

STAFF REPORT TO COUNCIL

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DATE: August 31, 2020

TO: MAYOR AND COUNCIL

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

SUBJECT: Rezoning Amendment Application No. RZ100672 (Bylaw No. 9145)

Applicant: Elisabeth Pope for A-Tech Performance Transmissions Ltd.,
Inc. No. BC0679104

Location: 473 3rd Avenue

ATTACHMENT(S): Location and Existing Zoning Map
Appendix "A" to Bylaw No. 9145

RECOMMENDATION(S):

THAT Council:

1. GIVES First and Second Reading to "City of Prince George Zoning Bylaw No. 7850, 2007, Amendment Bylaw No. 9145, 2020"; and
2. WAIVES the requirements for a public hearing for proposed "City of Prince George Zoning Bylaw No. 7850, 2007, Amendment Bylaw No. 9145, 2020", pursuant to Section 464(2) of the *Local Government Act*.

PURPOSE:

The applicant has applied to rezone 473 3rd Avenue (subject property) from M1: Light Industrial to M4: Transition Industrial, as shown on Appendix "A" to Bylaw No. 9145. The purpose of this application is to facilitate a mix of light industrial and office uses on the subject property. The proposed M4 zone provides a mix of light industrial and business uses as a transition between the Queensway East area and downtown.

Site Characteristics

Location	473 3 rd Avenue
Legal Description	Parcel A (Plan 30868), Block 141, District Lot 343, Cariboo District, Plan 1268
Site Area	900 m ²
Future Land Use	Business District, Light Industrial
Growth Management Class	Infill
Servicing	City Services Available

Zoning (see Appendix "A" to Bylaw No. 9145)

Current Use	A-Tech Performance Transmissions Ltd.
Current Zoning	M1: Light Industrial
Proposed Zoning	M4: Transition Industrial

Surrounding Land Use Table

North	3 rd Avenue
South	Laneway; Vacant Land; Warehouse
East	PG Office Equipment Ltd.; London Street
West	Onyx Stones & Custom Cabinets; Kwadacha Nation Administration Office; Kingston Street

POLICY / REGULATORY ANALYSIS:

Official Community Plan

Future Land Use

The subject property is designated as Business District, Light Industrial in Schedule B-6: Future Land Use of the Official Community Plan (OCP). The Light Industrial designation is intended to accommodate light industrial uses having low noise and air emissions based on Provincial Offsetting Guidelines. OCP Policy encourages intensification of all light industrial lands with existing services (Policy 8.3.92). This application will facilitate a mix of light industrial and business uses that have low noise and air emissions (i.e., A-Tech Performance Transmissions Ltd. and Office). Furthermore, OCP Policy encourages office or retail uses in a limiting manner or when ancillary to a principal use (Policy 8.3.96). The proposed office use will be limited as per OCP policy and the proposed M4: Transition Industrial zoning regulations.

Administration supports this application, as it is consistent with OCP Policy direction to intensify light industrial uses with flexible industrial zoning and limited office tenancy sizes.

Growth Management

The subject property is identified as Infill, as per Schedule B-4: Growth Management Class of the OCP. The intent of this designation is to prioritize infill development and encourages mixed use development (Policy 8.1.1 and 8.1.3). The applicant is proposing infill development by encouraging intensification of light industrial and office uses on the subject property.

Administration supports this application, as it is consistent with OCP Policy direction for Growth Management to encourage infill and mixed use development.

Zoning Bylaw

The subject property is currently zoned M1: Light Industrial which is intended to provide for a mix of business and light industrial uses. The applicant has applied to rezone the subject property from M1 to M4: Transition Industrial, as shown on Appendix "A" to Bylaw No. 9145. The intent of the M4 zone is to provide for a mix of business, office and light industrial uses in the Queensway East transition area adjacent to downtown.

The proposed rezoning will facilitate a mix of light industrial and office uses on the subject property. As previously indicated, the applicant would like to continue operating A-Tech Performance Transmissions Ltd., and rent a portion of the building for an office use. Currently, the M1 zone does not allow an office to operate as a principal use; therefore, the applicant has applied to rezone the subject property to M4. The proposed M4 zone will enable a greater mix of principal uses including light industrial and business uses. The light industrial uses in the proposed M4 zone are less intense than the major uses within M1 allowing a lighter industrial area adjacent to downtown.

Further to OCP Policy encouraging office or retail uses in a limiting manner, the proposed M4 zoning regulations limit the maximum total gross leasable floor area of office uses for any site to 1,000 m² and the maximum gross leasable floor area of an office use in one tenancy to 280 m². The proposed rezoning from M1 to M4 will decrease the extent of industrial uses permitted on the subject property while providing a greater mix of light industrial

and business uses. This may reduce potential impacts to adjacent properties and create a transitional area between the predominantly industrial Queensway East area and downtown.

Administration supports this application, as the proposed rezoning is consistent with OCP policy direction to intensify light industrial lands with existing services while encouraging office or retail uses in a limited manner adjacent to the City's downtown core.

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. 9145 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. 9145, 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. 9145, 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. 9145, 2020 be approved.

SUMMARY AND CONCLUSION:

The applicant is proposing to rezone the subject property from M1: Light Industrial to M4: Transition Industrial. This application will facilitate a mix of light industrial and business uses on the subject property (i.e., A-Tech Performance Transmissions Ltd. and Office).

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: 2020/09/14