

# STAFF REPORT TO COUNCIL

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**DATE:** May 10, 2023

**TO:** MAYOR AND COUNCIL

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

**SUBJECT:** Official Community Plan Amendment No. CP100196 (Bylaw No. 9371) and Zoning Bylaw Amendment Application No. RZ100779 (Bylaw No. 9372)

**APPLICANT:** Hayer R. Construction Firm Inc., Inc. No. BC0905719

**LOCATION:** 4292 22nd Avenue

**ATTACHMENT(S):** Location and Existing Zoning Map  
Appendix “A” to Bylaw No. 9371  
Appendix “A” to Bylaw No. 9372  
Exhibit “A” to CP100196  
Exhibit “A” to RZ100779

## RECOMMENDATION(S):

THAT Council:

1. GIVES FIRST READING to “City of Prince George Official Community Plan Bylaw No. 8383, 2011, Amendment Bylaw No. 9371, 2023.”
2. CONSIDERS “City of Prince George Official Community Plan Bylaw No. 8383, 2011, Amendment Bylaw No. 9371, 2023”, in conjunction with the current Financial Plan and confirms there are no issues.
3. CONSIDERS “City of Prince George Official Community Plan Bylaw No. 8383, 2011, Amendment Bylaw No. 9371, 2023”, in conjunction with the current Regional District Solid Waste Management Plan and confirms there are no issues.
4. CONSIDERS “City of Prince George Official Community Plan Bylaw No. 8383, 2011, Amendment Bylaw No. 9371, 2023”, in conjunction with the City of Prince George Strategic Framework for a Sustainable Prince George and confirms there are no issues.
5. GIVES SECOND READING to “City of Prince George Official Community Plan Bylaw No. 8383, 2011, Amendment Bylaw No. 9371, 2023”.
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 CP100196; and
  - b. Publish notification of public consultation in accordance with the “City of Prince George Public Notice Bylaw No. 9329, 2022”.

7. GIVES FIRST AND SECOND READINGS to “City of Prince George Zoning Bylaw No. 7850, 2007, Amendment Bylaw No. 9372, 2023”; and
8. PERMITS that consideration of Final Reading of proposed Bylaw No. 9371 and Bylaw No. 9372 BE WITHHELD until the following requirements have been met to the satisfaction of Administration:
  - a. Receipt of a Servicing Brief;
  - b. Receipt of a Traffic Impact Analysis; and
  - c. Registration of a Section 219 Covenant on the legal title of Lot 1, District Lot 2611, Cariboo District, Plan BCP36922 that:
    - i. Limits density of the proposed development to no more than 75 units/ha; and
    - ii. Restricts development on the subject property, as shown on Exhibit “A” to RZ100779.

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 multi-family development at 4292 22<sup>nd</sup> Avenue (subject property).

To facilitate the proposed land use, the applicant has applied to amend Schedule B-6: Future Land Use of the OCP from Neighbourhood Residential to Neighbourhood Corridor, as shown on Appendix “A” to Bylaw No. 9371. This application also includes rezoning the subject property from RM1: Multiple Residential and P1: Parks and Recreation to RM5: Multiple Residential, as shown on Appendix “A” to Bylaw No. 9372.

Site Characteristics

Location	4292 22 <sup>nd</sup> Avenue
Legal Description	Lot 1, District Lot 2611, Cariboo District, Plan BCP36922
Current Use	Single Residential
Site Area	2.0 ha (4.9 acres)
Growth Management Class	Infill
Servicing	Services Available

Schedule B-6: Future land Use – Official Community Plan (see Appendix “A” to Bylaw No. 9371)

Current Future Land Use	Neighbourhood Residential
Proposed Future Land Use	Neighbourhood Corridor

Zoning (see Appendix “A” to Bylaw No. 9372)

Current Zoning	RM1: Multiple Residential (1.8 ha) P1: Parks and Recreation (0.2 ha)
Proposed Zoning	RM5: Multiple Residential

Surrounding Land Use Table

North	Vacant Land
South	22 <sup>nd</sup> Avenue, Multiple Residential
East	Multiple Residential, Exhibition Park
West	Paved Trail, AG: Greenbelt

## STRATEGIC PRIORITIES:

This application is consistent with Council's strategic priority for economic growth and development by increasing market housing within targeted growth areas.

## 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 currently designated as Neighbourhood Residential in Schedule B-6: Future Land Use of the OCP. Neighbourhoods are primarily residential in nature, with associated schools and parks within them. The Neighbourhood Residential designation is intended to maintain a similar scale of housing to that typical to existing neighbourhoods, by limiting the size of new buildings, encouraging ground-oriented multiple residential forms, and a density of less than 22 units/ha (OCP Policy 8.3.59).

The applicant has applied to amend Schedule B-6: Future Land Use designation from Neighbourhood Residential to Neighbourhood Corridor, as shown on Appendix "A" to Bylaw No. 9371. 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). Development should offer a transition in scale and use to adjacent areas (OCP Policy 8.3.33).

OCP Policy further encourages infill and redevelopment of existing vacant and underused sites, with an emphasis on enhancing the pedestrian experience (OCP Policy 8.3.45). The subject property is identified within an active Transit System Catchment Area in Schedule B-11: Transit Routes of the OCP. The proposed development will access directly onto 22nd Avenue, which is classified as a minor collector road. The proposed Neighbourhood Corridor designation is reflective of the future land use designation found along the south side of 22<sup>nd</sup> Avenue stretching from Webber Crescent to Ospika Blvd.

The applicant's proposal will encourage a multi-family residential development that is consistent with OCP Policy along 22<sup>nd</sup> Avenue and the density provisions of the adjacent property located to the east at 4278 and 4274 22<sup>nd</sup> Avenue. As such, Administration supports the proposed OCP amendment.

#### Growth Management

The subject property is designated as Infill in Schedule B-4: Growth Management of the OCP. The intent of this designation is to prioritize infill development and encourage the utilization of vacant sites and promotes density (OCP Policy 8.1.1 and 8.3.44). 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 proposed development will facilitate density through infill of an underutilized site offering a multi-family residential development consistent with the surrounding area.

Administration supports the proposed amendment, as it is consistent with the Growth Management policy direction.

#### 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 multi-family developments. Once a development permit area has been designated, a development permit must be obtained prior to development.

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. The proposed development triggers 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.

A Wildfire Hazard Development Permit Area has been designated on a portion of the subject property. OCP Policy indicates that the City should monitor and respond as appropriate to forest and ecosystem health trends influenced by climate change, pest or pathogen infestations, wildfire suppression and urban development (OCP Policy 6.4.15). The proposed application would provide opportunities to reduce wildfire hazards from surrounding land uses.

Should Council support this application, a Multiple Residential Form and Character, and Wildfire Hazard Development Permit will be required to facilitate the proposed development.

#### **City of Prince George Housing Needs Report**

The [City's Housing Needs Report](#) updated December 2022, notes a need for a variety of housing types. The proposed rezoning would increase market housing and multi-family housing options for residents.

#### **Zoning Bylaw**

Currently, the subject property is zoned RM1: Multiple Residential and P1: Parks and Recreation. The intent of the RM1 zone is to provide primarily for row housing and apartments with not more than six units in a building, and a maximum density of 30 dwellings/ha. The P1 zone is intended to provide for the preservation and enhancement of open space while supporting limited, complimentary secondary uses. The P1 zone is located along the frontage of the property and is not appropriate for park use.

The applicant has applied to rezone the subject property from RM1 and P1 to RM5: Multiple Residential. The intent of the RM5 zone is to provide multi-family housing with a maximum density of 125 dwellings/ha for areas defined by the OCP as suitable for higher-density housing. The RM1 and RM5 zoning regulations are compared below in Table 1.

**Table 1: Zoning Comparison of RM1 and RM5**

Regulations	RM1: Multiple Residential	RM5: Multiple Residential
Principal Uses	<ul style="list-style-type: none"> <li>community care facility, major</li> <li>community care facility, minor</li> <li>housing, apartment</li> <li>housing, four-plex</li> <li>housing, row</li> <li>housing, single detached</li> <li>housing, two-unit</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> <li>religious assembly only on sites less than 1.0 ha.</li> </ul>
Secondary Uses	<ul style="list-style-type: none"> <li>bed &amp; breakfast only in single detached and two-unit housing</li> <li>home business 1</li> <li>home business 2 only in single detached and two-unit housing</li> <li>secondary suite only in single detached housing</li> </ul>	<ul style="list-style-type: none"> <li>club</li> <li>health service, minor</li> <li>home business 1</li> <li>retail, convenience</li> <li>service, massage therapy</li> <li>service, personal</li> </ul>
Max. Density	30 dwellings/ha	125 dwellings/ha
Site Coverage	45%	55%
Max. Height	10.0 m	15.0 m
Max. Number of Storeys	2.5 Storeys	4 Storeys
Min. Front Yard Setback	4.5 m	4.5 m
Min. Interior Side Yard Setback	1.2 m	3.0 m
Min. Exterior Side Yard Setback	3.0 m	3.0 m
Min. Rear Yard Setback	6.0 m	6.0 m

As identified in Table 1 above, the existing RM1 and proposed RM5 zones primarily offer multiple residential uses. The proposed RM5 zone permits increased development regulations for density, height, and site coverage. The RM5 zone also permits secondary uses such as service personal, massage therapy, health service, minor and retail convenience. In consideration of the human scale and surrounding neighbourhood, the applicant has offered to register a Section 219 Covenant limiting density on the subject property from 125 dwellings/ha (250 dwelling units) to 75 dwellings/ha (150 dwelling units).

The subject property is bound by Exhibition Park to the north, multi-family development to the east, a paved trail to the west and 22<sup>nd</sup> Avenue (minor collector) to the south. On the south side of 22<sup>nd</sup> Avenue, an established neighbourhood offering a mix of low to medium single-family and multi-family building forms, which is designated within the OCP for future potential medium to high-density multiple residential developments. The proposed RM5 zone and Section 219 Covenant will continue to offer a transition between Exhibition Park and the lower-density Pinewood neighbourhood.

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

#### Property Title

A review of the legal title of the subject property indicated no encumbrances or restrictions that would affect this 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. 9371 and Bylaw No. 9372 be withheld until a Servicing Brief has been prepared and submitted to the satisfaction of Administration.

#### Traffic Impact Analysis

The proposed development will be accessed by 22<sup>nd</sup> Avenue. A Traffic Impact Analysis which includes a traffic count and recommendation for any impacts on current and future road configurations is needed for Administration to analyze the proposal.

Administration recommends that Final Reading for Bylaw No. 9371 and Bylaw No. 9372 be withheld until a Traffic Impact Analysis has been prepared and submitted to the satisfaction of Administration.

#### Section 219 Covenant

To establish a level of density that will align with the existing neighbourhood and multi-family developments in the surrounding area, the applicant has offered to register a Section 219 Covenant on the legal title of the subject property to limit density to a maximum of 75 units/ha.

The covenant will also restrict building or development from occurring in the area depicted on Exhibit "A" to RZ100779. Restricted building and development within this area will allow for alignment of potential infrastructure (i.e. road).

Administration recommends that Final Reading of Bylaw No. 9371 and Bylaw No. 9372 be withheld until a Section 219 Covenant is submitted to Administration's satisfaction and is registered to the legal title of the subject property.

### **Statutory Notification and Public Consultation**

As set out in the *Local Government Act* and "City of Prince George Development Procedures Bylaw No. 7635, 2005", in advance of Council's consideration of third reading of the proposed bylaws, a public hearing will be held regarding the applications and the City of Prince George will mail or otherwise deliver a notice to adjacent property owners and tenants whose interest in property may be affected by these applications. In addition, notice will be published on the City's website and Facebook page in accordance with the "City of Prince George Public Notice Bylaw No. 9329, 2022."

Members of the public wanting to comment on the applications may submit written correspondence or speak to Council during the public hearing either via telephone or in person. Written submissions received in response to the public notice for these applications will be provided to Council for their information and consideration during deliberations on the applications. Additional information on methods to provide comments to Council can be found on the [City's website](#).

Administration is recommending that the Notice of Public Hearing and OCP consultation mail out area that is required as per the "City of Prince George Development Procedures Bylaw No. 7635, 2005" is increased from 30 meters to the area shown on Exhibit "A" to CP100196. This expansion would include properties that were included in the mail out area for the similar application at the adjacent property located at 4278 and 4274 22<sup>nd</sup> Avenue creating a more inclusive consultation process.

### **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) Consideration of any other plan and policies that the local government considers relevant (i.e. [Strategic Framework for a Sustainable Prince George](#));
  - d) Referral to the Agricultural Land Commission if the Plan applies to Agricultural Land Reserve land (*not applicable to these applications*);
  - e) Second Reading;
  - f) Public notice of the Public Hearing; and
  - g) 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 Consultation of Proposed OCP Amendments**

The Department recommends that Council approve the consultation method outlined in the recommendation section of this staff report to provide:

- a. Request for written comment from properties identified on Exhibit "A" to CP100196;
- b. Publish notification of public consultation in accordance with the "City of Prince George Public Notice Bylaw No. 9329, 2022".

This consultation would occur after First and Second Reading to Bylaw No. 9371 and 9372 and prior to the Public Hearing.

**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. 9371 and 9372, 2023 be approved.

**SUMMARY AND CONCLUSION:**

The applicant would like to develop a multi-family development on the subject property and has applied to amend Schedule B-6: Future Land Use of the OCP from Neighbourhood Residential to Neighbourhood Corridor, as shown on Appendix "A" to Bylaw No. 9371; and rezone the subject property from RM1: Multiple Residential and P1: Parks and Recreation to RM5: Multiple Residential, as shown on Appendix "A" to Bylaw No. 9372. Administration supports this application for the reasons outlined in this report.

**RESPECTFULLY SUBMITTED:**

Deanna Wasnik, Director of Planning and Development

**PREPARED BY:** Bryce Deveau, Planner 1

**APPROVED:**

Walter Babicz, City Manager

Meeting Date: 2023/05/31