

**DATE:** July 27, 2020

**TO:** MAYOR AND COUNCIL

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

**SUBJECT:** Rezoning Amendment Application No. RZ100667 (Bylaw No. 9138)

Applicant: M'akola Development Services for Trustees of the Congregation of Trinity United Church, In Trust

Location: 606, 614, 622 Zelkwas Avenue

**ATTACHMENT(S):** Location and Existing Zoning Map  
Appendix "A" to Bylaw No. 9138  
Supporting Document(s)

**RECOMMENDATION(S):**

**THAT Council:**

1. **GIVES** First and Second Reading to "City of Prince George Zoning Bylaw No. 7850, 2007, Amendment Bylaw No. 9138, 2020"; and
2. **WAIVES** the requirements for a public hearing for proposed "City of Prince George Zoning Bylaw No. 7850, 2007, Amendment Bylaw No. 9138, 2020", pursuant to Section 464(2) of the *Local Government Act*.
3. **PERMITS** that consideration of Final Reading of proposed Bylaw No. 9138, 2020 BE WITHHELD until confirmation that Lots 1, 2 and 3, District Lot 937, Cariboo District, Plan 18167 have been consolidated to the satisfaction of Administration.

**PURPOSE:**

The applicant has applied to rezone 606, 614 and 622 Zelkwas Avenue (subject area) from P2: Minor Institutional to RM3: Multiple Residential, as shown on Appendix "A" to Bylaw No. 9138, with a site specific text amendment to allow "Housing, Supportive". The purpose of this application is to facilitate a non-profit, supportive and second stage housing development. The "Housing, Supportive" use will allow increased support within the proposed housing development.

Site Characteristics

Location	606, 614 and 622 Zelkwas Avenue
Legal Description	Lots 1-3, District Lot 937, Cariboo District, Plan 18167
Site Area	0.23 ha (0.57 acres)
Future Land Use	Neighbourhood Centre Residential
Growth Management Class	Growth Priority
Servicing	City Services Available

Zoning (see Appendix “A” to Bylaw No. 9138)

Current Use	Vacant Land
Current Zoning	P2: Minor Institutional
Proposed Zoning	RM3: Multiple Residential

Surrounding Land Use Table

North	Trinity United Church; 5th Avenue
South	Zelkwas Avenue; Residential
East	Union Street; Residential
West	Laneway; Residential

**POLICY / REGULATORY ANALYSIS:**

**Official Community Plan**

Future Land Use

The subject area is designated as Neighbourhood Centre Residential in Schedule B-6: Future Land Use of the Official Community Plan (OCP). The Neighbourhood Centre Residential designation is intended to provide a variety of housing types, and does not permit non-residential uses beyond arterial and collector streets. The subject area is currently vacant and underutilized. The proposed supportive and second stage housing development will complement the surrounding residential, commercial and institutional uses in the area. The OCP encourages infill and redevelopment of existing vacant and underused sites, with an emphasis on enhancing the pedestrian experience (Policy 8.3.31).

The OCP encourages development of a full range of housing types and tenures so that people of all ages, income levels and abilities have housing choices throughout the community (Policy 7.5.9 and 7.5.14). The applicant intends to construct a two to three storey multiple residential building (as per the proposed RM3 development regulations) which is consistent with densities permitted in the Neighbourhood Centre Residential designation (Policy 8.3.42). OCP Policy encourages the use of setbacks, landscaping, and/or terracing where higher density housing forms are adjacent to lower density uses (Policy 8.3.38). Should this application be approved, the proposed development will be evaluated with the Multiple Residential Form and Character Development Permit guidelines.

Administration supports this application as it is consistent with OCP Policy direction for the Neighbourhood Centre Residential designation.

Growth Management

The subject area is identified as Growth Priority, 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 strengthening neighbourhoods within an established area with access to daily amenities, pedestrian connections and transit services (Policy 8.1.3).

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 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).

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).

## **Zoning Bylaw**

The subject area is currently zoned P2 which is intended to provide for education and recreational uses, and religious assemblies. The applicant has applied to rezone the subject area from P2 to RM3, as shown on Appendix "A" to Bylaw No. 9138. The intent of the RM3 zone is to provide for multiple residential housing with a maximum density of 60 dwellings/ha.

The proposed rezoning is intended to facilitate non-profit, supportive and second stage housing. Currently, the RM3 zone does not allow for "Housing, Supportive" as a principal use; therefore, the applicant would like to amend the text of the RM3 zone to add "Housing, Supportive" as a permitted use on the subject property. This site specific text to allow "Housing, Supportive" will permit the applicant to develop a housing facility providing sleeping accommodations including individual or cooperative kitchen facilities for people reintegrating into the community.

In keeping with the surrounding Spruceland neighbourhood, the applicant is proposing to construct a two to three storey multiple residential building as per the proposed RM3 development regulations. There is currently a mix of RS2, RM4 and RT1 zoning in the neighbourhood. The subject area is also in close proximity to a number of recreational and institutional amenities. Furthermore, the proposed development will be located approximately 125 m from Spruceland Shopping Centre, approximately 250 m from the 8<sup>th</sup> Avenue strip mall, approximately 350 m from Tower Plaza, and approximately 400 m from the 892 Central Street strip mall. A transit stop is located along 5th Avenue (north of the subject area) and a transit exchange is within walking distance (approximately 300 m). The subject area is also located adjacent to a number of road networks to dissipate potential traffic increases (i.e., 5th Avenue, Union Street, Zelkwas Avenue, Rainbow Drive, and a laneway located to the west).

As the proposed rezoning is consistent with the policy direction of the OCP, Administration supports this application.

## 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. 9138 requires Ministry of Transportation and Infrastructure's approval prior to Final Reading.

### 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 OCP is in effect for the area that is subject to the zoning bylaw and the bylaw is consistent with the OCP. 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 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 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 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. 9138, 2020, third reading 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. 9138, 2020, as the application is consistent with the City's OCP, 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. 9138, 2020 be approved.

**SUMMARY AND CONCLUSION:**

The applicant is proposing to rezone the subject area from P2 to RM3 with a site specific text amendment to allow “Housing, Supportive” as a principal use. The purpose of this application is to facilitate a non-profit, supportive and second stage housing development on the subject area as per the RM3 development regulations.

Administration recommends that Council approve the proposed rezoning for the reasons 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: 2020/08/17