

DATE: February 24, 2020

TO: MAYOR AND COUNCIL

NAME AND TITLE: Ian Wells, General Manager of Planning and Development

SUBJECT: Rezoning Amendment Application No. RZ100651 (Bylaw No. 9105)

APPLICANT: Keven Braet
LOCATION: 4244 Foothills Boulevard

ATTACHMENT(S): Location and Existing Zoning Map
Appendix “A” to Bylaw No. 9105
Appendix “B” to Bylaw No. 9105
Geotechnical Assessment prepared by GeoNorth Engineering Ltd. dated January 29, 2020

RECOMMENDATION(S):

THAT Council:

1. **GIVES** First and Second Reading to “City of Prince George Zoning Bylaw No. 7850, 2007, Amendment Bylaw No. 9105, 2020.
2. **PERMITS** that consideration of Final Reading of proposed Bylaw No. 9105, 2020 BE **WITHHELD** until the following requirements have been met to the satisfaction of Administration:
 - a. **Receipt of a Section 219 Covenant on the legal title of Lot A, District Lot 4050, Cariboo District, Plan BCP16420 that restricts development and land alteration within 10 meters of the toe of slope in accordance with Geotechnical Assessment prepared by GeoNorth Engineering Ltd. dated January 29, 2020.**

In addition, any recommendations presented in the preceding items must be addressed to the satisfaction of the General Manager of Planning and Development.

PURPOSE:

4244 Foothills Boulevard (the subject property) is currently split zoned AF: Agriculture and Forestry and AG: Greenbelt due to the presence of significant slopes on the western portion. The applicant would like to amend City of Prince George Zoning Bylaw 7850, 2007 for the subject property to

adjust the zoning boundaries to better reflect the topography of the site and to expand the Home Business Overlay (HBO) over the area proposed to be zoned AF: Agriculture & Forestry.

Geotechnical investigation of the site has revealed that the current zoning boundaries do not accurately reflect the topography of the site. The applicant has requested to amend the zoning boundary and the extent of the HBO to follow the recommended development setback from the Geotechnical Assessment prepared by GeoNorth Engineering Ltd., dated January 29, 2020 (see attached).

Site Characteristics

Location	North Nechako – 4244 Foothills Boulevard
Legal Description	Lot A District Lot 4050 Cariboo District Plan BCP16420
Current Use	Vacant
Site Area	3.1 ha
Growth Management Class	Future (1.7ha) Rural Resource (1.4ha)
Future Land Use	Neighbourhood Residential (1.7ha) Rural Resource (1.4ha)

Zoning (see Appendix “A” to Bylaw No. 9105)

Current Zoning	AF: Agriculture & Forestry (1.1 ha) AG: Greenbelt (2.0 ha)
Proposed Zoning	AF: Agriculture & Forestry (2.4 ha) AG: Greenbelt (0.7 ha)

Home Business Overlay (see Appendix “B” to Bylaw No. 9105)

Existing	1.1 ha
Proposed	2.5 ha

Surrounding Land Use Table

North	Rural
South	Foothills Boulevard, Rural
East	Rural
West	Rural

Relevant Applications

Tree Cutting Permit Application No. TC100024: The applicant has applied for a Tree Cutting Permit on February 20, 2020. The applicant has requested to clear trees within AG: Greenbelt zoned portion of the subject property to facilitate access to the site in order to construct a driveway and residence. Administration is currently reviewing the application.

POLICY / REGULATORY ANALYSIS:

Official Community Plan

Future Land Use

The subject property is designated as Neighbourhood Residential and Rural Resource in Schedule B-6: Future Land Use of the Official Community Plan (OCP). The Neighbourhood Residential designation is intended to support a wide range of low density residential development. The Rural Resource designation is intended to support the use of agriculture, forestry and resource extraction, environmentally sensitive areas, and areas with perceived hazards.

The AG: Greenbelt and AF: Agriculture and Forestry zones are consistent with the OCP designations, and the realignment of the zoning boundary will more closely follow the land use designation split.

No land use changes are being proposed with this application and the property will remain consistent with the OCP. Administration is supportive of this application as the property will be consistent with the Rural Resource and Neighbourhood Residential OCP designations.

Growth Management

The subject property is designated as Rural Resource and Future Urban in Schedule B-4: Growth Management of the Official Community Plan. The Rural Resource designation is intended to provide areas for agriculture, forestry and resource extraction uses, as well as encompass environmentally sensitive areas or areas subject to a natural hazard. The Future Urban designation is intended for the gradual expansion of the Urban Area, subject to development phasing and servicing availability. Policy 8.1.16 encourages the continued rural use of these areas.

The AG: Greenbelt and AF: Agriculture and Forestry zones continue to be consistent with the OCP Growth Management designations to encourage continued rural uses on the subject property. Therefore, Administration is supportive of this application.

Zoning Bylaw

The subject property is partially zoned as AG: Greenbelt, which is intended to preserve sensitive lands in a natural state, including lands containing steep slopes. Additionally, the subject property is partially zoned as AF: Agriculture & Forestry, which is intended to conserve and manage agricultural and forestry land, with limited rural residential development.

The AG: Greenbelt zoning of the subject property is present on the western portion of the lot, which contains significant slopes (slopes with a grade greater than 20%) and may be subject to a landslide hazard. However, the current zoning boundaries for the AG: Greenbelt and AF: Agriculture & Forestry zones do not accurately reflect the topography of the site. As shown in Appendix 'A' to Bylaw 9105, the property owner would like to adjust the zoning boundary to align with the recommendations of the Geotechnical Assessment prepared by GeoNorth Engineering Ltd. dated January 29, 2020 to better reflect site conditions and differentiate between areas suitable for development and natural hazard areas.

In addition, the Home Business Overlay (HBO) currently follows the existing AF: Agriculture & Forestry zoning boundary. The applicant would like to adjust the HBO on the subject property to follow the proposed new zoning boundary for the AF: Agriculture & Forestry zone, as shown on Appendix 'B' to Bylaw 9105. The HBO layer permits the Home Business 3 use, which is intended to facilitate Home Businesses on larger rural residential properties. The Home Business 3 use is already permitted on the subject property. Adjusting the HBO boundary will allow the property owner more flexibility as to where the Home Business 3 uses may be placed within the site.

This application is not changing the permitted uses on the property; rather it is changing the alignment of the existing zoning boundary and extent of the existing HBO layer. Therefore, Administration is supportive of this application.

OTHER CONSIDERATIONS:

Referrals

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

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 (Policy 6.4.58). The OCP also recommends that the property owner register a Section 219 Covenant on title of properties that contain significant slopes (Policy 6.4.50). The applicant has provided a Geotechnical Assessment prepared by GeoNorth Engineering Ltd. and dated January 29, 2020 which identifies the appropriate boundary for the AG: Greenbelt and AF: Agriculture & Forestry zones, as shown in Appendix 'A' to Bylaw 9105.

Administration recommends that Final Reading of Bylaw No. 9105 be withheld until Section 219 Covenant restricting development within 10 meters of the toe of slope as identified in the Geotechnical Assessment prepared by GeoNorth Engineering Ltd. dated January 29, 2020 has been registered on the legal title of the subject property.

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 No. 9105, 2020 be approved.

SUMMARY AND CONCLUSION:

The applicant would like to amend City of Prince George Zoning Bylaw 7850, 2007 for the subject property to adjust the zoning boundaries to better reflect the topography of the site and to expand the Home Business Overlay (HBO) over the area proposed to be zoned AF: Agriculture & Forestry. The proposed AG: Greenbelt and AF: Agriculture & Forestry zoning boundary has been informed by a Geotechnical Assessment prepared by GeoNorth Engineering Ltd. dated January 29, 2020.

Administration supports this application for the reasons outlined in this report.

RESPECTFULLY SUBMITTED:

Ian Wells, General Manager of Planning and Development

PREPARED BY: Tristin Deveau, Planner

APPROVED:

Kathleen Soltis, City Manager

Meeting Date: 2020/03/09