

Date: January 21, 2025

To: **Mayor and Council.**

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

Subject: Temporary Use Permit Application No. TU000103

Applicant: Set Free Recovery for Manjit Singh Nijjer and Bharpur Kaur Nijjer

Location: 3809 Pinewood Avenue

Attachment(s): Location and Existing Zoning Map
Notification Map
Temporary Use Permit No. TU000103
Supporting Documents:

- Letter of Intent
- Program Rules
- Petition
- Letter of Supports

Recommendation(s):

That Council DENIES Temporary Use Permit No. TU000103 for the property legally described as Lot 68 District Lot 2611 Cariboo District Plan 27420.

Purpose:

The applicant has applied for a 3-year Temporary Use Permit to allow a “Housing, Supportive” use at 3809 Pinewood Avenue (subject property) for Set Free Recovery. The City became aware of the "housing, supportive" use operating through a Call for Service to Bylaw Services. Set Free Recovery has confirmed they are currently operating at a reduced capacity from what is being sought through the proposed temporary use permit.

Background

Site Characteristics

Location	3809 Pinewood Avenue
Legal Description	Lot 68, District Lot 2611, Cariboo District, Plan 27420
Current Use	Supportive Housing
Site Area	610 m ²
Zoning	RT1: Two-Unit Residential

Surrounding Land Use Table

North	Pinewood Avenue; Residential
South	Residential
East	Residential
West	James Drive; Residential; Ginter's Meadow

Relevant Applications:

Business Licence No. 00083645: In October 2024, Development Services received a Business Licence Application to facilitate a “Housing, Supportive” business on the subject property. As a “Housing, Supportive” use is not permitted in the RT1 zone, the Business Licence Application was cancelled. As such, the applicant has applied for a Temporary Use Permit as of November 2024, as outlined below.

Call for Service No. 381092: Bylaw Services has received one complaint regarding the operation of the “Housing, Supportive” use on the subject property on November 9, 2024. Representatives of Bylaw Services attended the subject property on November 9, 2024, and spoke with a tenant regarding the “Housing, Supportive” use. The tenant confirmed that renovations for the proposed “Housing, Supportive” use were occurring. Bylaw Officers also confirmed only one resident was living on the subject property.

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, 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 zoned RT1: Two-Unit Residential. The intent of the RT1 zone is to provide housing, primarily in buildings with two dwellings. The applicant, Set Free Recovery, is providing supportive housing and services for men struggling with substance abuse. The applicant has submitted a Letter of Intent and the Program Rules to explain the activities occurring at the subject property. The “Housing, Supportive” use is not permitted under the RT1 zone, and to bring the subject property into compliance, the applicant has applied for a 3-year TUP.

The Zoning Bylaw defines “Housing, Supportive” as follows:

“Residential housing provided and managed by a non-profit organization registered under the Society Act, for persons reintegrating into the community. This housing type aims to transition individuals to long-term permanent housing. This housing type typically contains common amenity space, laundry facilities, dining and kitchen facilities. Accessory minor health service or educational uses may also be provided. This use does not include Boarding or Lodging.”

“Housing, Supportive” uses have been permitted in other areas of the city, but only on a site-specific basis. The following four (4) properties located along minor collector and arterial roads, currently permit a “Housing, Supportive” use:

1. 2855 14th Avenue (RM3: Multiple Residential);
2. 1965 17th Avenue (RM5: Multiple Residential);
3. 1616 Queensway (RM7: High-Rise Residential); and
4. 160 Ontario Street (Z21: Integrated Health and Housing).

Official Community Plan

The subject property is designated as Neighbourhood Residential as per Schedule B-6: Future Land Use of the Official Community Plan (OCP). The Neighbourhood Residential designation is intended to be primarily residential in nature, with associated schools and parks within them. They are typically small-scale, dominated by single-detached housing and similar sized buildings.

Section 9.2 of the OCP outlines the following factors to consider for TUP’s:

Temporary Nature of Use

The applicant has applied for a 3-year term TUP to bring an existing “Housing, Supportive” use into compliance with the City’s Zoning Bylaw. The applicant has applied for TUP to offer a trial period to assess whether “Housing, Supportive” is an appropriate use in a neighbourhood that is predominately single-detached housing. The applicant has provided a letter of intent and program rules further detailing the use, which is attached as supporting documents to this report.

Should Council approve this TUP for the proposed term, prior to expiration, the applicant will be required to apply for a TUP renewal or rezoning application at a future date should they wish to continue the use on the subject property.

Impact on Natural Environment

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

Compatibility of Adjacent Uses

The subject property is situated within a single-detached neighborhood primarily zoned RS2: Single Residential and RT1: Two-Unit Residential. It is approximately 55 m from Ginter’s Meadow, 375 m from the nearest bus route, 550 m from the nearest school, and 1.6 km from daily needs amenities (Pine Centre Mall). As mentioned previously, the “Housing, Supportive” use is typically located on minor collector and arterial roads. The subject property is located in an established neighbourhood, on a corner lot that is bounded by two local roads (Pinewood Street and James Drive).

Intensity of Proposed Use

Currently, the RT1 zone permits a “Community Care Facility, Minor” use for the residential care of up to 6 individuals in a facility licensed under the *Community Care and Assisted Living Act*. The proposed “Housing, Supportive” use is expected to operate at nearly double this capacity with a maximum capacity of eleven (11) residents in care and two (2) full-time employees.

Inability to Conduct Proposed Use Elsewhere

“Housing, Supportive” uses have been permitted on a site-specific basis. As noted above, there are only four (4) properties that currently permit a “Housing, Supportive” use. These properties are located

along minor collector and arterial streets, in areas designated as Neighborhood Corridor and Neighbourhood Centre Corridor on Schedule B-6: Future Land Use. While the proposed use cannot be conducted elsewhere without a land use application, there may be other better suited locations to accommodate the intensity of potential land use impacts.

The subject property is situated at the end of a local road in the Pinewood neighborhood, located in the west bowl area. This area is predominately surrounded by single-detached and two-unit housing. Administration is struggling to support this application due to proposed intensity of operations, that may result in noise, traffic, and parking impacts on the surrounding neighbourhood.

Other Considerations:

Referrals

This application was referred to internal City divisions and external agencies with no outstanding concerns.

Property Title

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

Ministry of Health - Assisted Living Registry & Community Care Licensing

The Assisted Living Registry (ALR) & Community Care Licensing branch of the Ministry of Health was referred to for comment regarding the “Housing, Supportive” facility at the subject property. The Ministry indicated they were not aware of operations at the subject property and will conduct their own investigation.

On January 20, 2025, the ALR determined that Set Free Recovery was operating without registration, in violation of Section 26 of the *Community Care and Assisted Living Act*. The applicant is currently working with the Registry to bring Set Free Recovery into compliance.

Letters of Support

Administration has received 17 letters of support, and a petition with 21 signatures in support of 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 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.

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 Use Permit No. TU000103 be denied. Should Council support this application, Temporary Use Permit No. TU000103 has been attached to this report.

Summary and Conclusion:

Administration recommends that Council deny the applicant's request for a TUP allowing "Housing, Supportive" use for a 3-year term at 3809 Pinewood Avenue, for the reasons outlined in this report.

Respectfully submitted:

Deanna Wasnik, Director of Planning and Development

Prepared by: Melissa Pritchard, Planner

Approved:

Andy Beesley, Acting City Manager/Director of Civic Facilities and Events

Meeting date: 2025/02/24