

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: Zoning Bylaw Amendment to Implement Small-Scale Multi-Unit Housing and Transit Oriented Areas (Bylaw No. 9466)

APPLICANT: City of Prince George

ATTACHMENT(S): Exhibit "A" to RZ100816
Exhibit "B" to RZ100816
Appendix "A" to Bylaw 9466

RECOMMENDATION(S):

That Council GIVES FIRST AND SECOND READING to "City of Prince George Zoning Bylaw No. 7850, 2007, Amendment Bylaw No. 9466, 2024".

PURPOSE:

Administration is initiating an amendment to the City of Prince George Zoning Bylaw No. 7850, 2007 (Zoning Bylaw) to implement provincial legislation regarding Small-Scale Multi-Unit Housing (SSMUH) and Transit Oriented Areas (TOAs).

BACKGROUND:

On December 7, 2023, the B.C. Government passed several pieces of new legislation, detailed below, to amend the *Local Government Act* regarding planning and land use. The new legislation for SSMUH and TOAs is intended to fulfill the priorities set out in the Homes for People plan to increase housing supply, create more diverse housing choices, and over time, contribute to more affordable housing across the province. The City of Prince George is required to update the Zoning Bylaw to reflect the new legislation by June 30, 2024.

Bill 44: Residential Development

Bill 44 governs minimum residential densities, new zoning processes, and municipal planning requirements. This bill is intended to make it easier and quicker to build a wider variety of housing types in areas that were traditionally only single detached or duplex (two-unit) homes. The SSMUH legislation is intended to remove barriers to housing in single detached and two-unit zones. It is not intended to apply to non-residential zones like agriculture, commercial, and industrial zones, even if these non-residential zones permit a dwelling unit, like a residential security/operator unit.

The new legislation requires local governments to update zoning bylaws to allow SSMUH within the City's urban boundary on lots currently zoned for single detached or two-unit homes. Under the new legislation, property

owners won't need to rezone a lot to build SSMUH, if it is compliant with the zone and provincial policies. The number of SSMUH that will be permitted on a lot will vary by lot size and location.

SSMUH Legislative Requirements

A minimum of one (1) secondary suite or one (1) detached accessory dwelling unit (i.e., secondary dwelling) must be permitted on lots zoned for single detached housing. Local governments may decide to permit either a secondary suite or secondary dwelling, or both on a lot.

The SSMUH legislation has mandated three-six dwelling units be permitted on single detached and two-unit lots depending on their size and location, subject to the following:

- a) wholly or partly within an urban containment boundary established by a regional growth strategy, or
- b) if (a) does not apply, wholly or partly within an urban containment boundary established by an official community plan within a municipality with a population greater than 5,000 or
- c) if neither (a) or (b) apply, in a municipality with a population greater than 5,000.

The minimum number of units is determined by the following characteristics of the parcels to which the requirements apply:

- A minimum of three (3) dwelling units must be permitted on each parcel of land 280 m² or less.
- A minimum of four (4) dwelling units must be permitted on each parcel of land greater than 280 m².
- A minimum of six (6) dwelling units must be permitted near frequent transit routes.

SSMUH Exemptions

Exemptions to the minimum dwelling unit requirements on lots zoned exclusively for single detached and two-unit housing include:

- lands that are not connected to a water or sewer system provided as a service by a municipality or regional district;
- parcels of land that are larger than 4,050 m² (0.4 ha) or lands in a zone for which the minimum lot size that may be created by subdivision is 4,050 m² (0.4 ha);
- land that was protected, as of December 7, 2023, under the *Heritage Conservation Act*, or by bylaw under s. 611 Heritage Designation Protection of the *Local Government Act*; or
- land within a designated TOA.

Bill 47: Transit-Oriented Development

Transit-oriented development is intended to encourage people to live, work, and play close to home and transit. Bill 47 requires local governments to designate prescribed transit stations as TOAs. TOAs are to be identified within a prescribed distance from a transit station. In TOAs, local governments are required to ensure that the densities and building heights established by the Province are allowed, and to remove residential parking minimums.

POLICY / REGULATORY ANALYSIS:

Zoning Bylaw

Administration has prepared several text amendments and mapping to comply with the provincial legislation for SSMUH while ensuring practical integration within the existing planning and land use framework.

For Council's consideration, the following sections provide a summary of the City's bylaw amendments to achieve compliance with the SSMUH and TOA legislation. The proposed bylaw amendments have been further described in Exhibit "A" to RZ100816.

Secondary Dwellings

At the Regular Council Meeting on April 30, 2018, Council adopted Bylaw No. 8896, 2018, amending the City's Zoning Bylaw No. 7850, 2007, to permit secondary dwellings (i.e., carriage and cottage housing). By doing so, the City is already in compliance with the SSMUH legislation for a minimum of one (1) secondary suite or one (1) detached accessory dwelling unit (i.e., secondary dwelling) on lots zoned for single detached housing.

Rural Zones

The subdivision regulations for rural resource zones require a minimum lot size of 4,050 m² (0.4 ha) or greater. The following rural zones are exempted from the minimum residential density requirements of SSMUH.

- AG: Greenbelt – The minimum lot area required for subdivision is 15.0 ha.
- AF: Agriculture and Forestry – The minimum lot area required for subdivision is 15.0 ha.
- AR1: Rural Residential – The minimum lot area required for subdivision is 4.0 ha.
- AR2: Rural Residential – The minimum lot area required for subdivision is 2.0 ha.
- AR4: Rural Residential – The minimum lot area required for subdivision is 1.0 ha.

The AR3: Rural Residential zone is intended to foster a suburban lifestyle primarily on properties larger than 0.4 ha. The AR3 subdivision regulations require a minimum lot size of 0.4 ha. Properties zoned AR3, that are less than 0.4 ha (4,050 m²) in size, identified within Schedule B-4: Urban Area of the official community plan, and are connected to both City water and sanitary sewer are eligible for SSMUH density. There are approximately 386 AR3 zoned parcels that meet the requirements of SSMUH legislation, as shown on Exhibit "B" to RZ100816.

Except where an exemption applies, to facilitate the minimum residential density requirements of SSMUH legislation in the AR3 zone, this amendment proposes to increase the maximum residential density. The maximum residential density regulation is proposed to increase from one (1) principal dwelling and one (1) secondary suite per lot to three (3) dwelling units on each parcel of land 280 m² or less, or four (4) dwelling units on each parcel of land greater than 280 m², as described on Exhibit "A" to RZ100816. This amendment will also increase the housing forms (i.e., apartment, four-plex, row, stacked row, and two-unit) permitted on a lot to allow a wider variety of housing types in areas that have traditionally been single detached or two-unit homes.

Residential Zones

To facilitate the minimum residential density requirements of SSMUH legislation, amendments are proposed in the following residential zones, except where an exemption applies.

- RS1/RS1m: Suburban Residential
- RS2/RS2m: Single Residential
- RS3: Single Residential
- RS4: Urban Residential
- RT1: Two-Unit Residential
- RT2: Two-Unit Residential
- RT3: Residential Cluster

The residential zones listed above are proposed to be amended to increase the maximum residential density and housing forms permitted to make it easier and quicker to build a wider variety of housing types. There are approximately 23,831 RS and RT zoned parcels that meet the requirements of SSMUH legislation, as shown on Exhibit "B" to RZ100816.

The maximum residential density regulation in the RS zones is proposed to increase from one (1) principal dwelling and one (1) secondary suite per lot to three (3) dwelling units on each parcel of land 280 m² or less, or four (4) dwelling units on each parcel of land greater than 280 m², as described on Exhibit "A" to

RZ100816. The maximum residential density regulation in the RT zones is proposed to increase from two (2) dwellings units per lot to three (3) dwelling units on each parcel of land 280 m² or less, or four (4) dwelling units on each parcel of land greater than 280 m², as described on Exhibit “A” to RZ100816.

To increase housing forms to allow a wider variety of housing types in areas, principal uses in the RS and RT zones will be expanded to allow for apartments, four-plex, row, stacked row, and two-unit housing. Additionally, secondary suites will now be allowable in these housing types as permitted by the BC Building Code and endorsed by the SSMUH legislation.

The remainder of the residential zones (RM) provide multifamily housing at densities between 30 and 280 dwellings/ha and already permit a variety of housing forms. Since these RM zones are not restricted to single detached or two-unit housing the SSMUH legislation does not affect the densities of RM zones.

Transit Oriented Areas

The UNBC Bus Exchange is the only TOA prescribed by the Province within the City of Prince George. There is no requirement to amend the Zoning Bylaw or Official Community Plan Bylaw to designate TOAs, but a map showing the boundaries of the UNBC Bus Exchange TOA is required to be adopted by June 30, 2024. The UNBC Bus Exchange TOA is shown on Appendix “A” to Bylaw 9466. Following the adoption of Bylaw No. 9466, development applications within the prescribed area cannot be rejected for height and density reasons and can be approved without an OCP amendment.

ZONING BYLAW AMENDMENTS:

To achieve compliance with the SSMUH legislation, several amendments are required throughout the Zoning Bylaw, as follows:

Section 2.3 Definitions

A number of definitions require minor amendments to comply SSMUH legislation, described on Exhibit “A” to RZ100816.

Section 5 Specific Use Regulations

Under the SSMUH legislation, the number of dwelling units that will be permitted on a lot vary by lot size and location and may be excluded where an exemption applies. Conditions and exemptions of SSMUH legislation are proposed to be added to Section 5 of the Zoning Bylaw.

Section 5.6 Secondary Dwellings

Secondary dwellings have been permitted within the City since 2018. To align with SSMUH legislation, this application proposes to remove the minimum lot width requirement and floor area restrictions, as described on Exhibit “A” to RZ100816.

Section 5.7 Secondary Suites

As of December 12, 2019, the BC Building Code has allowed the construction of new secondary suites in more housing types including two-unit and row housing. To align with the SSMUH legislation and encourage densification, this amendment proposes to allow secondary suites in all housing forms endorsed by the BC Building Code and in so doing will remove the current restriction of secondary suites occurring only in single detached housing, as described on Exhibit “A” to RZ100816.

This amendment will allow the construction of secondary suites in more building types helping to create more affordable housing options while facilitating low-impact infill and densification.

Table 7.4 Parking Requirements

A minor amendment is proposed to Table 7.4, to remove residential parking minimums for development applications within the UNBC Bus Exchange TOA, as described on Exhibit “A” to RZ100816.

OTHER CONSIDERATIONS:

Ministry of Transportation and Infrastructure

As per Section 52 of the *Transportation Act*, Bylaw No. 9466 requires the Ministry of Transportation and Infrastructure's approval prior to Final Reading and adoption.

Statutory Notification and Public Consultation

In accordance with section 464(4) of the *Local Government Act*, a public hearing regarding this application will not be held as the sole purpose of the proposed zoning bylaw is compliance with section 481.3. As per the requirements set out in the *Community Charter* and "City of Prince George Public Notice Bylaw No. 9329, 2022", in advance of First and Second Reading of the proposed bylaw, the City of Prince George will publish public notice of Council's consideration by posting to the public notice posting place; posting the public notice on the Public Notice Page; and posting the public notice on the Facebook Page.

Members of the public wanting to provide comment on the proposed zoning bylaw, may submit written correspondence to Council. 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. 9466, 2024 be approved.

SUMMARY AND CONCLUSION:

Administration recommends that Council approve the proposed amendments to the Zoning Bylaw for the implementation of Small-Scale Multi-Unit Housing and Transit Oriented Areas.

RESPECTFULLY SUBMITTED:

Deanna Wasnik, Director of Planning and Development

PREPARED BY: Kali Holahan, Supervisor, Land Use Planning

APPROVED:

Walter Babicz, City Manager

Meeting Date: 2024/05/06