

STAFF REPORT TO COUNCIL

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DATE: December 21, 2022

TO: MAYOR AND COUNCIL

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

SUBJECT: Rezoning Application No. RZ100753 (Bylaw No. 9317)

APPLICANT: Atpar Developments Ltd.

LOCATION: 2690 Queensway

ATTACHMENT(S): Location and Existing Zoning Map
Appendix "A" to Bylaw No. 9317
Exhibit "A" to Bylaw No. 9317
Supporting Documents

- Riparian Assessment prepared by LTN Environmental Consulting LP, dated November 2022
- Preliminary Geotechnical Report prepared by Evertex Engineering Ltd., dated November 13, 2022

RECOMMENDATION(S):

THAT Council:

1. GIVES First and Second Reading to "City of Prince George Zoning Bylaw No. 7850, 2007, Amendment Bylaw No. 9317, 2022"; and
2. PERMITS that Final Reading for proposed Bylaw No. 9317 BE WITHHELD until the following requirements have been met to the satisfaction of Administration:
 - a. Receipt of Servicing Brief;
 - b. Receipt of a Traffic Impact Analysis;
 - c. Registration of a Section 219 Covenant that:
 - i. Restricts the maximum density to no more than 70 dwelling units per hectare and
 - ii. Limits the maximum height of principal development to 12.0 m.

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 proposed to rezone 2690 Queensway (subject property) to facilitate an “Apartment Hotel” development offering dwellings for rent for periods of no less than 30 days. To facilitate the proposed development, the applicant has applied to rezone the subject property from C7: Transitional Commercial to RM6: Mid-Rise Residential, as shown on Appendix “A” to Bylaw No. 9317.

Site Characteristics

Location	2690 Queensway
Legal Description	Block 28, District Lot 933, Cariboo District, Plan 727, Except Plan PGP37011
Current Use	Vacant Land
Site Area	0.61 ha (1.5 acres)
Future Land Use	Neighbourhood Corridor and Neighbourhood Residential
Growth Management Class	Growth Priority and Infill
Servicing	City Services Available

Zoning (see Appendix “A” to Bylaw No. 9317)

Current Zoning	C7: Transitional Commercial
Proposed Zoning	RM6: Mid-Rise Residential

Surrounding Land Use Table

North	Laneway; Inlander Street; Single Residential
South	Office (C7); Fraser River
East	Fraser River
West	Queensway

POLICY / REGULATORY ANALYSIS:

Official Community Plan

Future Land Use

The subject property is designated as Neighbourhood Corridor and Neighbourhood Residential in Schedule B-6: Future Land Use of the Official Community Plan (OCP). The Neighbourhood Corridor designation encourages medium to high density multiple residential developments up to 135 units/ha, with a maximum height of four stories along collector arterial streets (OCP Policy 8.3.55). Development within Neighbourhood Corridors should respect the scale of existing neighbourhoods by providing effective buffering of residents from traffic noise, mitigating visual impacts to adjacent low density uses through building and site design, and considering access and traffic impacts (OCP Policy 8.3.35 and 8.3.57). The Neighbourhood Residential designation encourages development that is consistent with the form and character of the existing neighbourhood (Policy 8.3.58 and 8.3.62) and permits housing forms with a density of less than 22 units/ha (OCP Policy 8.3.59).

The OCP supports infill and redevelopment in existing neighbourhoods that is incremental, respects the scale and character of the existing neighbourhood, and has relatively minor immediate impacts on the surrounding area (Policy 8.3.45 and 8.3.48). To respect the scale of the surrounding neighbourhood, the applicant has offered to register a Section 219 Covenant on the legal title of the subject property to restrict density to 70 dwellings/ha and limit height to a maximum of 12.0 m (approximately 2.5 storeys).

The subject property is bound by Queensway (arterial road) to the west, the Fraser River to the east, a laneway and single-family dwellings to the north, and a commercial office to the south. The subject property is located on an active transit route, with access to three bus stops within 250 m that offer direct access to the Downtown Exchange, the Nicholson Exchange, and the Pine Centre Exchange (OCP Policy 8.7.23).

Administration supports this application as it is consistent with the OCP's Future Land Use policy direction and will create infill and redevelopment of an underutilized site.

Growth Management

The subject property is designated as Growth Priority and Infill in Schedule B-4: Growth Management of the OCP. Growth Management designations allow the City to make decisions about how the community should grow based on existing infrastructure. Areas within the Growth Priority designation are intended to prioritize infill development and encourage utilization of underutilized sites (OCP Policy 8.1.1). Redevelopment within established neighbourhoods maximizes the use of existing infrastructure and is preferred over the extension of services and roads into suburban and rural areas (OCP Objective 8.1.5). The applicant's proposal to develop housing on the subject property will fulfill the intentions of the Growth Priority and Infill designations by creating infill and redevelopment of underutilized sites.

Administration supports this application as it is consistent with the OCP's Future Land Use and Growth Management policy direction of 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 multiple residential developments, and areas that are considered environmentally sensitive. Once a development permit area has been designated, a development permit must be obtained prior to development.

Riparian Protection Development Permit Area

The subject property has been identified within Schedule D-2: Riparian Protection Development Permit Area and Schedule D-4: Flood Hazard Development Permit Area. The Riparian Protection Development Permit Area is intended to protect land and vegetation adjacent to watercourses. The Riparian Protection Development Permit guidelines indicate that the riparian leave strip be a minimum of 30.0 m from the top of bank of the Fraser River. A lesser leave strip shall be considered where the size is determined by a qualified professional in respect of a development proposal.

The applicant has provided a Riparian Assessment prepared by LTN Environmental Consulting LP dated November 2022 (attached to this report), to facilitate a forthcoming Development Permit application should the proposed rezoning be approved by Council. The Riparian Assessment has identified the top of bank and recommends a reduced setback of 20.0 m from the top of bank to maintain the current riparian habitat, as shown on Exhibit "A" to RZ100753.

Flood Hazard Development Permit Area

The Flood Hazard Development Permit Area is intended to promote settlement patterns that minimize the risks associated with hazardous conditions. A Flood Hazard Development Permit is required for all development including the subdivision of land. The applicant has provided a Preliminary Geotechnical Report prepared by Evertek Engineering Ltd., dated November 13, 2022 (attached to this report), confirming that the subject property currently exceeds the required flood construction level.

Multiple Residential Form and Character Development Permit Area

A Multiple Residential Form and Character Development Permit Area has been designated on all lands where zoning allows multiple residential, comprehensive two-unit or strata developments. Should this application be approved, the proposed development will trigger a Multiple Residential Form and Character Development Permit.

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 the application to ensure that the proposed development is designed to reflect local identity, align with design guidelines, and enhance the built environment (OCP Policy 8.2.10). 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 (OCP Policy 8.3.7).

Should this application be approved, the applicant will be required to submit a Development Permit application for Riparian Protection, Flood Hazard, and Multiple Residential Form and Character.

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.

Zoning Bylaw

The subject property is currently zoned as C7: Transitional Commercial. The C7 zone is intended to provide for vehicle-oriented service and office uses, including but not limited to educational and indoor recreation facilities, service-oriented businesses, and restaurants. The applicant has applied to rezone the subject property from C7 to RM6: Mid-Rise Residential to facilitate an "Apartment Hotel" development. The Zoning Bylaw defines an "Apartment Hotel" as:

"Apartment housing having a principal common entrance, cooking facilities and furnishings within each dwelling that may be available for rent or occupation for periods of no less than 30 days. This does not include any additional commercial uses except when specifically permitted in the zone."

The proposed RM6 zone is intended to provide for mid-rise housing forms, such as apartment buildings and stacked row homes, with a maximum density of 140 dwellings/ha. As previously mentioned, the applicant has offered to register a Section 219 Covenant to restrict density to 70 dwellings/ha and limit height to a maximum of 12.0 m.

The C7 and RM6 zoning regulations are compared below in Table 1.

Table 1: Zoning Comparison of C7 and RM6

Regulations	C7: Transitional Commercial	RM6: Mid-Rise Residential
Principal Uses	<ul style="list-style-type: none">• Community Care Facility, Major• Community Care Facility, Minor• Education• Education, Commercial• Emergency Service• Health Service, Minor• Office	<ul style="list-style-type: none">• Apartment Hotel• Community Care Facility, Major• Community Care Facility, Minor• Housing, Apartment• Housing, Congregate• Housing, Four-plex• Housing, Row

	<ul style="list-style-type: none"> • Parking, Non-Accessory • Recreation, Indoor • Restaurant • Service, Business Support • Service, Financial • Service, Funeral • Service, Household Repair • Service, Massage Therapy • Service, Personal • Service, Pet Grooming & Day Care 	<ul style="list-style-type: none"> • Housing, Stacked Row • Religious Assembly only on sites less than 1.0 ha
Secondary Uses	<ul style="list-style-type: none"> • Residential Security/Operator Unit 	<ul style="list-style-type: none"> • Club • Health Service, Minor • Home Business 1 • Retail, Convenience • Service, Massage Therapy • Service, Personal
Max. Density	N/A	140 dwellings/ha*
Site Coverage	75%	45% plus 30% for covered parking
Max. Height	12.0 m	30.0 m*
Min. Front Yard Setback	0.0 m	4.5 m
Min. Interior Side Yard Setback	0.0 m, except it is 3.0 m abutting a RS, RT, RM, or Z7 zone	3.0 m
Min. Rear Yard Setback	0.0 m, except it is 3.0 m abutting a RS, RT, RM, or Z7 zone	4.5 m

*The applicant has offered to register a Section 219 Covenant to restrict density to 70 dwellings/ha and limit height to a maximum of 12.0 m.

As identified in Table 1 above, the C7 zone offers vehicle-oriented service and office uses, including but not limited to educational and indoor recreation facilities, service-oriented businesses, and restaurants. Whereas the proposed RM6 zone predominately supports residential building forms. The RM6 zone offers density restrictions, decreased site coverage and increased setbacks compared to the existing C7 zone. As previously mentioned, the applicant has offered to register a Section 219 Covenant to restrict density to 70 dwellings/ha permitting a maximum of 43 dwelling units and limiting height to a maximum of 12.0 m.

The subject property is bound by Queensway (arterial road) to the west, the Fraser River to the east, a laneway and single-family dwellings to the north, and a commercial office to the south. The surrounding area is a mix of C6: Highway Commercial, C7: Transitional Commercial, RS2: Single Residential and RS4: Urban Residential. The nearest Multiple Residential zoned sites are located on LaSalle Avenue (RM1 and RM4), approximately 150 m north of the subject property.

As the application is consistent with the policy direction of the OCP, Administration supports this application.

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 215 Covenant No. PG9697: Registered on title on March 30, 1993, the Ministry of Environment and Climate Change Strategy and City of Prince George are named on a flood protection covenant requiring

development to maintain a 30.0 m setback from the natural boundary of the Fraser River and a flood construction level of 569.5 m.

The applicant has provided a Preliminary Geotechnical Report prepared by Evertek Engineering Ltd., dated November 13, 2022 (attached to this report), which includes a topographic survey plan prepared by McElhanney Associates Land Surveying Ltd., dated October 14, 2022, confirming that the subject property currently exceeds the required flood construction level. The setback distance will be reviewed through both the Development Permit and Building Permit stages.

Geotechnical Report

Portions of the subject property adjacent to the Fraser River are comprised of significant slopes as identified on Schedule B-3: Significant Slopes of the OCP. As such, the applicant has provided a Preliminary Geotechnical Report prepared by Evertek Engineering Ltd., dated November 13, 2022. The Preliminary Geotechnical Report concluded that the proposed development is feasible from a geotechnical perspective and has identified recommendations for construction based on current site conditions. The Preliminary Geotechnical Report is attached to this report as a supporting document.

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. 9317, 2022 be withheld until a Servicing Brief has been prepared and submitted to the satisfaction of Administration.

Traffic Impact Analysis

A Traffic Impact Analysis 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. The proposed development will be accessed via Inlander Street. A Traffic Impact Analysis including a trip generation and distribution from the proposed development, and recommendations for any impacts on current and future road configurations is required for Administrations consideration.

Administration recommends that Final Reading for Bylaw No. 9317, 2022 be withheld until a Traffic Impact Analysis has been prepared and submitted to the satisfaction of Administration.

Section 219 Covenant

To ensure the density of the proposed development aligns with the OCP Future Land Use policy and surrounding neighbourhood, the applicant has volunteered to restrict density to 70 dwellings/ha and limit height to maximum of 12.0 m through registration of a Section 219 Covenant.

Administration recommends that Final Reading of Bylaw No. 9317, 2022 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.

Ministry of Transportation and Infrastructure

As per Section 52 of the *Transportation Act*, Bylaw No. 9317, 2022 requires the Ministry of Transportation and Infrastructure's approval prior to Final Reading and adoption.

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. In addition, notice will be published to the City’s website and Facebook page as per “City of Prince George Public Notice Bylaw No. 9329, 2022”.

Members of the public wanting to provide comment on the application may submit written correspondence to Council. 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. 9317, 2022 be approved.

SUMMARY AND CONCLUSION:

The applicant is proposing to rezone the subject property from C7: Transitional Commercial to RM6: Mid-Rise Residential, as shown on Appendix “A” to Bylaw No. 9317. The purpose of this application is to facilitate an “Apartment Hotel” use offering dwellings for rent for periods of no less than 30 days. 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 1

APPROVED:

Walter Babicz, City Manager

Meeting Date: 2023/01/16