

STAFF REPORT TO COUNCIL

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DATE: April 26, 2024

TO: MAYOR AND COUNCIL

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

SUBJECT: Temporary Use Permit Application No. TU000090

APPLICANT: MarLim Ecological Consulting Ltd., Inc. No. 517185

LOCATION: 650 3rd Avenue

ATTACHMENT(S): Location and Existing Zoning Map
Temporary Use Permit No. TU000090
Letter of Intent

RECOMMENDATION(S):

That Council APPROVES Temporary Use Permit No. TU000090 for the property legally described as Lot 16, Block 38, District Lot 343, Cariboo District, Plan 1268.

PURPOSE:

The applicant has applied for a 3-year Temporary Use Permit (TUP) to allow a “Health Service, Minor” and “Office” use at 650 3rd Avenue (subject property). This application will also bring an unpermitted counselling business into compliance with the Zoning Bylaw and allow for greater utilization of the existing building.

BACKGROUND:

Site Characteristics

Location	650 3 rd Avenue
Current Use	Consulting Firm; Counselling Office
Site Area	0.03 ha (0.08 acres)
Zoning	M1: Light Industrial

Official Community Plan

Future Land Use	Light Industrial
Growth Management	Infill

Surrounding Land Use Table

North	Laneway; Light Industrial; 2 nd Avenue
South	3 rd Avenue; Light Industrial
East	Light Industrial; Toronto Street
West	Light Industrial; Ottawa Street

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 3-years and may only be renewed once for an additional 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 currently zoned M1: Light Industrial. The M1 is intended to provide a mix of business and light industrial uses. The M1 zone allows for a broad variety of uses ranging from industrial functions such as contracting and building supplies to commercial activities like the sale and servicing of commercial vehicles, as well as service-oriented enterprises such as breweries and restaurants. The subject property is located within the Queensway East industrial area (M1 and M4: Transition Industrial) which is made up of a mix of businesses and light industrial uses.

The applicant has applied for a TUP to allow “Health Service, Minor” and “Office” uses to bring an unpermitted counselling business into compliance with the Zoning Bylaw and allow for greater utilization of the existing building.

Official Community Plan Bylaw No. 8383, 2011

The subject property is designated as Light Industrial within Schedule B-6: Future Land Use of the Official Community Plan (OCP). Areas designated Light Industrial are intended to accommodate light industrial uses which have low noise and air emissions based on Provincial Offsetting Guidelines. This may include, but is not limited to manufacturing, processing, household repair, research, broadcasting studio, building & garden supply, minor truck or rail terminal, distribution, indoor minor recreation, warehousing, scientific & technical consulting, storage and distribution, and similar uses. The OCP states that the City should allow and encourage office uses downtown and should be limited outside of the downtown to professional services that are regularly used by individuals, for whom nearby access is important, such as insurance, banks, and medical and dental offices (OCP Policy 8.3.3). That said, OCP policy also encourages flexibility in adapting to changing market demands and conditions regarding the designation of industrial lands (OCP Policy 8.3.89).

Section 9.2 of the OCP outlines the following factors to consider for Temporary Use Permits:

Temporary Nature of Use

The applicant would like to establish “Health Service, Minor” and “Office” uses on the subject property. The applicant has provided a letter of intent, which is attached to this report, and demonstrates their goal to better utilize the existing building.

Compatibility of Adjacent Uses

The subject property is located within the Queensway industrial area, which is zoned M1 and M4, allowing more intense uses than the proposed “Health Service, Minor” and “Office” uses. As previously noted, the M1 zone is intended to provide a mix of business and light industrial uses while limiting office and retail uses to those that are ancillary to industrial uses. The M4 zone is intended to provide for a mix of business, office, and light industrial uses in the transition area between the Queensway industrial area and downtown.

The intent behind the proposed “Health Service, Minor” and “Office” uses, as outlined in the applicant’s letter, is to bring an unpermitted counselling business into compliance with the Zoning Bylaw and allow for greater utilization of the existing building. While the proposed “Health Service, Minor” and “Office” uses are not considered ancillary to an industrial use, the existing building is currently underutilized by the applicant for “Consulting, Scientific and Technical” use. Though “Office” uses are not explicitly permitted within the M1 zone, the “Consulting, Scientific and Technical” use permits a combination of office work and field work with accessory equipment storage. In comparison, the M4 zone explicitly permits an “Office” use in the transition area between

the Queensway industrial area and downtown. There are several properties zoned M4 within 300 m of the subject property, the nearest being 210 m east. The proximity of the M4 zone further supports the proposed “Health Service, Minor”, and “Office” uses on the subject property.

In 2021, Administration recommended approval of Temporary Use Permit No. TU000068 to allow a “Health Service, Minor” use in the M4 zone at 970 4th Avenue within the Queensway East industrial area, as it was seen to be consistent with the nearby uses and within proximity to downtown, other community services and facilities, commercial nodes and public transit routes. TU000068 was approved by Council on July 12, 2021, in agreement Administration’s recommendation.

Similarly, in 2020, Administration recommended approval of Zoning Bylaw Amendment Bylaw No. 9145 to rezone 473 3rd Avenue from M1 to M4 to permit an “Office” use. Bylaw No. 9145 was adopted by Council on November 9, 2020.

Given the existing presence of similar ancillary office uses on nearby M1 properties and previous applications noted above, the proposed “Health Service, Minor” and “Office” uses are anticipated to align well with the surrounding area.

Impact on Natural Environment

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

Intensity of Proposed Use

The proposed “Health Service, Minor” and “Office” uses are considered less intense than the surrounding light industrial uses and aligns with the activity level anticipated in the surrounding area, which is already characterized by a variety of transitional industrial activities.

Inability to Conduct Proposed Use Elsewhere

As outlined in the applicant’s rationale letter attached, the subject property is currently owned by the applicant, MarLim Ecological Consulting Ltd. This application proposes to bring an unpermitted counselling business into compliance with the Zoning Bylaw and allow for greater utilization of the existing building.

Administration supports this TUP to better understand the potential impacts of “Health Service, Minor” and “Office” uses on the subject property and surrounding area prior to consideration of a zoning bylaw amendment.

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 names of the company directors. The following is provided for Council's information:

Incorporation Number	BC0517185
Name of Company	MarLim Ecological Consulting Ltd.
Director Information (Last name, First name)	Gollner, Mark Gollner, Cindy

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 Temporary Permit No. TU000090 be approved.

SUMMARY AND CONCLUSION:

Due to the rationale identified in this report, Administration recommends that Council approves the applicant's request for a TUP for a 3-year term to allow "Health Service, Minor" and "Office" uses at 650 3rd Avenue.

RESPECTFULLY SUBMITTED:

Deanna Wasnik, Director of Planning and Development

PREPARED BY: Keone Gourlay, Planner 1

APPROVED:

Walter Babicz, City Manager

Meeting Date: 2024/05/27