

# STAFF REPORT TO COUNCIL

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**DATE:** March 1, 2023

**TO:** MAYOR AND COUNCIL

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

**SUBJECT:** Rezoning Application No. RZ100784 (Bylaw No. 9387)

**APPLICANT:** Atpar Developments Ltd., Inc. No. BC1213720

**LOCATION:** 2690 Queensway

**ATTACHMENT(S):** Location and Existing Zoning Map  
Appendix "A" to Bylaw No. 9387  
Exhibit "A" to RZ100784  
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
- Servicing Brief prepared by L&M Engineering Ltd., dated February 6, 2023
- Traffic Impact Analysis prepared by L&M Engineering Ltd., dated January 31, 2023

## RECOMMENDATIONS:

THAT Council:

1. RESCINDS First and Second Readings of "City of Prince George Zoning Bylaw No. 7850, 2007, Amendment Bylaw No. 9317, 2022"; and
2. GIVES First and Second Reading to "City of Prince George Zoning Bylaw No. 7850, 2007, Amendment Bylaw No. 9387, 2023".

## PURPOSE:

The applicant has applied to rezone 2690 Queensway (subject property) to facilitate development of an apartment building. To facilitate the proposed development, the applicant has applied to rezone the subject property from C7: Transitional Commercial to RM4: Multiple Residential, as shown on Appendix "A" to Bylaw No. 9387.

## BACKGROUND:

At their regular meeting on January 16, 2023, Council approved First and Second Reading of "City of Prince George Zoning Bylaw No. 7850, 2007, Amendment Bylaw No. 9317, 2022". Bylaw No. 9317 proposed to rezone the subject property from C7: Transitional Commercial to RM6: Mid-Rise Residential. The Staff Report to Council

dated December 21, 2022, indicated the changes to the Zoning Bylaw were to facilitate an “Apartment Hotel” development offering dwellings for rent for periods of no less than 30 days on the subject property.

On January 16, 2023, Council directed Administration to schedule a public hearing regarding the proposed Amendment Bylaw No. 9317.

The applicant has since submitted a new application with a less intensive residential zone which does not permit an “Apartment Hotel” use. This report to Council is intended to rescind Bylaw No. 9317, 2022, and introduce Bylaw No. 9387, 2023 to facilitate the proposed rezoning from C7: Transitional Commercial to RM4: Multiple Residential for the development of an apartment building, as shown on Appendix “A” to Bylaw No. 9387.

#### 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. 9387)

Current Zoning	C7: Transitional Commercial
Proposed Zoning	RM4: Multiple Residential

#### Surrounding Land Use Table

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

#### Relevant Applications:

**Rezoning Application No. RZ100753:** As previously noted on January 16, 2023, Council approved First and Second Reading of Bylaw No. 9317, to rezone the subject property from C7: Transitional Commercial to RM6: Mid-Rise Residential to facilitate an “Apartment Hotel” use. The applicant has since withdrawn this application.

## **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 (OCP 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 are incremental, respect the scale and character of the existing neighbourhood, and have relatively minor immediate impacts on the surrounding area (OCP Policy 8.3.45 and 8.3.48).

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 apartment housing on the subject property will fulfil 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 is a minimum of 30.0 m from the top of the bank of the Fraser River. Lesser leave strips 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 RZ100784.

#### ***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 Evertex 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 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; the 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 mid-density housing options for residents.

#### **Zoning Bylaw**

The subject property is currently zoned as C7: Transitional Commercial. The C7 zone is intended to provide vehicle-oriented service and office uses, including but not limited to educational and indoor recreation facilities, service-oriented businesses, and restaurants.

The applicant is proposing to rezone the subject property from C7 to RM4: Multiple Residential. The proposed RM4 zone is intended to provide for multi-family housing forms, such as apartments and row housing, with a maximum density of 90 dwellings/ha. Based on the maximum allowable density, the subject property may permit up to 55 dwelling units. The C7 and RM4 zoning regulations are compared below in Table 1.

**Table 1: Zoning Comparison of C7 and RM4**

Regulations	Current – C7: Transitional Commercial	Proposed – RM4: Multiple Residential
Principal Uses	<ul style="list-style-type: none"> <li>• Community Care Facility, Major</li> <li>• Community Care Facility, Minor</li> <li>• Education</li> <li>• Education, Commercial</li> <li>• Emergency Service</li> <li>• Health Service, Minor</li> <li>• Office</li> <li>• Parking, Non-Accessory</li> <li>• Recreation, Indoor</li> <li>• Restaurant</li> <li>• Service, Business Support</li> <li>• Service, Financial</li> <li>• Service, Funeral</li> <li>• Service, Household Repair</li> <li>• Service, Massage Therapy</li> <li>• Service, Personal</li> <li>• Service, Pet Grooming &amp; Day Care</li> </ul>	<ul style="list-style-type: none"> <li>• Community Care Facility, Major</li> <li>• Community Care Facility, Minor</li> <li>• Housing, Apartment</li> <li>• Housing, Congregate</li> <li>• Housing, Four-plex</li> <li>• Housing, Row</li> <li>• Housing, Stacked Row</li> </ul>
Max. Density	N/A	90 dwellings/ha
Site Coverage	75%	55%
Max. Height	12.0 m	12.0 m
Min. Front Yard Setback	0.0 m	6.0 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	6.0 m

As identified in Table 1 above, the existing C7 zone offers a variety of vehicle-oriented services and office uses, excluding housing. Whereas the principal uses permitted by the proposed RM4 zone is predominately multi-family housing forms. The RM4 zone offers density restrictions, decreased site coverage and increased setbacks compared to the existing C7 zone. The maximum allowable height (12.0 m) of development will remain the same.

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.

**STRATEGIC PRIORITIES:**

This application is consistent with Council’s strategic priority for economic growth and development by increasing market housing and affordability to maximize the quality of life.

**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 March 30, 1993, the Ministry of Environment and Climate Change Strategy and the 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

The applicant has provided a Servicing Brief prepared and sealed by L&M Engineering Ltd., dated February 6, 2023, which has been received to Administration's satisfaction. The Servicing Brief has addressed technical issues related to water supply, sanitary sewer collection, and storm drainage system designs requirements by the proposed development. The Servicing Brief is attached to this report as a supporting document for Council's consideration.

### Traffic Impact Analysis

The applicant has provided a Traffic Impact Analysis prepared by L&M Engineering Ltd., dated January 31, 2023, which has been received to Administration's satisfaction. The Traffic Impact Analysis addresses technical issues related to traffic for the proposed development, such as trip generation, distribution, and assignment, as well as site access and recommendations for future road configurations. The Traffic Impact Analysis is attached to this report as a supporting document for Council's consideration.

### Ministry of Transportation and Infrastructure

Section 52 of the *Transportation Act*, Bylaw No. 9387, 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.

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. 9387, 2023 be approved.

**SUMMARY AND CONCLUSION:**

The applicant is proposing to rezone 2690 Queensway from C7: Transitional Commercial to RM4: Multiple Residential, as shown on Appendix "A" to Bylaw No. 9387. The purpose of this application is to facilitate an apartment housing development. 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: 2023/03/27