

Date: February 10, 2025

To: **Mayor and Council.**

Name and title: Mandy Jones, Manager of Development Services/Acting Director of Planning and Development

Subject: Development Variance Permit Application No. VP100689

Applicant: L&M Engineering for Kidd Real Estate Holdings Ltd., Inc.
No. BC821509

Location: 4431 Turner Road/7171 John Hart Highway

Attachment(s): Location and Zoning Map
Development Variance Permit No. VP100689
Exhibit "A" to VP100689
Rationale Letter
Application Drawings

Recommendation(s):

That Council APPROVES Development Variance Permit No. VP100689 to vary "City of Prince George Zoning Bylaw No. 7850, 2007" for the property legally described as The North West ¼ of District Lot 4047, Cariboo District Except Plans 9543, 11058, 11059, 11060, 11061, 11088, H226, 28664 and 31724 (PID 004-702-620) as follows:

- a. Vary Section 11.2.5 4. by decreasing the minimum front yard setback from 6.0 m to 3.0 m, as shown on Exhibit "A" to VP100689; and
- b. Vary Section 11.2.5 5. by decreasing the minimum side yard setback from 3.0 m to 0.0 m, as shown on Exhibit "A" to VP100689.

Purpose:

The applicant is proposing to vary the minimum front and side yard setbacks specifically for the proposed parking areas at 4431 Turner Road (subject property). The applicant is proposing to develop a 5-storey, mixed-use commercial and residential development within the C2: Regional Commercial zoned portion of the subject property. This variance will allow the required parking areas for the development to be located within the front and side yard setbacks.

Background:

Site Characteristics

Location	4431 Turner Road / 7171 John Hart Highway
Current Use	Vacant site
Proposed Use	Mixed-use commercial and residential
Site Area	5.2 ha (12.8 acres)
Zoning	C2: Regional Commercial, RM5: Multiple Residential, and C5: Visitor Commercial

Official Community Plan

Future Land Use	Service Commercial & Neighbourhood Corridor
Growth Management	Infill & Growth Priority

Surrounding Land Use Table

North	Highway Commercial (Day & Night Foods & Esso Gas Station); Handlen Road
South	Residential; Turner Road
East	Multi-use path; Highway 97 N
West	Turner Road; Kelly Road; Residential

Relevant Applications

Development Permit Application No. DP100877: The applicant has concurrently submitted a Commercial and Multiple Residential Form and Character Development Permit application for the construction of a 5-storey, multi-family residential development with commercial ground floor uses on the subject property. The Development Permit Application has been placed on hold pending consideration of the proposed variance. Should this application be approved, the Development Permit Application review process will proceed.

Subdivision Application No. SD100792: The applicant has concurrently submitted a Subdivision application proposing to divide the subject property into 3 parcels. A site plan showing the proposed parcels is attached as a supporting document.

Rezoning Application No. RZ100741: On March 13, 2023, Council approved Zoning Bylaw Amendment Bylaw No. 9288, 2022, rezoning a portion of the subject property to C2: Regional Commercial and RM5: Multiple Residential.

Policy / Regulatory Analysis:

Zoning Bylaw No. 7850, 2007

The subject property is split zoned C2: Regional Commercial, RM5: Multiple Residential, and C5: Visitor Commercial. The proposed variance is specific to project area falling entirely within the C2: Regional Commercial zoned portion of the subject property. The C2: Regional Commercial zone is intended to provide for major shopping centres and complimentary residential uses.

The C2 principal development regulations require development to be setback 6.0 m from the front yard property line and setback 3.0 m from the side yard. In addition to this, the zoning bylaws parking regulations state that parking shall be subject to all setbacks and yard requirements (Section 7.1.11).

As noted in the applicant's rationale letter, the applicant is proposing to reduce the front and side yard setbacks to accommodate drive aisle widths and the required number of parking spaces for the proposed development. Through the associated development permit application process, a vegetated buffer of trees and shrubs along the frontage will be required in the design to ensure that the parking is sufficiently screened contributing to the pedestrian areas and streetscape.

Administration supports the variance request for the following reasons:

- The reduced setbacks will be applied to the parking areas only and the proposed buildings will meet the required setbacks.
- The proposed development has incorporated a landscaping buffer along the road frontage, further reducing any potential impacts of the proposed variance on adjacent properties.
- A snow storage plan has been submitted confirming that this variance will not inhibit on-site snow storage.
- The proposed variance is consistent with the intent of the C2 zone and Official Community Plan and does not significantly decrease open space or livability of the site.
- The proposed variance is not anticipated to generate negative land use impacts on the surrounding neighbourhood, city infrastructure, or the site as a whole.
- The proposed development is expected to meet all other regulations of the C2 zone (i.e., building height and site coverage).

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. The following comments were received during the referral process.

Property Title

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

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 information:

Incorporation Number	BC0821509
Name of Company	Kidd Real Estate Holdings Ltd.
Director Information	Kidd, Kathryn Teresa Kidd, Bruce Charles

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 Development Variance Permit No. VP100689 be approved.

Summary and conclusion:

To facilitate the development of a 5-storey, mixed-use commercial and residential development at 4431 Turner Road, the applicant has applied to vary the front and side yard setbacks for the required parking areas, as shown on Exhibit "A" to VP100689. Administration supports this application for the reasons outlined in this report.

Respectfully submitted:

Mandy Jones, Manager of Development Services/
Acting Director of Planning and Development

Prepared by: Bryce Deveau, Planner 1

Approved:

Walter Babicz, City Manager

Meeting date: 2025/03/24