

**DATE:** June 12, 2023

**TO:** MAYOR AND COUNCIL

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

**SUBJECT:** Development Variance Permit Application No. VP100646

**APPLICANT:** Scott Krenz for BC Gas Utility Ltd., Inc. No. 368681

**LOCATION:** 5055 Continental Way

**ATTACHMENT(S):** Location and Existing Zoning Map  
Development Variance Permit No. VP100646  
Exhibit "A" to VP100646  
Supporting Documents  
- Rationale Letter  
- Letter of Support

**RECOMMENDATION(S):**

That Council APPROVES Development Variance Permit No. VP100646 to vary "City of Prince George Zoning Bylaw No. 7850, 2007" for the property legally described as Parcel 1, District Lot 745, Cariboo District, Plan PGP43698 as follows:

- a. Vary Section 14.2.5 3. by decreasing the minimum side yard setback from 7.5 m to 4.0 m, as shown on Exhibit "A" to VP100646.

**PURPOSE:**

The applicant is proposing to construct an addition to the existing FortisBC pressure control station located at 5055 Continental Way (subject property). The subject property is split-zoned, with the addition proposed entirely within the U2: Major Utilities zone which requires a 7.5 m minimum side yard setback for all development. The applicant has applied to decrease the minimum side yard setback from 7.5 m to 4.0 m, as shown on Exhibit "A" to VP100646.

**Background**

Site Characteristics

Location	5055 Continental Way
Current Use	FortisBC pressure control station
Site Area	0.11 ha (0.28 acres)
Zoning	U2: Major Utilities and M3: Business Industrial

#### Official Community Plan

Future Land Use	Light Industrial
Growth Management	Infill

#### Surrounding Land Use Table

North	Contractor Service & Transportation Depot
South	Vehicle Sale, Major
East	Continental Way
West	Highway 97 South

#### **STRATEGIC PRIORITIES:**

This application is consistent with Council's strategic priority for infrastructure and growth priorities by facilitating the development of utility infrastructure.

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

##### **Zoning Bylaw No. 7850, 2007**

The subject property is split-zoned U2: Major Utilities and M3: Business Industrial. The U2 zone is intended to provide private and public utilities that may significantly impact adjacent uses. The M3 zone is intended to provide for a mix of business and light industrial uses, generally without outdoor storage.

The proposed addition to the existing FortisBC pressure control station will be constructed within the U2 zoned portion of the subject property. The U2 development regulations require a minimum side yard setback of 7.5 m. To facilitate the proposed addition to upgrade the existing FortisBC pressure control station, the applicant has applied to vary the minimum side yard setback from 7.5 m to 4.0 m, as shown on Exhibit "A" to VP100646.

Administration supports this variance request for the following reasons:

- The requested decrease of 3.5 m (7.5 m to 4.0 m) to the side yard setback aligns with setbacks of the existing FortisBC pressure control station. As such the proposed variance is not anticipated to negatively impact surrounding businesses or future development;
- The adjacent properties and a portion of the subject property are zoned M3: Business Industrial. The M3 zone permits a 0.0 m side yard setback. The proposed variance offers a greater setback than the side yard setback of adjacent properties;
- The proposed addition is consistent with the existing FortisBC pressure control station form and character in regard to height, scale and form;
- The proposed development meets all other development regulations of the U2 zone, including building height, and site coverage; and
- A letters of support has been received from the directly adjacent property owners located at 4943 Continental Way. The letter of support is attached to this report as a supporting document.

#### **OTHER CONSIDERATIONS:**

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

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 and granting of the permit 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.

### **Referrals**

This application was referred to internal City divisions and external agencies with no outstanding concerns.

### Property Title

A review of the legal title of the subject property indicated no encumbrances or restrictions that would affect this application.

### **ALTERNATIVES:**

1. Approve the permit
2. Approve the permit as amended
3. Refuse the permit
4. Defer or otherwise deal with the permit

Administration recommends that Development Variance Permit No. VP100646 be approved.

### **SUMMARY AND CONCLUSION:**

To facilitate the construction of an addition to the existing FortisBC pressure control station at 5055 Continental Way, the applicant has applied to vary the minimum side yard setback from 7.5 m to 4.0 m. 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: 2023/07/10