

STAFF REPORT TO COUNCIL

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DATE: April 8, 2024

TO: MAYOR AND COUNCIL

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

SUBJECT: Temporary Use Permit Application No. TU000092

APPLICANT: Madelaine Aitken for Maxsave Real Estate Services Ltd., Inc. No. BC0586826

LOCATION: 2588 Queensway

ATTACHMENT(S): Location and Existing Zoning Map
Temporary Use Permit No. TU000092
Letter of Intent
Letters of Support and Associated Map

RECOMMENDATION(S):

That Council APPROVES Temporary Use Permit No. TU000092 for the property legally described as Parcel A (S30104), Block 6, District Lot 933, Cariboo District, Plan 727.

PURPOSE:

The applicant has applied for a 3-year Temporary Use Permit (TUP) to allow a “Community Care Facility, Major” use to occur at 2588 Queensway (subject property).

Background

The subject property has been operating as an existing non-conforming preschool (Early Learning Preschool North) since 2016, when a business licence was issued for a “Community Care Facility, Major” use. The applicant is proposing to increase the hours of operation to expand their business to include daycare services in addition to the existing preschool. The City was notified of the expansion by the Northern Health Authority.

Site Characteristics

Location	2588 Queensway
Current Use	Daycare (non-conforming use) and early education & Maxsave Real Estate Services Ltd.
Site Area	766 m ² (0.19 ac)
Zoning	C6: Highway Commercial

Official Community Plan

Future Land Use	Neighbourhood Residential Corridor
Growth Management	Growth Priority

Surrounding Land Use Table

North	Laneway; C6: Highway Commercial
South	La Salle Avenue; P2: Minor Institutional
East	Single Residential
West	Queensway; Local Commercial

STRATEGIC PRIORITIES:

This application is consistent with Council's strategic priority for economic diversity and growth.

POLICY / REGULATORY ANALYSIS:

A 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

The subject property is currently zoned C6: Highway Commercial. The intent of the C6 zone is to provide uses appropriate for some highway locations. Typical C6 uses include medical offices, gas stations and convenience stores, and a variety of other vehicle-oriented uses. The applicant has applied for a TUP to allow a "Community Care Facility, Major" use to bring the existing preschool into compliance and allows for an extension of hours to facilitate an afterschool daycare on the subject property.

Official Community Plan

The subject property is designated as Neighbourhood Residential, Corridor as per Schedule B-6: Future Land Use of the Official Community Plan (OCP). The Neighbourhood Residential, Corridor designation is intended to encourage a variety of housing forms up to 135 units/ha (OCP Policy 8.3.57) and permit commercial nodes on major collector and arterial streets, with the intent to service surrounding neighbourhoods (OCP Policy 8.5.54). Community facilities are allowed within neighbourhood areas and are encouraged to be similar in size to nearby buildings to ensure compatibility with their surroundings (OCP Policy 8.3.52). The proposed temporary use meets the intent of the Neighbourhood Residential Corridor future land use designation.

Temporary Nature of Use

The applicant would like to increase the hours to facilitate an afterschool daycare associated with the existing "Community Care Facility, Major" use on the subject property. The applicant has provided a letter of intent, attached to this report, and notes that the existing preschool has been in operation since 2016 by the previous owner. The applicant was offered the option of applying for either a rezoning to permanently establish the use on the subject property or a Temporary Use Permit application. The applicant opted for the Temporary Use Permit application to better understand the "Community Care Facility, Major" use at the subject property.

Compatibility of Adjacent Uses

The subject property is located along a major thoroughfare (Queensway) and surrounded by a mix of complementary commercial, industrial, institutional, and residential uses. The properties directly west and south of the subject property, which are zoned C4: Local Commercial and P2: Minor Institutional, permit "Community Care Facility, Major" as a principal use, demonstrating that the use is otherwise permitted in the surrounding area. The facility has been operating as a non-conforming use since 2016 with no bylaw complaints. MaxSave Real Estate Services Ltd., the adjacent business also operating on the subject property, and a neighbour across the street from the subject property have provided letters of support included within the supporting documents. As such, the proposed TUP is not anticipated to have negative impacts on the surrounding neighbourhood.

Impact on Natural Environment

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

Intensity of Proposed Use

The proposed “Community Care Facility, Major” use is intended to expand the existing preschool to include a daycare facility for up to 20 children aged 2.5 to 5 years old. The number of children is not proposed to increase from the current operational level; however, the hours of operation are proposed to increase from 9:00 am to 1:00 pm to regular business hours of 9:00 am to 5:00 pm.

The subject property currently has ample parking for the proposed use, which requires four (4) parking spaces, as per Table 7.4: Parking Requirements of Zoning Bylaw No. 7850, 2007. The applicant proposes to maintain staggered pick-up times, with two (2) site access points via La Salle Avenue and Queensway to minimize traffic queuing.

Inability to Conduct Proposed Use Elsewhere

The “Community Care Facility, Major” use is permitted in most commercial zones as well as multiple residential zones per the City’s Zoning Bylaw. While commercial spaces are available elsewhere, the applicant is proposing to utilize an existing building that is already equipped for the use and has received approval through Northern Health Authority as a Community Care Facility. In addition, the existing non-conforming facility on the subject property has an established base of clients local to the area, 25 of which have provided written support through letters or signatures provided in the attached supporting document.

Administration supports this TUP to permit a “Community Care Facility, Major” use on the subject property.

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.

Property Title

As the owner of the subject property is a registered company, a BC Company Search has been conducted to provide the name of the company director. The following is provided for Council’s information:

Incorporation Number	Inc. No. BC0586826
Name of Company	Maxsave Real Estate Services Ltd.
Director Information	Michael Hurrell

A review of the legal title of the subject property indicates there are no encumbrances or restrictions that may 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 Temporary Permit No. TU000092 be approved.

SUMMARY AND CONCLUSION:

Administration recommends that Council approve the applicant's request for a TUP allowing "Community Care Facility, Major" use for three (3) years on subject property located at 2588 Queensway.

RESPECTFULLY SUBMITTED:

Deanna Wasnik, Director of Planning and Development

PREPARED BY: Imogene Broberg-Hull, Planner 1

APPROVED:

Walter Babicz, City Manager

Meeting Date: 2024/05/06