Report to Council to:

- Request for written comment from properties located identified on Exhibit “A” to CP100190.

This consultation would occur after First and Second Reading of Bylaw No.'s 9319 and 9320, 2022 and prior to the Public Hearing.

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.

Members of the public may provide comment by written submission, telephone or in person. Written submissions received in response to the public notice for these applications will be provided to Council for their consideration during the public hearing and prior to third reading of the proposed bylaws. Residents who wish to speak in person can do so during the Public Hearing in Council Chambers. Additional information on methods to provide comments to Council can be found on the [City's website](#).

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 9319 and 9320 be approved.

SUMMARY AND CONCLUSION:

In order facilitate a hydrogen production and storage facility, and service station on the subject property, the applicant has applied to amend the OCP for the subject area from Light Industrial to Medium Industrial and rezone from M2 to M6. This application also includes a site-specific text amendment to allow service station, major as a principal use within the M6 zone. Administration is supportive of this application for the reasons outlined in this report.

RESPECTFULLY SUBMITTED:

Deanna Wasnik, Director of Planning and Development

PREPARED BY: Kali Holahan, Planner II

APPROVED:

Walter Babicz, City Manager

Meeting Date: 2022/12/19