

Date: November 13, 2024

To: **Mayor and Council**

Name and title: Deanna Wasnik, Director of Planning and Development

Subject: Temporary Use Permit Application No. TU000102

Applicant: Shawn Smeds of S&S Doors and More for National Ski Experts Ltd., Inc. No. 389389

Location: 1191 1st Avenue

Attachments: Location and Existing Zoning Map
Temporary Use Permit No. TU000102
Supporting Documents:

- Letter of Support from Neighbouring Business Owner

Recommendations:

That Council APPROVES Temporary Use Permit No. TU000102 for the property legally described as Lots 13-15, Block 22, District Lot 343, Cariboo District, Plan 1268

Purpose:

The applicant has applied to renew a Temporary Use Permit for an additional 3-years to permit “Building & Garden Supply” for S&S Doors and More at 1191 1st Avenue (subject property).

Background:

Site Characteristics

Location	1911 1 st Avenue
Legal Description	Lots 13-15, Block 22, District Lot 343, Cariboo District, Plan 1268
Current Use	Building and Garden Supply (S&S Doors and More)
Subject Area	0.09 ha (0.22 acres)
Current Zoning	C1: Downtown

Surrounding Land Use Table

North	1 st Avenue; Railway
South	Regional District of Fraser-Fort George main office
East	Parking Lot
West	Dominion Street; Commercial building

Relevant Applications:

Temporary Use Permit Application No. TU000075: On December 6, 2021, Council approved a Temporary Use Permit for a 3-year term to allow a “Building & Garden Supply” use for Rebev Renovation Centre at the subject property. Temporary Use Permit No. TU000075 will expire on December 8, 2024, as such the applicant has been required to either apply for a Temporary Use Permit extension, apply for a Zoning Bylaw amendment, cease the use, or relocate to a property that supports the proposed use.

Strategic Priorities:

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

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 3-years and may only be renewed once for an additional 3-years. Following the expiration of the proposed TUP renewal, the applicant must apply for a Zoning Bylaw amendment, cease the use, or relocate to a property that supports the proposed use.

Zoning Bylaw

The subject property is zoned C1: Downtown. The C1 zone is intended to provide for a mix of uses for the central business area of the city. The applicant’s business specializes in selling doors, windows and cabinets, and is considered a “Building & Garden Supply” use. A “Building & Garden Supply” is not a permitted use in the C1 zone. As such, the applicant has applied for a TUP to allow a “Building & Garden Supply” use on the subject property.

Official Community Plan

The subject property is designated as Downtown within Schedule B-6: Future Land Use of the Official Community Plan (OCP). The Downtown designation is intended to function as the civic and cultural centre of Prince George, containing key cultural, civic, and recreational amenities, offices, shopping, and accommodating significant housing. Buildings may be larger in scale, with a mix of towers and lower forms.

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

Temporary Nature of Use

The applicant has applied to renew a TUP for an additional 3-years to continue to allow the existing “Building & Garden Supply” use on the subject property. Should Council approve this TUP for an additional 3-year term, prior to expiration, the applicant will be required to either apply for a Zoning Bylaw amendment, cease the use, or relocate to a property that supports the proposed use.

Compatibility of Adjacent Uses

The subject property is located within the downtown and is within close proximity (~330 m) to the Queensway East Industrial Area. This industrial area has the zoning of M1: Light Industrial, which permits a “Building & Garden Supply” use. Additionally, there are a mix of uses surrounding the subject property, including a vehicle repair shop (Northern Trans-A-Matic), offices for the Regional District, Millenium Park, and the railyard. A letter of support was received from the owner of Northern Trans-A-Matic, which has been attached as a supporting document.

As the subject property is in close proximity to the Queensway East Industrial area, Administration is supportable of this use.

Impact on Natural Environment

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

Intensity of Proposed Use

The subject property is zoned C1 which allows a mix of retail, service, housing, and entertainment uses downtown. The proposed “Building & Garden Supply” use will be completely within the existing building on the subject property. The applicant has indicated that there is no outdoor storage onsite, as all product will be stored within the existing building.

Further to this, the subject property has an established on-site parking and accesses to service their patrons. The subject property is also an established commercial site, which has been operating without complaint for the past 3-years.

As the “Building & Garden” supply use will be completely enclosed within the existing building, and the subject property has established access and on-site parking, Administration is supportable of this use at this location.

Inability to Conduct Proposed Use Elsewhere

A “Building & Garden Supply” use is permitted in C2: Regional Commercial; C6: Highway Commercial; M1: Light Industrial; M2: General Industrial; M3: Business Industrial; and a few site-specific zoned properties. The subject property is approximately 330 m from M1 zoning along 1st Avenue and the Queensway East industrial area. The applicant has applied to renew their TUP for an additional 3-years to continue the use before determining if a rezoning or relocation is more suitable for the business.

As the proposed “Building & Garden Supply” use is a form of retail, and the subject property is located at the fringe of the downtown, adjacent to compatible uses, Administration is supportive of this TUP application.

Other Considerations:

Referrals

This application was referred to internal City divisions and external agencies for comments. There are no outstanding comments or concerns regarding this application.

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	BC0389389
Name of Company	National Ski Experts Ltd.
Director Information	Greentree, John Greentree, Annette

A review of the legal title of the subject property indicated no encumbrances or restrictions that would affect this application.

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 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 TU000102 be approved.

Summary And Conclusion:

The applicant has applied for to renew a Temporary Use Permit for an additional 3-years to continue operating a “Building & Garden Supply” use on the subject property. Administration supports this application for the reasons outlined in this report.

Respectfully Submitted:

Deanna Wasnik, Director of Planning and Development

Prepared By: Keone Gourlay, Planner 1

Approved:

Walter Babicz, City Manager

Meeting Date: 2024/16/12