

# STAFF REPORT TO COUNCIL

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**DATE:** March 4, 2024

**TO:** MAYOR AND COUNCIL

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

**SUBJECT:** Official Community Plan Bylaw Amendment No. CP100206 (Bylaw No. 9458) and Zoning Bylaw Amendment Application No. RZ100811 (Bylaw No. 9459)

**APPLICANT:** L&M Engineering Ltd. for NRH Investments Ltd., Inc. No. BC1214368, Lithium One Homes Ltd., Inc. No. BC1393472, and Bragg & Co. Ltd., Inc. No. BC0931443

**LOCATION:** 1788 – 1804 Upland Street

**ATTACHMENT(S):** Location and Existing Zoning Map  
Appendix “A” to Bylaw No. 9458  
Appendix “A” to Bylaw No. 9459  
Exhibit “A” to Application No. CP100206

## RECOMMENDATION(S):

That Council:

1. GIVES FIRST READING of “City of Prince George Official Community Plan Bylaw No. 8383, 2011, Amendment Bylaw No. 9458, 2024.”
2. CONSIDERS “City of Prince George Official Community Plan Bylaw No. 8383, 2011, Amendment Bylaw No. 9458, 2024.”, in conjunction with the current Financial Plan and confirm there are no issues.
3. CONSIDERS “City of Prince George Official Community Plan Bylaw No. 8383, 2011, Amendment Bylaw No. 9458, 2024.”, in conjunction with the current Regional District Solid Waste Management Plan; and confirm there are no issues.
4. CONSIDERS “City of Prince George Official Community Plan Bylaw No. 8383, 2011, Amendment Bylaw No. 9458, 2024.”, in conjunction with the City of Prince George Strategic Framework for a Sustainable Prince George and confirm there are no issues.
5. GIVES SECOND READING of “City of Prince George Official Community Plan Bylaw No. 8383, 2011, Amendment Bylaw No. 9458, 2024.”.
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 shown on Exhibit “A” to CP100206; 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 READING of “City of Prince George Zoning Bylaw No. 7850, 2007, Amendment Bylaw No. 9459, 2024”; and
8. PERMITS the Public Hearing for proposed Bylaw No. 9458 and Bylaw No. 9459 BE WITHHELD until the following requirements have been met to the satisfaction of Administration:
  - a. Receipt of a Servicing Brief; and
  - b. Receipt of a Traffic Summary.
9. PERMITS that consideration of Final Reading of Bylaw No. 9458 and Bylaw No. 9459 BE WITHHELD until the following requirements have been met to the satisfaction of Administration:
  - a. Receipt of confirmation that Lot 18, Lot 19, Lot 20, Lot C (63402M), Block 319, District Lot 342, Cariboo District, Plan 1268 and Lot 11, 12, and Parcel A (D4138), Block 277, District lot 343, Cariboo District, Plan 1268 have been consolidated.

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 develop 1788, 1798, and 1804 Upland Street (subject area) to facilitate a stacked row-housing development consisting of up to 25 units. In order to accommodate this proposal, the applicant has applied to amend Schedule B-6: Future Land Use of the OCP from Neighbourhood Centre, Residential to Neighbourhood Centre, Corridor. This application also includes a rezoning application to amend the zone of the subject area from RM4: Multiple Residential to RM5: Multiple Residential.

#### BACKGROUND:

##### Site Characteristics

Location	1788, 1798, and 1804 Upland Street
Legal Description	<ul style="list-style-type: none"> <li>• Lot 18, Lot 19, Lot 20, and Lot C (63402M), Block 319, District Lot 342, Cariboo District, Plan 1268</li> <li>• Lot 11 and 12, and Parcel A (D4138), Block 277, District Lot 343, Cariboo District, Plan 1268</li> </ul>
Current Use	Vacant
Site Area	0.2 ha (0.5 ac)
Growth Management Class	Growth Priority
Servicing	City services available

##### Official Community Plan (see Appendix “A” to Bylaw No. 9458)

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

##### Zoning (see Appendix “A” to Bylaw No. 9459)

Current Zoning	RM4: Multiple Residential
Proposed Zoning	RM5: Multiple Residential

##### Surrounding Land Use Table

North	Single Residential
South	Single Residential

East	Laneway; Two-Unit Residential
West	Upland Street; Multi-family Residential

**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 Official Community Plan (Intent, Application, and Interpretation): The *Local Government Act* explains that all bylaws enacted or works undertaken by Council after adoption of the Official Community Plan must be consistent. An Official Community Plan, 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 Official Community Plan may be revised by an amending bylaw pursuant to provisions outlined within the *Local Government Act*.

**Official Community Plan**

Future Land Use

The subject area is designated as Neighbourhood Centre, Residential in Schedule B-6: Future Land Use of the Official Community Plan (OCP). Neighbourhood Centres are focal points throughout the city, where a mix of uses is permitted. These central locations have a town-or-village scale, with commercial uses along major corridors, and local streets containing a variety of housing types up to four (4) storeys. The current Neighbourhood Centre, Residential designation encourages low to medium density housing types up to 60 units/ha in areas identified for infill development (OCP Policy 8.3.42).

To facilitate the increased density proposed by this development, the applicant must amend Schedule B-6: Future Land Use of the OCP for the subject area from Neighbourhood Centre, Residential to Neighbourhood Centre, Corridor, as shown on Appendix "A" to Bylaw No. 9458. The Neighbourhood Centre, Corridor designation encourages the development of a range of housing types, such as stacked row-housing, low-rise apartment buildings, and other housing types having densities up to 135 units/ha (OCP Policy 8.3.37). Where development is proposed adjacent to lower density uses such as single-detached homes, the site plan is encouraged to incorporate landscaping and screening elements as a buffer (OCP Policy 8.3.38). OCP Policy further encourages infill and redevelopment of existing vacant and underused sites, with an emphasis on enhancing the pedestrian experience (OCP Policy 8.3.31).

Should this application be approved, the proposed rowhome development meets the objectives of the Neighbourhood Centre future land use designation in a variety of ways. The subject area is identified within an Active Transit System Catchment Area in Schedule B-11: Transit Routes of the OCP, and located on a local road with direct access to minor collectors (17<sup>th</sup> Avenue), and a Provincial Highway (20<sup>th</sup> Avenue). Thus, the subject area is located within an area well-situated to accommodate increased density and growth, as it offers residents the opportunity to walk, bike, and bus to nearby amenities and services. The proposed development would also diversify the housing types in the area and suit the form and character of recent low-rise apartment developments permitted on adjacent streets. Administration supports re-designating the subject area from Neighbourhood Centre, Residential to Neighbourhood Centre, Corridor, as it is consistent with the overall vision of the Neighbourhood Centre future land use designations.

### Growth Management

The subject area 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. The intent of this designation is to prioritize infill development and encourage redevelopment 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 proposed development will facilitate density through infill of an underutilized site variety in housing forms within the surrounding area.

Administration supports this application, as it is consistent with the Future Land Use and Growth Management policy direction identified by 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 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 multi-family, comprehensive two-unit or strata developments. As such, development of the subject area requires 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.

### **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 development would increase the diversity and availability of housing stock by providing more multi-family housing options.

### **Zoning Bylaw**

The subject area is currently zoned RM4: Multiple Residential. The RM4 zone is intended to provide for a variety of housing types with a maximum density of 90 dwellings/ha (up to 18 units on the subject area). Typical RM4 uses include row housing, 3-storey apartment buildings, and four-plexes.

The applicant has applied to rezone the subject area from RM4 to RM5: Multiple Residential to facilitate additional density, as shown on Appendix "A" to Bylaw No. 9459. The RM5 zone is intended to provide for multi-family housing with a maximum density of 125 dwellings/ha (up to 25 units on the subject area).

The primary differences between the RM4 and RM5 zones are the increased density from 90 dwellings/ha to 125 dwellings/ha, and increased maximum allowable height from 12.0 m to 15.0 m. With an approximate area of 0.2 ha, the proposed RM5 zone would permit up to 25 dwelling units on the subject area, an increase of seven (7) dwelling units from the current RM4 density provisions. Both the existing RM4 and proposed RM5 zone require the same setbacks and site coverage, except for the front yard setback, which would decrease from 6.0 m to 4.5 m to encourage street-oriented housing.

The subject area is bound by Upland Street to the West, a laneway to the East, and single-detached housing to the North and South. The surrounding area contains a diverse range of housing types and densities, reflecting the neighbourhood's proximity to downtown. Properties along Upland Street are currently zoned RM4: Multiple Residential, RS4: Urban Residential, or RS2: Single Residential, and are bordered by clusters of higher density RM5: Multiple Residential and RM6: Multiple Residential apartment and row-housing along minor collector streets.

The subject area is located within proximity to transit infrastructure, with access to two (2) bus stops within 200 m that offer full access to the Downtown Exchange, the Nicholson Exchange, and the Pine Centre Exchange via bus route #46. Further, the subject area is less than 500 m from a variety of commercial services and amenities along 20<sup>th</sup>, 17<sup>th</sup>, and 15<sup>th</sup> Avenue (Parkwood Place).

The proposed development is consistent with building forms and densities located in the surrounding area. As the application is consistent with the policy direction of the OCP, Administration supports this application.

#### **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

As the ownership of the subject area is split between three (3) registered companies, a BC Company Search has been conducted to provide the names of each company's directors. The following is provided for Council's information:

Incorporation Number	Inc. No. BC1214368
Name of Company	NRH Investments Ltd.
Director Information	Jaswinder Raju

Incorporation Number	Inc. No. BC1393472
Name of Company	Lithium One Homes Ltd.
Director Information	Jaswinder Raju

Incorporation Number	Inc. No. BC0931443
Name of Company	Bragg & Co. Contracting Ltd.
Director Information	Kristan Bragg

A review of the legal titles of the subject area indicates no encumbrances or restrictions that would affect this application.

##### Lot Consolidation

Currently, the subject area is comprised of seven (7) legal parcels. To accommodate the proposed development, the Department recommends that the lots be consolidated. Administration recommends that Final Reading of Bylaw No. 9458 and 9459 be withheld until confirmation of the lot consolidation is received 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 the Public Hearing of Bylaw No. 9458 and 9459 be withheld until a Servicing Brief has been prepared and submitted to the satisfaction of Administration.

### Traffic Summary

The proposed development will be accessed via the laneway. A Traffic Summary 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 the Public Hearing of Bylaw No. 9458 and 9459 be withheld until a Traffic Summary has been prepared and submitted to the satisfaction of Administration.

### Ministry of Transportation and Infrastructure

As per Section 52 of the *Transportation Act*, Bylaw No. 9459 requires the Ministry of Transportation and Infrastructure's approval prior to Final Reading and adoption.

### **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) Second Reading;
  - e) Public notice of the Public Hearing; and
  - f) 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 CP100206; and
- 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 of Bylaw No. 9458 and 9459 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. 9458 and 9459 be approved.

### **SUMMARY AND CONCLUSION:**

The applicant has applied to rezone to facilitate a stacked row-housing development on the subject area. The applicant proposes to amend Schedule B-6: Future Land Use of the OCP from Neighbourhood Centre, Residential to Neighbourhood Centre, Corridor, as shown on Appendix “A” to Bylaw No. 9458; and to rezone the subject area from RM4: Multiple Residential to RM5: Multiple Residential, as shown on Appendix “A” to Bylaw No. 9459. 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, Planner I

### **APPROVED:**

Walter Babicz, City Manager

Meeting Date: 2024/03/25