

Date: September 24, 2024

To: **Mayor and Council**

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

Subject: Official Community Plan Bylaw Amendment No. CP100212 (Bylaw No. 9513, 2024) and Zoning Bylaw Amendment Application No. RZ100798 (Bylaw No. 9514, 2024)

Applicant: L&M Engineering Ltd. for Eastway Sand & Gravel Ltd., Inc. No. 719195

Location: 880 Guay Road

Attachments: Location and Existing Zoning Map
Appendix "A" to Bylaw No. 9513
Appendix "A" to Bylaw No. 9514
Exhibit "A" to CP100212
Rationale Letter

Recommendations:

That Council:

1. GIVES First Reading to "City of Prince George Official Community Plan Bylaw No. 8383, 2011, Amendment Bylaw No. 9513, 2024."
2. CONSIDERS "City of Prince George Official Community Plan Bylaw No. 8383, 2011, Amendment Bylaw No. 9513, 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. 9513, 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. 9513, 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 to "City of Prince George Official Community Plan Bylaw No. 8383, 2011, Amendment Bylaw No. 9513, 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 identified on Exhibit "A" to CP100212; 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 READINGS to "City of Prince George Zoning Bylaw No. 7850, 2007, Amendment Bylaw No. 9514, 2024";

8. EXPANDS from 30 metres distance to the notification area shown on Exhibit "A" to CP100212, as required in the "City of Prince George Development Procedures Bylaw No. 9423, 2023", for the mailing of notice of the public hearing for the "City of Prince George Official Community Plan Bylaw No. 8383, 2011, Amendment Bylaw No. 9513, 2024" and "City of Prince George Zoning Bylaw No. 7580, 2007, Amendment Bylaw No. 9514, 2024"; and
9. PERMITS that consideration of Final Reading of proposed Bylaw No. 9514, 2024 BE WITHHELD until the following requirements have been met to the satisfaction of Administration:
 - a. Receipt of a Traffic Impact Study;
 - b. Receipt of a Servicing Brief;
 - c. Receipt of a Geotechnical Report; and
 - d. Registration of a Section 219 Covenant on legal title of Lot 1 Except: Part Subdivided by Plan BCP12745, District Lot 955, Cariboo District, Plan PGP39143 that dictates a no-build area as outlined in the geotechnical report.

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 implement an industrial construction services company at 880 Guay Road (subject property). To facilitate this, the applicant has applied to amend Schedule B-6: Future Land Use of the Official Community Plan (OCP) for a 22.7 ha portion of the subject property from Rural Resource to Light Industrial, as shown on Appendix "A" to Bylaw No. 9513. This application also involves rezoning a 22.7 ha portion of the subject property from AG: Greenbelt and P6: Special Institutional to M2: General Industrial, and a 3.3 ha portion from AF: Agriculture and Forestry and P6: Special Institutional to AG: Greenbelt, as shown on Appendix "A" to Bylaw No. 9514.

Background:

Site Characteristics

Location	880 Guay Road
Legal Description	Lot 1 Except: Part Subdivided by Plan BCP12745, District Lot 955, Cariboo District, Plan PGP39143
Current Use	Vacant Land
Subject Property Size	48.0 ha (118.6 acres)
Subject Area	26.0 ha (64.2 acres)
Future Land Use	Rural Resource; Light Industrial; Utility
Growth Management Class	Rural Resource; Phase 1
Servicing	City services available

Official Community Plan (see Appendix "A" to Bylaw No. 9513)

Current Future Land Use	Utility; Rural Resource; Light Industrial
Proposed Future Land Use	Utility; Rural Resource; Expanded Light Industrial area

Zoning (see Appendix "A" to Bylaw No. 9514)

Current Zoning	AG: Greenbelt; AF: Agriculture and Forestry; P6: Special Institutional; U1: Utility
Proposed Zoning	M2: General Industrial (22.7 ha) and AG: Greenbelt (3.3 ha) AG: Greenbelt; AF: Agriculture and Forestry; U1: Utility remain (22.0 ha)

Surrounding Land Use Table

North	Highway 16; Institutional (Regional Correctional Centre)
South	Institutional Building; Vacant Agricultural Land
East	Residential; Greenbelt; Vacant Agricultural Land
West	Greenbelt; Vacant Agricultural Land

Strategic Priorities:

This proposal is consistent with Council's Strategic Priority for Economic Diversity and Growth by providing additional opportunities for industrial development on an underutilized site.

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 property is designated as Rural Resource, Utility and Light Industrial in Schedule B-6: Future Land Use of the OCP.

The Rural Resource designation includes areas used for agriculture, forestry, and resource extraction activities that are important in the long-term health of the regional economy. It also may encompass natural open spaces, environmentally sensitive areas, and natural hazard areas. The Utility designation is intended to identify reliable water, sewage disposal and storm water drainage systems, as well as private utility corridors. The Light Industrial designation is intended to accommodate light industrial uses which have low noise and air emissions and is intended for locations with adequate access to public transportation, ancillary services, and local road-networks to help facilitate the movement of people and goods (OCP Policy 8.3.93). OCP Policy encourages uses such as manufacturing, fabricating or assembling of goods and equipment associated with an industrial use (OCP Policy 8.3.95) to limit noise or air emissions to an enclosed building (OCP Policy 8.3.99).

The applicant has applied to expand the Light Industrial designation to portions of the subject property. The Light Industrial designation is currently located south of the subject property and encompasses the Boundary Road industrial area. Specifically for the subject property, this application would amend a 22.7 ha portion from Rural Resource to Light Industrial. The applicant's proposal will have low noise and air emissions and is located in close proximity to Highway 16. Further to this, the applicant will be conducting a business including fabrication works that will be conducted entirely within a building. This use is consistent with the light industrial areas south of the subject property, and is consistent with the Light Industrial designation.

Administration supports re-designating a 22.7 portion of the subject property from Rural Resource to Light Industrial, as it consistent with the policies of the light industrial designation of the OCP.

Growth Management

The subject property is designated as Rural Resource and Phase 1 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 the Rural Resource designation is to restrict residential, commercial, and industrial (except resource extraction) growth in the rural resource area (OCP Policy 8.1.19). The intent of the Phase 1 designation is to phase and guide growth based on required servicing, especially where adjacent to urban areas (OCP Policy 8.1.13).

The subject property is adjacent to an urban area as identified in Schedule B-4 of the OCP. Administration supports this application, as it is consistent with the Growth Management policy direction identified by the OCP.

Significant Slopes

The subject property is identified in Schedule B-3: Significant Slopes of the OCP. Lands identified as significant slopes are those with slopes greater than 20% grade that may be subject to landslide hazards. The applicant (East Way Sand and Gravel Ltd.) used the subject property as a source of gravel. As such, there are portions of the subject property that has been significantly altered with stockpiled soils.

The geotechnical assessment prepared by SoilTech Consulting Ltd. indicates this soil removal history, and on-site terracing that may have unstable slopes. A supplemental Geotechnical Report is required to conduct further investigations to determine appropriate setbacks from significant slopes and remediation measures necessary. This report will also indicate if any portions of the property will need rehabilitation from previous gravel extraction activities on the subject property. The applicant will also be rezoning portions of the subject property to AG: Greenbelt (3.3 ha).

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 industrial developments. Should this application be approved, an Industrial Form and Character Development Permit will be required to facilitate future development. Through the Development Permit process, the City will review that the proposed development aligns with design guidelines, and will enhance the built environment (OCP Policy 8.2.10) given the subject property's visibility from major highways and proximity to residential uses (OCP Policy 8.3.98).

Zoning Bylaw

The subject property is currently split-zoned AG: Greenbelt, AF: Agriculture and Forestry, P6: Special Institutional, and U1: Utility, as shown on the Location and Existing Zoning Map. The proposed zoning bylaw amendment is intended to permit an "Industry, Light" use on the subject property for an industrial construction services company that specializes in the fabrication and installation of pressure piping systems, pressure vessels, and structural steel. The enclosed rationale letter includes more details about the business operations.

The applicant has applied to rezone a 22.7 ha portion of the subject property from AG: Greenbelt and P6: Special Institutional to M2: General Industrial. As previously indicated, this application also includes rezoning a 3.3 ha portion from AF: Agriculture and Forestry and P6: Special Institutional to AG: Greenbelt, as shown on Appendix "A" to Bylaw No. 9514.

The proposed M2 zone is intended to provide for a mix of business and light industrial uses. The existing and proposed expansion to the AG zoned portion is intended to preserve sensitive lands in a natural state. The proposed rezoning will result in a split-zoned property with AG, AF, M2, and U1 zoning, as shown on Appendix "A" to Bylaw No. 9514. Please note that the existing P6 zoned areas will be removed from the subject property

The applicant proposes to conduct all fabrication works within an enclosed building and will utilize the remainder of the proposed M2 lands as outdoor storage of materials and parking of fleet vehicles and equipment. This zone is consistent with industrial uses located south of the subject property along Gunn and Boundary Roads. Further to this, there is also M2 zoned properties along Pickering Road that is located north of the subject property.

The M2 zone permits a far greater number of uses, allows for greater site coverage and more intense land uses than the existing zoning. The applicant proposes to create an AG zoned buffer along the north, east, south and west property lines. This will provide a buffer for any adjacent uses, as shown on Appendix "A" to Bylaw No. 9514. Uses permitted by the M2 zone are only permitted within the zone boundaries, therefore no industrial uses will be permitted to occur within the AG buffer.

Administration believes that the proposed light industrial zoning is complimentary to the surrounding area, Administration supports the proposed zoning amendment as it is consistent with direction of the OCP's future land use and growth management policy.

Other Considerations:

Referrals

This application referred to internal City divisions and external agencies for comments. The following comments were received during the referral process.

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	BC0719195
Name of Company	Eastway Sand & Gravel Ltd.
Director Information	Kranrod, James Tyson Kranrod, Jamie Janice

A review of the legal title of the subject property indicated the following encumbrances or restrictions that may affect this application.

Section 219 Covenant No. BW369816: Registered to title on August 10, 2004, this covenant restricts the construction of buildings and developments except in accordance with a geotechnical report prepared by Geonorth Engineering Ltd. dated July 16, 2003. The covenant further requires development adheres to a Servicing Brief and Drainage Study prepared by L&M Engineering Ltd. dated September 2003.

Traffic Impact Study

A Traffic Impact Study prepared and sealed by a Professional Engineer registered in the Province of British Columbia is required to address technical issues related to traffic for the proposed development (e.g., access to and from the subject property and adjacent intersections, trip generation information, and recommendations to reduce the impacts associated with traffic).

Administration recommends that Final Reading of Bylaw No. 9514 be withheld until a Traffic Impact Study has been prepared and submitted 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 Final Reading of Bylaw No. 9514, 2024, be withheld until a Servicing Brief has been prepared and submitted to the satisfaction of Administration.

Geotechnical Report

The subject property contains significant slopes, which are identified in the OCP as slopes with over a 20% grade. As these slopes may be subject to landslide hazards, the OCP recommends that development be located a safe distance from significant slopes, based on a Geotechnical Report prepared by a qualified professional (OCP Policy 6.4.58).

The applicant facilitated a preliminary Geotechnical Assessment prior to submitting this application. Through this preliminary assessment, a no-development zone was identified. The boundary of the no-development zone from the assessment has been used to define the M2 zoning boundary, as shown on Appendix "A" to Bylaw No. 9514.

Administration recommends that Final Reading of Bylaw No. 9514, 2024, be withheld until a Geotechnical Report prepared and sealed by a Geotechnical Engineer registered in the Province of British Columbia has been prepared and submitted to the satisfaction of Administration.

Section 219 Covenant

The applicant has offered to register a Section 219 Covenant on title of the subject property prior to Final Reading of Bylaw No. 9514. This covenant will amend the no-build areas previously registered as Land Title Office Document No. BW369816, following an updated Geotechnical Report prepared and sealed by a Qualified Professional.

Administration recommends that Final Reading of Bylaw No. 9514, 2024, be withheld until the Section 219 Covenant amendment has been submitted to the satisfaction of Administration and registered to the legal title for the subject property.

Ministry of Transportation and Infrastructure

As per Section 52 of the *Transportation Act*, Bylaw No. 9514, 2024, requires the Ministry of Transportation and Infrastructure's approval prior to Final Reading and adoption.

Statutory Notification and Public Consultation

As set out in the *Local Government Act* and "City of Prince George Development Procedures Bylaw No. 9423, 2023", in advance of Council's consideration of third reading of the proposed bylaws, a public hearing will be held regarding the applications and the City of Prince George will mail or otherwise deliver a notice to adjacent property owners and tenants whose interest in property may be affected by these applications. In addition, notice will be published on the City's website and Facebook page in accordance with the "City of Prince George Public Notice Bylaw No. 9329, 2022."

Members of the public wanting to comment on the applications may submit written correspondence or speak to Council during the public hearing either via telephone or in person. Written submissions received in response to the public notice for these applications will be provided to Council for their information and consideration during deliberations on the applications. Additional information on methods to provide comments to Council can be

found on the [City's website](#).

Administration is recommending that the Notice of Public Hearing and OCP consultation mail out area that is required as per the "City of Prince George Development Procedures Bylaw No. 9423, 2023" is increased from 30 meters to the area shown on Exhibit "A" to CP100212. The expanded notification area is intended to notify property owners along Guay Road that may be impacted should the application be approved.

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) Referral to the Agricultural Land Commission if the Plan applies to Agricultural Land Reserve land (*not applicable to these applications*);
 - e) Second Reading;
 - f) Public notice of the Public Hearing; and
 - g) 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 CP100212;
- 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 to Bylaw No. 9513 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 Nos. 9513 and 9514, 2024, be approved.

Summary and conclusion:

To facilitate an “Industry, Light” use on the subject property, the applicant proposes to amend Schedule B-6: Future Land Use of the OCP to increase the area designated Light Industrial on the subject property, as shown on Appendix “A” to Bylaw No. 9513; and to rezone a 22.7 ha portion of 880 Guay Road (subject property) from AG: Greenbelt and P6: Special Institutional to M2: General Industrial, and a 3.3 ha portion from AF: Agriculture and Forestry and P6: Special Institutional to AG: Greenbelt, as shown on Appendix “A” to Bylaw No. 9514. 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: 2024/11/04