

# STAFF REPORT TO COUNCIL

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**DATE:** May 31, 2023

**TO:** MAYOR AND COUNCIL

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

**SUBJECT:** Zoning Bylaw Amendment Application No. RZ100751 (Bylaw No. 9312)

**APPLICANT:** Mokammel Chowdhary for 0902613 B.C. Ltd., Inc. No. BC0902613

**LOCATION:** 2414 Queensway

**ATTACHMENT(S):** Location and Existing Zoning Map  
Appendix "A" to Bylaw No. 9312  
Exhibit "A" to RZ100751

## RECOMMENDATION(S):

THAT Council:

1. GIVES First and Second Reading to "City of Prince George Zoning Bylaw No. 7850, 2007, Amendment Bylaw No. 9312, 2022";
2. PERMITS that consideration of Final Reading of proposed Bylaw No. 9312 BE WITHHELD until the following requirements have been met to the satisfaction of Administration:
  - a. Receipt of a Parking and Landscaping Plan and security in the amount of 120% of the cost of the landscaping works identified on the Landscaping Plan;
  - b. Receipt of a Servicing Brief;
  - c. Receipt that Lots 3 and 4, Block 10, District Lot 934, Cariboo District, Plan 701 have been consolidated; and
  - d. Confirmation that the encroachment into the adjacent laneway has been resolved.

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 has applied to rezone the subject property located at 2414 Queensway to facilitate apartment housing within the existing building. As such, the applicant has applied to rezone the subject property from M1: Light industrial to C4: Local Commercial, as shown on Appendix "A" to Bylaw No. 9312. The applicant has also applied for a site-specific text amendment to allow the existing principal use, "Vehicle Wash, Minor" to continue within the C4 zone, as shown on Exhibit "A" to RZ100751.

#### Site Characteristics

Location	2414 Queensway
Legal Description	Lots 3 and 4, Block 10, District Lot 934, Cariboo District, Plan 701
Current Use	Commercial Office and Vehicle Wash, Minor
Site Area	712 m <sup>2</sup> (0.18 acres)
Growth Management Class	Growth Priority
Servicing	City Services Available

#### Zoning (see Appendix “A” to Bylaw No. 9312)

Current Zoning	M1: Light Industrial
Proposed Zoning	C4: Local Commercial

#### Surrounding Land Use Table

North	M3: Business Industrial; Bird Avenue
South	Laneway; Light Industrial
East	Laneway; Single Residential
West	Queensway; Local Commercial

#### **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.

#### **POLICY / REGULATORY ANALYSIS:**

##### Future Land Use

The subject property is designated as Neighbourhood Corridor in Schedule B-6: Future Land Use of the Official Community Plan (OCP). The Neighbourhood Corridor designation is intended to facilitate local commercial nodes along collector and arterial streets while providing multiple residential developments up to 135 units/ha (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 subject property is bound by Queensway (arterial road) to the west, a laneway to the east and south, and an industrial building to the north. The subject property is within walking distance of Lheidli T’enneh Memorial Park, Paddlewheel Park, and the Heritage Trail network. The subject property is located on an active transit route, with access to bus stops within 250 m that offers 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 within an existing underutilized building.

##### Growth Management

The subject property is designated as Growth Priority 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 Policy 8.1.5). The applicant’s proposal meets the intent of the Growth Priority designations by redeveloping an existing underutilized building.

Administration supports this application, as it is consistent with the OCP 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 family developments. 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 may not trigger a Multiple Residential Form and Character Development Permit, as the renovations to the existing building will be largely interior. Therefore, Administration recommends that prior to Final Reading of Bylaw No. 9312, a Parking and Landscaping Plan, with securities, be provided. The Parking and Landscaping Plan will allow Administration to review site access, the volume of site usage, traffic, parking, landscaping, and screening (OCP Policy 8.3.7).

#### **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 provide two residential dwelling units per the proposed C4 density restrictions.

#### **Zoning Bylaw**

The subject property is zoned M1: Light Industrial which is intended to provide for a mix of business and light industrial uses. The applicant has applied to rezone the subject property from M1 to C4: Local Commercial, as shown on Appendix "A" to Bylaw No. 9312. The C4 zone is intended to provide for local commercial areas and complementary residential uses. The applicant has further proposed a site-specific text amendment to allow "Vehicle Wash, Minor" as a principal use within the proposed C4 zone to allow continued operation of the existing vehicle detailing business occurring on the subject property. The M1 and C4 zoning regulations are compared below in Table 1.

**Table 1: Zoning Comparison of M1 and C4**

Regulations	M1: Light Industrial	C4: Local Commercial
Principal Uses	<ul style="list-style-type: none"> <li>• Animal shelter</li> <li>• Auction, major</li> <li>• Auction, minor</li> <li>• Brewery &amp; distillery, minor</li> <li>• Building &amp; garden supply</li> <li>• Consulting, scientific and technical</li> <li>• Contractor service, major</li> <li>• Contractor service, minor</li> <li>• Education, commercial</li> <li>• Emergency service</li> <li>• Equipment, major</li> <li>• Equipment, minor</li> <li>• Fleet service</li> <li>• Greenhouse &amp; plant nursery</li> <li>• Industry, light</li> <li>• Manufacturing, custom indoor</li> <li>• Parking, non-accessory</li> <li>• Railway</li> <li>• Recreation, indoor</li> <li>• Recycling center, intermediate</li> <li>• Recycling center, minor</li> </ul>	<ul style="list-style-type: none"> <li>• Community Care Facility, Major</li> <li>• Community Care Facility, Minor</li> <li>• Health service, minor</li> <li>• Office</li> <li>• Recreation, indoor</li> <li>• Restaurant</li> <li>• Retail, convenience</li> <li>• Retail, general</li> <li>• Service, business support</li> <li>• Service, financial</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>• Retail, general of only business or office supplies</li> <li>• Service, business support</li> <li>• Service, household repair</li> <li>• Service, industrial support</li> <li>• Service, pet grooming &amp; day care</li> <li>• Service station, major</li> <li>• Service station, minor</li> <li>• Transportation depot</li> <li>• Truck or rail terminal, minor</li> <li>• Utility, major</li> <li>• Utility, minor</li> <li>• Vehicle rental, major</li> <li>• Vehicle rental, minor</li> <li>• Vehicle repair, major</li> <li>• Vehicle repair, minor</li> <li>• Vehicle sale, major</li> <li>• Vehicle sale, minor</li> <li>• Veterinary service, major</li> <li>• Veterinary service, minor</li> <li>• Vehicle wash, major</li> <li>• Vehicle wash, minor</li> <li>• Warehousing &amp; storage</li> <li>• wholesale</li> </ul>	
Maximum Density	N/A	The lesser of 30 dwellings/ha or 6 dwellings/lot
Maximum Site Coverage	80%	50%
Maximum Height	12.0 m	10.0 m
Minimum Front Yard	3.0 m	3.0 m
Minimum Interior Side Yard	0 m, except it is 3.0 m if it abuts a residential lot or a flanking street	3.0 m
Minimum Exterior Side Yard	N/A	3.0 m
Minimum Rear Yard	3.0m, except it is 1.2 m if it abuts a lane	3.0 m

As identified in Table 1 above, the existing M1 zone offers a wide variety of light industrial and business uses but does not permit housing as a principal or secondary use. The proposed C4 zone allows various commercial uses and includes apartment housing as a secondary use, restricted from the first story of a principal building to encourage mixed-use developments. Zoning regulations between the two zones differ substantially regarding the number and intensity of land uses permitted, site coverage, and setbacks.

The existing building currently operates as an “Office” and “Vehicle Wash, Minor” use for vehicle detailing. The proposed C4 zone does not permit a “Vehicle Wash, Minor” use. As such, the applicant has proposed a site-specific text amendment to allow “Vehicle Wash, Minor” as a principal use within the proposed C4 zone, as shown on Exhibit “A” to RZ100751. The Zoning Bylaw defines “Vehicle Wash, Minor” as:

*“A facility designed, maintained, or intended for the washing of vehicles or trailers with a gross vehicle weight of 5,500 kg or less on an automated, semi-automated or manual basis”.*

The proposed site-specific text amendment will allow the existing vehicle detailing business to continue operating on the subject property.

The subject property is bound by Queensway (arterial road) to the west, a laneway to the east and south, and an industrial building to the north. The adjacent South Fort George neighbourhood offers a variety of low-density residential building forms. The applicant intends to redevelop the second storey of the existing building to facilitate a total of 2 dwelling units above the existing “Office” and “Vehicle Wash, Minor” uses facilitating a mixed-use development. The proposed mixed-use development is consistent with the building forms, densities, and uses within the neighborhood and is not expected to have a great impact on the surrounding area.

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.

##### Parking & Landscape Plan

A Multiple Residential Form and Character Development Permit may not be triggered as part of the proposed development. As such, a Parking and Landscaping Plan has been required to confirm zoning bylaw regulations will be met. Security in the amount of 120% of the cost of the landscaping works identified on the Landscaping Plan will be required.

Administration recommends that Final Reading of Bylaw No. 9312 be withheld until a Parking and Landscaping Plan has been prepared and security in the amount of 120% of the cost of the landscaping works identified on the Plan has been submitted to the satisfaction of Administration.

##### 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. 9312 be withheld until a Servicing Brief has been prepared and submitted to the satisfaction of Administration.

##### Lot Consolidation

The subject property consists of two legal parcels. To accommodate the proposed mixed-use development on the subject property, Administration recommends consolidating the lots.

Administration recommends that Final Reading of Bylaw No. 9312 be withheld until confirmation of the lot consolidation is received to the satisfaction of Administration.

##### Encroachment

Through the application review process, outdoor storage has been identified as encroaching into the adjacent laneway to the east. To resolve this encroachment, Administration recommends that Final Reading of Bylaw No. 9312 be withheld until the encroachment has been resolved to the satisfaction of Administration.

## **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. 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. 9312 be approved.

### **SUMMARY AND CONCLUSION:**

The applicant is proposing to rezone the subject property located at 2414 Queensway from M1: Light Industrial to C4: Local Commercial, as shown in Appendix “A” to Bylaw No. 9312. To facilitate the continued operation of a vehicle detailing business, the applicant has also proposed a site-specific text amendment to allow “Vehicle Wash, Minor” as a principal use within the C4 zone on the subject property, as shown on Exhibit “A” to RZ100751. Administration supports this application for the reasons outlined in this report.

### **RESPECTFULLY SUBMITTED:**

Deanna Wasnik, Director of Planning and Development

**PREPARED BY:** Imogene Broberg-Hull

### **APPROVED:**

Walter Babicz, City Manager

Meeting Date: 2023/06/26