

STAFF REPORT TO COUNCIL

1100 Patricia Blvd. | Prince George, BC, Canada V2L 3V9 | www.princegeorge.ca

DATE: October 25, 2023

TO: MAYOR AND COUNCIL

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

SUBJECT: Temporary Use Permit Application No. TU000086

APPLICANT: Andrew Middleton for MPI Magnolia Properties Inc, Inc. No. A0128674
LOCATION: 4321 Grouse Road

ATTACHMENT(S): Location and Existing Zoning Map
 Temporary Use Permit No. TU000086
 Supporting Document

RECOMMENDATION(S):

That Council APPROVES Temporary Use Permit No. TU000086 for the property legally described as Lot 3, District Lot 1597, Cariboo District, Plan 25922.

PURPOSE:

The applicant has applied for a Temporary Use Permit to allow a “Community Care Facility, Major” use at 4321 Grouse Road (subject property). The applicant has provided a supplemental letter identifying the nature of the business and rationale for the proposed location.

BACKGROUND:

Site Characteristics

Location	4321 Grouse Road
Current Use	Rural Residential
Site Area	2.06 ha
Zoning	AR2: Rural Residential
Servicing	On-site Private Services

Official Community Plan

Future Land Use	Rural A
Growth Management	Rural

Surrounding Land Use Table

North	Grouse Road; Rural Residential
South	Rural Residential
East	Undeveloped rural lands

West	Rural Residential
------	-------------------

STRATEGIC PRIORITIES:

This application is consistent with Council's strategic priorities for social health and well-being by fulfilling a community care need identified within the community.

POLICY / REGULATORY ANALYSIS:

A Temporary Use Permit (TUP) is a tool to allow a short-term use that does not comply with the Zoning Bylaw. As per the *Local Government Act*, a TUP may be issued for a maximum of three (3) years and may only be renewed once for an additional three (3) years. Following the expiration of the proposed TUP, the applicant must apply for a Zoning Bylaw amendment, cease the use, or relocate to a property that supports the proposed uses.

Zoning Bylaw No. 7850, 2007

The subject property is zoned AR2: Rural Residential. The purpose of the AR2 zone is to foster a rural lifestyle on properties larger than 2.0 ha. The subject property is located within the Haldi Road neighbourhood and surrounded by rural residential properties zoned AR2. The AR2 zone also provides for complementary residential related uses that are compatible with the rural character of the area, including "Community Care Facility, Minor."

The applicant has applied for a TUP to allow "Community Care Facility, Major" use on the subject property. The proposed "Community Care Facility, Major" use is intended to facilitate a youth mental health care centre providing care for up to five youths. The applicant has provided a rationale letter further detailing the proposed use which is attached to this report as a supporting document.

All residential zones allow for a "Community Care Facility, Minor" use, which allows the residential care of up to six persons who are not related by blood or marriage and occupied by a permanent resident. The facility will not have a permanent resident. As such, the proposed use cannot be described as a "Community Care Facility, Minor" use and instead is defined as a "Community Care Facility, Major" use.

Official Community Plan Bylaw No. 8383, 2011

The subject property is designated as Rural B within Schedule B-6: Future Land Use of the OCP. Areas designated Rural B are intended to function as a transition between rural resource lands and urban areas, providing for rural residential and more active small-scale agriculture. It recognizes and affirms rural areas and activities such as small farms, contracting, forestry and similar activities that make good use of the land and rural context.

Temporary Nature of Use

The applicant would like to permanently establish a "Community Care Facility, Major" use on the subject property. The applicant has applied for a TUP for a two-year term to better understand the impacts of "Community Care Facility, Major" in the neighbourhood prior to applying to rezone.

Compatibility of Adjacent Uses

The subject property is in a rural area, where surrounding properties are zoned AR2: Rural Residential. All residential zones allow for a "Community Care Facility, Minor" use, which allows for the residential care of up to six persons who are not related by blood or marriage so long as the housing type is occupied by a permanent resident.

The proposed "Community Care Facility, Major" is not anticipated to have negative impacts on the surrounding neighbourhood, as the number of youths proposed under care (i.e., five) is currently permitted under AR2 zoning

(i.e., 6). Further, the subject property is 2.0 ha in size and heavily treed along the east, south, and west property lines, providing a well-established buffer from adjacent residential uses.

Impact on Natural Environment

The proposed use is not anticipated to negatively impact the natural environment.

Intensity of Proposed Use

As detailed in the applicant's letter of intent, the applicant is proposing to operate a staffed community care facility in the existing 5-bedroom, single-detached house on the subject property. The facility is expected to offer space for up to five (5) youths over a two to three month duration.

As operation of a "Community Care Facility, Minor" use is currently permitted, the proposal is not anticipated to impact local traffic or parking, which can be accommodated on-site. The subject property is also located at the end of Grouse Road and borders an undeveloped rural property. Operating under a TUP will allow the applicant and Administration to better understand the impacts of "Community Care Facility, Major" in the neighbourhood prior to rezoning.

Inability to Conduct Proposed Use Elsewhere

A "Community Care Facility, Major" use is permitted in all multiple residential and commercial zones, and in several institutional and site-specific zones, as per Zoning Bylaw No. 7850, 2007. However, the subject property was identified for the proposed "Community Care Facility, Major" use due to the size of the single-detached house, rural setting, and distance from amenities.

Administration is supportive of this TUP to better understand the impacts of a "Community Care Facility, Major" use on the subject property and surrounding area prior to rezoning.

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. 9423, 2023", 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.

Northern Health

A Registered Onsite Wastewater Practitioner (ROWP) approved by the Ministry of Health is required to ensure that the existing sanitary wastewater system can handle the proposed daily design flow. A Northern Health Water Works Construction Permit and Water Operator Permit is required for the operation of a "Community Care Facility, Major" in a location with on-site services.

Property Title

Land Use Contract No. M27228 and 01505: As directed by the Provincial Government, land use contracts are a form of site specific, contractual arrangement between local governments and landowners used between 1971 and 1978. Registered on title in September 1977 and January 1979, respectively, these land use contracts set out special conditions for the subdivision of lands. The intent was to allow more flexibility than traditional zoning. All land use contracts will be terminated as of June 30, 2024. Therefore, the land use contracts registered to the legal title of the subject property are not applicable to 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 Temporary Permit No. TU000086 be approved.

SUMMARY AND CONCLUSION:

The applicant would like to operate a youth mental health facility. Due to the rationale identified in this report, Administration recommends that Council approve the applicant's request for a TUP to allow a "Community Care Facility, Major" use to operate for up to two years at 4321 Grouse Road.

RESPECTFULLY SUBMITTED:

Deanna Wasnik, Director of Planning and Development

PREPARED BY: Imogene Broberg-Hull, Planner 1

APPROVED:

Walter Babicz, City Manager

Meeting Date: 2023/11/20