

**DATE:** April 13, 2020

**TO:** MAYOR AND COUNCIL

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

**SUBJECT:** Amendment to City of Prince George Zoning Bylaw No. 7850, 2007  
(Bylaw No. 9110)

Applicant: City of Prince George

**ATTACHMENT(S):** Exhibit "A" to RZ100658

**RECOMMENDATION(S):**

THAT Council:

1. GIVES First and Second Reading to "City of Prince George Zoning Bylaw No. 7850, 2007, Amendment Bylaw No. 9110, 2020"; and
2. WAIVES the requirements for a public hearing for proposed "City of Prince George Zoning Bylaw No. 7850, 2007, Amendment Bylaw No. 9110, 2020", pursuant to Section 464(2) of the *Local Government Act*.

**PURPOSE:**

Administration is initiating several text amendments to City of Prince George Zoning Bylaw No. 7850, 2007 (hereinafter referred to as the Zoning Bylaw), as shown on Exhibit "A". The proposed text amendments will provide consistency and clarity to the interpretation of the Zoning Bylaw.

**POLICY / REGULATORY ANALYSIS:**

**Zoning Bylaw**

Administration has reviewed the Zoning Bylaw and identified areas requiring updates for consistency and clarity of interpretation, as shown on Exhibit "A". In general, the proposed changes involve the following sections.

Section 2.3 Definitions

During a review of the Zoning Bylaw, a number of definitions in Section 2.3 have been identified for amendments. These amendments are in response to numbering updates that have occurred to the *Local Government Act* and terminology updates. The proposed amendments will improve the clarity of the Zoning Bylaw, as described on Exhibit "A" to RZ100658.

### Section 3.1 Right of Entry

A minor amendment is proposed for Section 3.1 to more accurately reflect updates that have occurred to City of Prince George Bylaw Notice Enforcement Bylaw No. 8813, 2016. The proposed amendment is described on Exhibit "A" to RZ100658.

### Section 4.6 Subdivision

A minor amendment is proposed for Section 4.6 to improve the clarity and interpretation of the subdivision regulations within the Zoning Bylaw, as described on Exhibit "A" to RZ100658.

### Section 11 Commercial Zones

On October 15, 2018, City Council adopted Amendment Bylaw No. 8974, which added Retail, Cannabis to four commercial zones: C1c, C2c, C4c and C6c. A minor amendment is proposed to further clarify the interpretation of zones which permit Retail, Cannabis.

### **OTHER CONSIDERATIONS:**

#### **Council Procedures during COVID-19**

As a result of the COVID-19 pandemic and Ministerial Order No. M083 issued under the Emergency Program Act, City Council at their meeting held April 6, 2020 passed a resolution to waive public hearings for rezoning applications as described below. This decision is effective for the period that Ministerial Order No. M083 applies.

Legislation specifies that a local government may waive the holding of a public hearing on a proposed zoning bylaw if an official community plan is in effect for the area that is subject to the zoning bylaw and the bylaw is consistent with the official community plan. Further, Council resolved that in addition to the legislative requirements above, in order for Administration to recommend that Council waive a public hearing, the following criteria must also be met:

- a. approval of the rezoning application is supported by Staff; and
- b. a determination that the public hearing on the application is not expected to generate significant public input.

Notice of City Council's decision to waive the public hearing and the opportunity to provide written comments, will be published in accordance with legislative requirements. Written submissions received in response to the public notice for this application will be provided to Council for their consideration at the time third reading of the bylaw is proposed to be 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 Council's consideration during deliberations on the application.

Subject to Council's approval of first and second reading of Bylaw No. 9110, 2020, third reading and adoption of the proposed bylaw may be considered at the next regularly scheduled council meeting.

#### **Public Hearings**

Pursuant to Section 464(2) of the *Local Government Act*, Administration recommends that Council waive the requirement for a public hearing in relation to proposed Bylaw No. 9110, 2020, as the application is consistent with the City's Official Community Plan, approval of the rezoning application is supported by Staff; and a public hearing on the application is not expected to generate significant public input.

**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. 9110, 2020 be approved.

**SUMMARY AND CONCLUSION:**

Administration recommends that Council approve the proposed text amendments to provide consistency and clarity to the interpretation of the Zoning Bylaw.

**RESPECTFULLY SUBMITTED:**

Ian Wells, General Manager of Planning and Development

**PREPARED BY:** Kali Holahan, Planner

**APPROVED:**

Kathleen Soltis, City Manager

Meeting Date: 2020/04/27