

# STAFF REPORT TO COUNCIL

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**DATE:** March 3, 2020

**TO:** MAYOR AND COUNCIL

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

**SUBJECT:** Temporary Use Permit Application No. TU000058  
Applicant: Cosmin Balaj for JTNL Properties Inc., Inc. No. BC1176924  
Location: 1434 Old Cariboo Highway

**ATTACHMENT(S):** Location and Existing Zoning Map  
Temporary User Permit No. TU000058

## RECOMMENDATION(S):

That Council APPROVES Temporary Use Permit No. TU000058 for the property legally described as Lot B, District Lot 632, Cariboo District Plan PGP48073.

## PURPOSE:

The applicant has applied for a Temporary Use Permit to allow an office use on the subject property located at 1434 Old Cariboo Highway. The proposed office use will use approximately a 700 m<sup>2</sup> area of the existing building and will be in place for three (3) years.

## Background

### Site Characteristics

Location	1434 Old Cariboo Highway
Current Use	Light Industrial
Site Area	46 ha
Zoning	M1: Light Industrial
Servicing	Available

### Official Community Plan

Future Land Use	Business District Light Industrial
Growth Management	Infill

### Surrounding Land Use Table

North	Highway 16 East
South	Rural Residential; and Vacant Lands
East	Rural Residential; and Vacant Lands
West	Old Cariboo Highway; and Prince George Airport Authority

## **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 three years, and may only be renewed once for an additional three 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 office use.

### **Zoning Bylaw**

The subject property is currently zoned M1: Light Industrial. The intent of the M1 zone is to provide for a mix of business and light industrial uses. The applicant has applied for a TUP to allow office use on the subject property located at 1434 Old Cariboo Highway.

### **Official Community Plan**

The subject property is designated Business District Light Industrial as per Schedule B-6: Future Land Use of the Official Community Plan (OCP). The Business District Light Industrial designation is intended to accommodate light industrial uses which have low noise and air emissions based on Provincial Offsetting Guidelines.

The issuance of TUPs can be considered in all OCP designations. Section 9.2 of the OCP outlines a number of considerations to avoid conflicts between different types of uses when considering a TUP.

### Temporary Nature of Use

The applicant has applied for a TUP to allow an office use on the subject property for three years. As per the *Local Government Act*, TUPs may only be issued for a maximum of three years, and may be renewed once for an additional three years. Following the expiration of the proposed TUP, the applicant must apply for an OCP and Zoning Bylaw amendment; cease the use; or relocate to a property that supports office as a principal land use.

### Compatibility of Adjacent Uses

The subject property is located in the North Blackburn area and is adjacent to rural residential uses and the Prince George Airport Authority. The subject property has previously been developed under the M1 zoning regulations for auction, major (former Ritchie Bros. Auctioneers). The subject property is currently being used for a number of light industrial businesses (*i.e., fleet service and equipment, major*). The proposed office use is considered minor in comparison to the ongoing light industrial uses on the subject property. As such, the proposed office use may be considered subordinate to the primary M1 uses.

### Impact on Natural Environment

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

### Intensity of Proposed Use

As the subject property accommodates a number of light industrial uses, land use impacts of the proposed office are considered minor in comparison to the uses permitted within the M1 zone.

### Inability to Conduct Proposed Use Elsewhere

The applicant has actively been looking for an alternate location with the appropriate zoning for an office use. The applicant intends to find a property where they can operate on a permanent basis.

As the applicant is proposing to operate on a temporary basis and there is no anticipated land use impacts, Administration is recommending this application be approved.

**OTHER CONSIDERATIONS:**

**Referrals**

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

**Notification to Adjacent Property Owners**

As per the requirements set out in the *Local Government Act*, the City of Prince George will mail or otherwise deliver a notice to adjacent property owners and tenants whose interests may be affected by this temporary use.

**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 Permit No. TU000058 be approved.

**SUMMARY AND CONCLUSION:**

Administration recommends that Council approve the applicant's request for a TUP allowing an office use on subject property located at 1434 Old Cariboo Highway.

**RESPECTFULLY SUBMITTED:**

Ian Wells, General Manager of Planning and Development

**PREPARED BY:** Kali Holahan, Planner

**APPROVED:**

Kathleen Soltis, City Manager

Meeting Date: 2020/03/23