

STAFF REPORT TO COUNCIL

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DATE: June 15, 2020

TO: MAYOR AND COUNCIL

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

SUBJECT: Land Use Contract Discharge Application No. LU000045 (Bylaw No. 9130)

Applicant: 1065297 BC Ltd., for Northern Breeze Inn Ltd., Inc. No. BC1076790
Location: 160 Quebec Street

ATTACHMENT(S): Location and Existing Zoning Map
Appendix "A" to Bylaw No. 9130
Land Use Contract Bylaw No. 2400, 1972 (Land Title Office Document No. G12975)

RECOMMENDATION(S):

That Council GIVES FIRST and SECOND READINGS to "Authorization Issuance Land Use Contract No. LU 3-72, Bylaw No. 2400, 1972, Discharge Bylaw No. 9130, 2020" to discharge the Land Use Contract registered in the Land Title and Survey Authority under document number G12975, from the legal title of Lot 20, Block 21, District Lot 343, Cariboo District, Plan 1268 and Lot C (106366M), District Lot 343, Cariboo District, Plan 12766, as shown on Appendix "A" to Bylaw No. 9130, 2020.

PURPOSE:

The applicant has applied to discharge Land Use Contract Bylaw No. 2400, 1972 (Land Title Office Document No. G12975) from the subject property located at 160 Quebec Street, as shown on Appendix "A" to Bylaw No. 9130.

Land use contracts were created in BC throughout the 1970's as a form of site specific land use regulation. City Council adopted Bylaw No. 2400, 1972 (Land Title Office Document No. G12975) in April 1972, to restrict land use on the subject property to "Hotel" and "Steam Bath" only, as described within Bylaw No. 2400, 1972 (Land Title Office Document No. G12975). The applicant has applied to discharge the land use contract thereby allowing the subject property to be regulated under City of Prince George Zoning Bylaw No. 7850, 2007.

Site Characteristics

Location	160 Quebec Street
Legal Description	Lot 20, Block 21, District Lot 343, Cariboo District, Plan 1268; and Lot C (106366M), District Lot 343, Cariboo District, Plan 12766
Site Area	1,152 m ² (0.28 acres)
Future Land Use	Downtown
Growth Management Class	Growth Priority
Servicing	City services available

Zoning (see Appendix "A" to Bylaw No. 9130)

Current Use	Housing, Apartment
Current Zoning	C1: Downtown

Land Use Contract	Bylaw No. 2400, 1972 (Land Title Office Document No. G12975)
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Surrounding Land Use Table

North	Northern John Howard Society of BC; PG Native Friendship Centre
South	Laneway; Immigrant & Multicultural Services Society
East	Laneway; Martial Arts Academy; PG Plastics
West	Quebec Street; Axis Family Resources

POLICY / REGULATORY ANALYSIS:

Official Community Plan

Future Land Use

The subject property is designated as Downtown in Schedule B-6: Future Land Use of the Official Community Plan (OCP). Downtown is intended to function as the civic and cultural centre of Prince George, containing key cultural, civic and recreational amenities, offices, shopping, and residential housing. The downtown designation encourages a high-density core with mixed-use commercial services (i.e., high-density residential, commercial, entertainment, government and administrative uses) (Policy 5.1.7, 8.3.18 and 8.3.19).

Administration supports this application, as it is consistent with the policy direction for the Downtown designation of the OCP for a high-density core.

Growth Management

The subject property is designated as Growth Priority in Schedule B-4: Growth Management of the OCP. The Growth Priority designation encourages infill and redevelopment (Policy 8.1.1). Administration supports removing the land use contract in order to align the permitted uses with uses permitted in the Downtown.

Administration supports this application, as it is consistent with the Future Land Use and Growth Management OCP policy direction for growth priority development.

Zoning Bylaw

The subject property is currently zoned C1: Downtown, as per City of Prince George Zoning Bylaw No. 7850, 2007, as amended and replaced. The C1 zone is intended to provide for a mix of uses within the central business area of the city.

Land Use Contract Bylaw No. 2400, 1972, currently restricts land use on the subject property to “Hotel” and “Steam Bath” only. This terminology is outdated and limits the uses that can occur on the property. Administration supports the applicant’s proposal to remove the land use contract to allow for the uses of the C1 zone to prevail.

Administration supports this application, as it is consistent with the OCP.

Land Use Contracts

Land use contracts were created in BC throughout the 1970’s as a form of site specific land use regulation between local governments and landowners. The terms and conditions of land use contracts may impact the land uses permitted. The presence of a land use contract on a property title requires that any regulations within the contract take precedent over local government land use regulations on that land.

Pursuant to Section 546 of the *Local Government Act*, a land use contract that is registered in a land title office may be amended (modified, varied or discharged), with the agreement of the local government, and the owner of any parcel that is described in the bylaw as being covered by the amendment. As per Section 547 of the *Local Government Act*, all land use contracts will be terminated as of June 30, 2024, unless discharged prior to June 30, 2022.

OTHER CONSIDERATIONS:

Referrals

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

Ministry of Transportation and Infrastructure

As per Section 52 of the *Transportation Act*, Bylaw No. 9130 requires Ministry of Transportation and Infrastructure's approval prior to Final Reading.

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. 9130, 2020 be approved.

SUMMARY AND CONCLUSION:

The applicant has applied to discharge the land use contract from the subject property in order to allow the subject property to be regulated as per the City's Zoning Bylaw.

Administration recommends that Council approve the proposed land use contract discharge for the reasons outlined in this report.

RESPECTFULLY SUBMITTED:

Ian Wells, General Manager of Planning and Development

PREPARED BY: Kali Holahan, Planner

APPROVED:

Ian Wells, Acting City Manager

Meeting Date: 2020/06/29