

# STAFF REPORT TO COUNCIL

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**DATE:** February 12, 2020

**TO:** MAYOR AND COUNCIL

**NAME AND TITLE:** Deanna Wasnik, Acting General Manager of Planning and Development

**SUBJECT:** Official Community Plan Amendment Application No. CP100156 (Bylaw No. 9082) and Rezoning Amendment Application No. RZ100638 (Bylaw No. 9083)

Applicant: M'akola Development Services for Aboriginal Housing Society of Prince George, Inc. No. 19321  
Location: 1919 17<sup>th</sup> Avenue

**ATTACHMENT(S):** Location and Existing Zoning Map  
Appendix "A" to Bylaw No. 9082  
Appendix "A" to Bylaw No. 9083  
Exhibit "A" to CP100156  
Exhibit "A" to Bylaw No. 9083  
Supporting Document(s)

## RECOMMENDATION(S):

THAT Council:

1. GIVES First Reading to "City of Prince George Official Community Plan Bylaw No. 8383, 2011, Amendment Bylaw No. 9082, 2019."
2. CONSIDERS "City of Prince George Official Community Plan Bylaw No. 8383, 2011, Amendment Bylaw No. 9082, 2019", in conjunction with the current Financial Plan and confirm there are no issues.
3. CONSIDERS "City of Prince George Official Community Plan Bylaw No. 8383, 2011, Amendment Bylaw No. 9082, 2019", in conjunction with the current Regional District of Fraser Fort-George Solid Waste Management Plan and confirm there are no issues.
4. CONSIDERS "City of Prince George Official Community Plan Bylaw No. 8383, 2011, Amendment Bylaw No. 9082, 2019", in conjunction with the City of Prince George Strategic Framework for a Sustainable Prince George and confirm there are no issues.
5. GIVES Second Reading to "City of Prince George Official Community Plan Bylaw No. 8383, 2011, Amendment Bylaw No. 9082, 2019."
6. APPROVES the following public consultation process to fulfill the requirements of Section 475 of the *Local Government Act*:
  - a. Two Citywide Newspaper advertisements requesting written comment; and
  - b. Request for written comment from properties identified on Exhibit "A" to CP100156.

7. GIVES First Two Readings to “City of Prince George Zoning Bylaw No. 7850, 2007, Amendment Bylaw No. 9083, 2019”.
8. PERMITS the Public Hearing for proposed Bylaw No. 9082 and 9083, 2019 BE WITHHELD until the following requirements have been met to the satisfaction of Administration:
  - a. Receipt of a Public Consultation Summary;
  - b. Receipt of a Traffic Impact Study; and
  - c. Receipt of a Servicing Brief.
9. PERMITS that consideration of Final Reading for proposed Bylaw No. 9082 and 9083, 2019 BE WITHHELD until the following requirements have been met to the satisfaction of Administration:
  - a. Registration of a Section 219 Covenant on the legal title of Lot 6, District Lot 343, Cariboo District, Plan 18815 that restricts density and height.

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

#### **PURPOSE:**

The applicant is proposing to amend the Official Community Plan (OCP) and Zoning Bylaw to facilitate a mixed-use housing development on the subject property. In order to facilitate the proposed land use, the applicant has applied to amend the OCP from Neighbourhood Centre Residential, Neighbourhood Corridor and Community Facility to Neighbourhood Centre Corridor and Neighbourhood Centre Residential. This application also includes rezoning the subject property from RM5: Multiple Residential, RM3: Multiple Residential and P2: Minor Institutional to RM5: Multiple Residential and C3: Neighbourhood Commercial. The applicant has also applied for a site-specific text amendment to allow “Exhibition and Convention” within the proposed C3 zone and “Retail, General” as a secondary use within RM5.

#### Site Characteristics

Location	1919 17 <sup>th</sup> Avenue
Legal Description	Lot 6, District Lot 343, Cariboo District, Plan 18815
Current Use	Existing Building (Office, Exhibition and Convention Facility, and Restaurant permitted under Temporary Use Permit No. TU000038 and TU000040); and Vacant Land
Site Area	2.79 ha (6.9 acres)
Growth Management Class	Infill and Growth Priority
Servicing	City services available

#### Official Community Plan (see Appendix “A” to Bylaw No. 9082, 2019)

Current Future Land Use	Neighbourhood Centre Residential; Community Facility; and Neighbourhood Corridor
Proposed Future Land Use	Neighbourhood Corridor and Neighbourhood Residential Corridor

#### Zoning (see Appendix “A” to Bylaw No. 9083, 2019)

Current Zoning	RM5: Multiple Residential; RM3: Multiple Residential; and P2: Minor Institutional.
Proposed Zoning	RM5: Multiple Residential; and C3: Neighbourhood Commercial

#### Surrounding Land Use Table

North	17 <sup>th</sup> Avenue; Multiple Residential
South	Bowser Avenue; Residential; Vehicle Sales
East	Laneway; Residential
West	Laneway; Multiple Residential; Yew Street; Winnipeg Street

#### Relevant Applications

Rezoning Application No. RZ100545: On April 24, 2017, Council adopted Amendment Bylaw No. 8809, which rezoned approximately 0.5 ha of the subject property from P2: Minor Institutional to RM3: Multiple Residential; and approximately 1.1 ha from P2: Minor Institutional to RM5: Multiple Residential.

Temporary Use Permit No. TU000038: On July 30, 2018, Council approved a temporary use permit to allow an Office use for two (2) years on the P2: Minor Institutional portion of the subject property. Temporary Use Permit No. TU000038 expires on July 30, 2020.

Temporary Use Permit No. TU000040: On February 25, 2019, Council approved a temporary use permit to allow an Exhibition & Convention Facility, Restaurant and Retail General for approximately 1.5 years on the P2: Minor Institutional portion of the subject property. Temporary Use Permit No. TU000040 expires on July 30, 2020.

#### **POLICY / REGULATORY ANALYSIS:**

##### **Intent of the Official Community Plan**

As identified in Section 1.2 of the OCP (Intent, Application, and Interpretation), the *Local Government Act* directs that all bylaws enacted or works undertaken by Council after adoption of the OCP must be consistent. However, an OCP is not intended to be a static document, and should adapt to new trends within society and respond to changing circumstances. As such, following appropriate public consultation and careful consideration by Council, policies and land use designations in an OCP may be revised by an amending bylaw pursuant to provisions outlined within the *Local Government Act*.

##### **Official Community Plan**

###### Future Land Use

The subject property is designated as Neighbourhood Centre Residential, Neighbourhood Corridor and Community Facility in Schedule B-6: Future Land Use of the OCP. Neighbourhood Centres are intended to provide local shops, services and similar amenities with new housing in a mixed-use context. Neighbourhood Corridor is intended to function as mixed-use shopping streets. Areas behind these shopping streets are intended to be primarily residential, although they may contain parks, schools, and similar uses. The Community Facility designation is intended to provide major public and private institutional and associated community facilities.

The applicant is proposing to re-designate a portion of the subject property along 17th Avenue from Neighbourhood Centre Residential, Neighbourhood Corridor and Community Facility to Neighbourhood Centre Corridor and the remainder of the subject property to Neighbourhood Centre Residential. The intent of the Neighbourhood Centre Corridor designation is to increase the mix of uses; support mixed-income and accessible housing opportunities; and support public transportation and walkable communities. The Neighbourhood Centre Corridor designation encourages infill and redevelopment of vacant and underutilized sites (Policy 8.3.45). The intent of the Neighbourhood Centre Residential designation is to provide a variety of housing types, and does not permit non-residential uses beyond arterial and collector streets.

The proposed OCP amendments will facilitate a mixed-use housing development. The subject property is currently vacant and underutilized. The proposed mixed-use development will complement the surrounding commercial, recreational and institutional uses in the area. This mix of land uses will intensify the vacant and underutilized site while providing residential uses adjacent to walkable amenities, such as public transit and shopping (Policy 8.3.31). The proposed development has the opportunity to incorporate great streets design principles through the siting of commercial and mixed-use buildings (OCP Policy 13.2.33).

The proposed OCP amendments will better align OCP policy with the proposed residential density and mixed-use development, as shown on Appendix “A” to Bylaw No. 9082. Administration supports this application, as the proposed mixed-use housing development will complement the surrounding area and aligns with the future land use policy direction of the OCP.

#### Growth Management

The subject property is identified as Growth Priority and Infill, as per Schedule B-4: Growth Management Class of the OCP. The intent of this designation is to prioritize infill development and encourage utilization of vacant sites (Policy 8.1.1). OCP Policy encourages mixed use development within Neighbourhood Centres and along major streets (Policy 8.1.3).

The proposed mixed-use housing development will develop 2.79 ha of vacant, underused land. Administration supports this application, as it is consistent with OCP Policy direction for Growth Management to encourage infill of existing vacant and underused sites.

#### **Development Permit Areas**

Section 488 of the *Local Government Act* gives municipalities the authority to designate development permit areas for specific purposes including the establishment of objectives for the form and character of development and protection of development from hazardous conditions. Once a development permit area has been designated, a development permit must be obtained prior to development.

#### Form and Character Development Permit

Should this application be approved, the proposed development will be designated within a Multiple Residential, and Commercial Form and Character Development Permit Area. The Multiple Residential Form and Character Development Permit Area is intended to diversify housing stock options that provide for an appropriate level of design and site layout compatible with and complementary to adjacent uses; considers the human-scale; and provides the City with the ability to tailor new multiple residential developments to local site conditions (Policy 8.2.10). The Commercial Form and Character Development Permit Area is intended to foster improved building design; provide an opportunity for human-scale considerations; and provide an appropriate degree of landscaping with special attention to the human-scale, streetscape, and adjacent non-commercial uses.

Through the development permit process, the City will evaluate the proposed development by location; lot size; site access; volume of site usage and traffic; parking; landscaping and screening; development size, massing and quality of design (OCP Policy 8.3.7).

#### Flood Hazard Development Permit

A portion of the subject property is identified on Schedule D-4: Flood Hazard Development Permit Areas as it is located within the 200-year floodplain. The Flood Hazard Development Permit Area is intended to promote settlement patterns that minimize the risk associated with hazardous conditions to minimize loss of use, and property damage by regulating development on lands subject to hazardous conditions.

Through the development permit process, the City will evaluate the proposed development for conformity with the Flood Plain Regulation Bylaw No. 8285, 2010.

#### **Zoning Bylaw**

The applicant is proposing to rezone the subject property from RM5: Multiple Residential, RM3: Multiple Residential and P2: Minor Institutional to RM5: Multiple Residential and C3: Neighbourhood Commercial to facilitate a mixed-use housing development, as shown on Appendix “A” to Bylaw No. 9083. The RM5 zone is intended to provide multiple residential housing with a maximum density of 125 dwellings per hectare. The RM3 zone is intended to provide multiple residential housing with a maximum density of 60 dwellings per hectare. The P2 zone is intended to provide education and recreational uses. The proposed C3 zone is intended to provide for neighbourhood commercial areas and complementary residential uses.

The proposed C3 zone will facilitate “Office” use which is currently permitted under Temporary Use Permit No. TU000038, which expires on July 30, 2020. The applicant is also proposing a site-specific text amendment to allow “Exhibition and Convention” within the proposed C3 zone and “Retail, General” as a secondary use in the RM5 zone. The proposed “Exhibition and Convention” and “Retail, General” uses are currently permitted under

Temporary Use Permit No. TU000040, which expires on July 30, 2020. The applicant would like to permanently allow “Exhibition & Convention” to facilitate banquets and events within the proposed C3 zone, and allow “Retail, General” as a secondary use in the RM5 zone, as described on Exhibit “A” to Bylaw No. 9083.

At this time, approximately 60% of the subject property is zoned multiple residential. The proposed rezoning will realign the existing RM5 zone boundary fronting Bowser Avenue and increase the percent of multiple residential lands by approximately 10%. The proposed realignment of the RM5 zone will improve mixed-use development opportunities along 17<sup>th</sup> Avenue, incorporating retail and service commercial uses at grade with residential above (OCP Policy 8.3.34). The remaining 30% of lands on the subject property are proposed to be zoned C3.

In order to minimize potential impacts of the increased multiple residential lands, the applicant has offered to register a Section 219 Covenant on title of the subject property to agree to low-rise development immediately adjacent to Bowser Avenue. The proposed covenant will restrict the number of dwellings to 60 dwellings/hectare and 12 m in height, consistent with the existing RM3 zone for the lands immediately adjacent to Bowser Avenue. The proposed covenant will ensure the development provides a transition in density and height to maintain human scale and neighbourhood character along Bowser Avenue (OCP Policy 8.2.6 and 8.3.33). The intent is to foster development density and massing that gradually transitions in scale and use towards 17<sup>th</sup> Avenue. The proposed development will complement existing residential neighbourhood to the south, east and west.

Preliminary designs of the proposed development (see supporting documents) allow for appropriate setbacks from the adjacent neighbourhoods and roadways to effectively buffer residents from traffic noise and visual impacts (OCP Policy 8.3.38). There is a range of multiple residential developments in the area (RM3, RM4, RM6). The subject property is also in close proximity to a number of recreational, institutional and daily needs amenities. The proposed development will be approximately 250 m from Parkwood Place Mall, approximately 150 m from Powerhouse Plaza, and approximately 350 m from the Victoria Medical Building. A transit stop is located along 17<sup>th</sup> Avenue, adjacent to the subject property and a transit exchange is within walking distance (approximately 250 m). The subject property is also located adjacent to a number of road networks to dissipate potential traffic increases (i.e., 17<sup>th</sup> Avenue, Winnipeg Street, Bowser Avenue, and two laneways located to the east and west).

The City’s Bylaw Services Division has not received any complaints related to the Temporary Use Permits allowing Office, Restaurant, Retail General or Exhibition & Convention uses occurring on the subject property.

Administration supports this application, as it is consistent with OCP Policy direction for Growth Management to encourage infill of existing vacant and underused sites.

#### **OTHER CONSIDERATIONS:**

##### **Referrals**

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

##### Public Meeting

Administration will consult with persons, organizations, and authorities considered to be affected by the proposed development in accordance with the *Local Government Act*. The applicant is proposing a community meeting in mid-February to be hosted at the subject property. A consultation summary will be provided prior to Public Hearing.

##### Traffic Impact Study

A Traffic Impact Study prepared and sealed by a Professional Engineer registered in the Province of British Columbia is required to assess the access to and from the subject property and adjacent intersections, as well as provide trip generation information for the proposed development.

Administration recommends that Public Hearing of Bylaw No. 9082 and Bylaw No. 9083 be withheld until a Traffic Impact Study has been accepted to the satisfaction of Administration.

### Servicing Brief

A Servicing Brief prepared and sealed by a Professional Engineer registered in the Province of British Columbia is required to address technical issues related to water supply, sanitary sewer collection, and storm drainage design.

Administration recommends that Final Reading of Bylaw No. 9082 and Bylaw No. 9083 be withheld until a Servicing Brief has been prepared and submitted to the satisfaction of Administration.

### Section 219 Covenant

The applicant has taken into consideration potential massing of the proposed development. As such, the applicant has indicated they will register a Section 219 Covenant on title of the subject property to limit density and height on the lands adjacent to Bowser Avenue. This covenant will restrict density to 60 dwellings/hectare and 12 m in height, consistent with the current RM3 zone for the lands adjacent to Bowser Avenue.

Administration recommends that Final Reading of Bylaw No. 9082 and Bylaw No. 9083 be withheld until a Section 219 Covenant restricting density and height, as described above, has been submitted to Administration's satisfaction and is registered on the title of the subject property.

### Ministry of Transportation and Infrastructure

As per Section 52 of the *Transportation Act*, Bylaw No. 9083 requires the Ministry of Transportation and Infrastructure's approval prior to Final Reading.

### **Sequence of Adoption for the Official Community Plan**

Pursuant to the *Local Government Act*, City of Prince George OCP Bylaw No. 8383, 2011 was adopted by considering the Financial Plan, Solid Waste Management Plan and Strategic Framework. Therefore, any amending bylaws to the OCP must also consider these plans.

Section 477 of the *Local Government Act* identifies the adoption procedures for the development, repeal or amendment to the OCP bylaw. This sets in motion the following sequence which identifies the *Local Government Act* requirements and the City's own procedures:

1. After a bylaw has been given first reading the following must occur:
  - a) Consideration of the plan in conjunction with the current [Financial Plan](#);
  - b) Consideration of the plan in conjunction with the current [Regional District Solid Waste Management Plan](#);
  - c) Consideration of any other plan and policies that the local government considers relevant (i.e. [Strategic Framework for a Sustainable Prince George](#));
  - d) Referral to the Agricultural Land Commission if the Plan applies to Agricultural Land Reserve land (*not applicable to these applications*);
  - e) Second Reading;
  - f) Public notice of the Public Hearing; and
  - g) Public Hearing.
2. Third Reading of the bylaw
3. Final Reading and Adoption of the bylaw

The *Local Government Act* requires that each reading of the OCP bylaw must receive an affirmative vote of a majority of all Council members. The adoption procedures found in Section 477 of the *Local Government Act* are required, and should any changes occur to the bylaw, the sequence of steps would be repeated.

**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. 9082, 2019, and 9083, 2019 be approved.

**SUMMARY AND CONCLUSION:**

The applicant has applied to amend the OCP and rezone the subject property to facilitate the development of a mixed-use housing development at 1919 17<sup>th</sup> Avenue. Administration supports this application subject to the conditions outlined in this report.

**RESPECTFULLY SUBMITTED:**

Ian Wells, General Manager of Planning and Development

**PREPARED BY:**

Kali Holahan, Planner

**APPROVED:**

Kathleen Soltis, City Manager

Meeting Date: 2020/02/24

## Report Approval Details

Document Title:	2020 CP100156 RZ100638 Report to Council.docx
Attachments:	<ul style="list-style-type: none"><li>- 2019_CP100156_RZ100638_Location_Map.PDF</li><li>- 2019_CP100156_Appendix_A.pdf</li><li>- 2019_RZ100638_Appendix_A.pdf</li><li>- 2019_CP100156_Exhibit_A.pdf</li><li>- 2020_RZ100638_Exhibit_A_to_BL9083.docx</li><li>- 2020_RZ100638_Supporting_Documents.pdf</li></ul>
Final Approval Date:	Feb 12, 2020

This report and all of its attachments were approved and signed as outlined below:

**Mandy Stanker - Feb 12, 2020 - 2:12 PM**



**Deanna Wasnik - Feb 12, 2020 - 2:17 PM**

**No Signature - Task assigned to Ian Wells was completed by assistant Deanna Wasnik**

**Ian Wells - Feb 12, 2020 - 2:18 PM**



**Kathleen Soltis - Feb 12, 2020 - 5:45 PM**