

STAFF REPORT TO COUNCIL

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DATE: October 23, 2020

TO: MAYOR AND COUNCIL

NAME AND TITLE: Ian Wells, Acting Deputy City Manager

SUBJECT: Official Community Plan Amendment Application No. CP100165 (Bylaw No. 9154) and Rezoning Amendment Application No. RZ100670 (Bylaw No. 9155)

Applicant: L&M Engineering Ltd. for Giuliu Investments Ltd., Inc. No. BC0660654 and Duk Hong Kim and Myung Soon Kim
Location: 9800 Sintich Road and 9912 Sintich Road

ATTACHMENT(S): Location and Existing Zoning Map
Appendix "A" to Bylaw No. 9154
Appendix "A" to Bylaw No. 9155
Exhibit "A" to RZ100670

RECOMMENDATION(S):

THAT Council:

1. GIVES FIRST READING to "City of Prince George Official Community Plan Bylaw No. 8383, 2011, Amendment Bylaw No. 9154, 2020."
2. CONSIDERS "City of Prince George Official Community Plan Bylaw No. 8383, 2011, Amendment Bylaw No. 9154, 2020", 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. 9154, 2020", 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. 9154, 2020", 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. 9154, 2020".
6. APPROVES the following public consultation process to fulfill the requirements of Section 475 of the *Local Government Act*:
 - a. Two (2) Citywide Newspaper advertisements requesting written comment.

7. GIVES FIRST AND SECOND READING to “City of Prince George Zoning Bylaw No. 7850, 2007, Amendment Bylaw No. 9155, 2020”.

PURPOSE:

The purpose of the proposed bylaws is to facilitate a lot line adjustment between 9800 Sintich Road and 9912 Sintich Road (subject properties) as shown on Exhibit “A” to RZ100670. In order to accommodate the proposed lot line adjustment, the Official Community Plan and Zoning Bylaw needs to be amended. The applicant would like to re-designate a 0.15 ha portion of 9800 Sintich Road from Rural Resource to Business District, Service Commercial and a 0.15 ha portion of 9912 Sintich Road from Business District, Service Commercial to Rural Resource as shown on Appendix “A” to Bylaw No. 9154.

In addition to the Official Community Plan amendment, the applicant would like to rezone a 0.15 ha portion of 9800 Sintich Road from RM9: Manufactured Home Park to C6lc: Highway Commercial, and a 0.15 ha portion of 9912 Sintich Road from C6lc: Highway Commercial to RM9: Manufactured Home Park as shown on Appendix “A” to Bylaw No. 9155. The proposed zones would be consistent with the future property boundaries of the subject properties.

Site Characteristics

Location	9800 Sintich Road	9912 Sintich Road
Legal Description	NE ¼ of District Lot 750, Cariboo District, Except Plans 15470, 16630, 18608, 18991, 20076, 23849, PGP36675, PGP42228 and EPP73945	Lot A, District Lot 750, Cariboo District, Plan 23849
Current Use	Undeveloped RM9: Manufactured Home Park property	Highway Commercial uses (Shell Gas Station and Liquor box)
Site Area	14.6 ha (36.0 acres)	2.0 ha (5.0 acres)
Growth Management Class	Rural Resource	Rural Resource

Schedule B-6: Future Land Use- Official Community Plan (see Appendix “A” to Bylaw No.9154)

Location	9800 Sintich Road	9912 Sintich Road
Current Future Land Use	Rural Resource	Business District, Service Commercial
Proposed Future Land Use	Rural Resource (14.45 ha) Business District, Service Commercial (0.15 ha)	Business District, Service Commercial (1.85 ha) Rural Resource (0.15 ha)

Zoning (see Appendix “A” to Bylaw No. 9155)

Location	9800 Sintich Road	9912 Sintich Road
Current Zoning	RM9: Manufactured Home Park (14.6 ha)	C6lc: Highway Commercial (2.0 ha)
Proposed Zoning	RM9: Manufactured Home Park (14.45 ha) C6lc: Highway Commercial (0.15 ha)	C6lc: Highway Commercial (1.85 ha) RM9: Manufactured Home Park(0.15 ha)

Surrounding Land Use Table

Location	9800 Sintich Road	9912 Sintich Road
North	Highway 97 South and AF: Agriculture & Forestry zoned properties	Highway 97 South and AF: Agriculture & Forestry zoned properties

South	Sintich Road; AF: Agricultural & Forestry zoned property and undeveloped RM9 Manufactured Home Park property	Sintich Road; AF: Agricultural & Forestry zoned property and undeveloped RM9 Manufactured Home Park property
East	Regional District of Fraser Fort George	Regional District of Fraser Fort George
West	AF: Agricultural & Forestry zoned properties	Undeveloped RM9: Manufactured Home Park zoned property

Relevant Applications

Rezoning Application No. RZ100572 (Bylaw No. 8942) and Land Use Contract No. LU000044 (Bylaw No. 8943):

The applicant applied for a rezoning of the subject property at 9912 Sintich Road from AF: Agriculture & Forestry and C4: Local Commercial to C6: Highway Commercial. In addition, the application included the discharge of Land Use Contracts (LUC) No. 3034, 1977 and LUC No. 4715, 1986. Council approved the Bylaw No. 8942 and Bylaw No. 8943 on October 7, 2019.

Rezoning Application No. RZ100575 (Bylaw No. 8903) and Land Use Contract No. LU000043 (Bylaw No. 8904):

The applicant applied for a rezoning of the subject property at 9800 Sintich Road from AF: Agriculture & Forestry to RM9: Manufactured Home Park. In addition, the application included the discharge of Land Use Contract (LUC) No. 3034, 1977 that restricted the use on the property to “general retail and grocery sales use of a maximum floor area of 5,000 ft²”. Council Approved Bylaw No. 8903 and Bylaw No. 8904 on May 27, 2019.

Subdivision Application No. SD100593: The applicant has applied for a lot line adjustment between 9800 Sintich Road (Proposed Lot 1) and 9912 Sintich Road (Proposed Lot 2) as shown on Exhibit “A” to RZ100670. This subdivision application will facilitate 0.15 ha portions from each property being transferred to the other. To ensure the zoning boundaries are consistent with the proposed property boundaries the Official Community Plan and Zoning Bylaw are being amended.

POLICY / REGULATORY ANALYSIS:

Official Community Plan No. 8383, 2011

Intent of the Official Community Plan

As identified in Section 1.2 of the Official Community Plan (Intent, Application, and Interpretation): The *Local Government Act* explains that all bylaws enacted or works undertaken by Council after adoption of the Official Community Plan (OCP) must be consistent. An Official Community Plan, however, is not intended to be a static document, but 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 Official Community Plan may be revised by an amending bylaw pursuant to provisions outlined within the *Local Government Act*.

Schedule B-6: Future Land Use

9800 Sintich Road

The subject property is designated as “Rural Resource” as identified in Schedule B-6: Future Land Use of the OCP. This designation includes areas used for agriculture, forestry and resource extraction activities that are important in the long-term health of the regional economy. Through rural designation and policies, the City should provide for development that address a desire for a rural lifestyle (Policy 8.3.111). The OCP also encourages a mix of housing options, and showcasing new housing forms and tenures for residents of the City (Policy 7.5.C. and 7.5.17). In addition to this, the OCP identifies policy, which aims to create a robust and diverse housing stock (Policy 7.5.13). The property owner would like to construct a manufactured home park on the subject property. As indicated above, the OCP supports the inclusion of a mixture of housing forms and tenures to create a robust housing stock.

The 0.15 ha portion of this parcel that is proposed to be added to 9912 Sintich Road needs to be re-designated to “Business District, Service Commercial” to ensure consistency with the commercial zoning and use occurring at 9912 Sintich Road as shown on Appendix “A” to Bylaw no. 9154.

9912 Sintich Road

The subject property at 9912 Sintich Road is designated as “Business District, Service Commercial” as identified in Schedule B-6: Future Land Use of the OCP. This designation is intended to provide an area primarily for the travelling public-orientated commercial uses in highly accessible locations, including tourist-orientated uses and retailers that are accessed primarily by vehicle. The City shall permit continued commercial use of properties whose current zoning as of the adoption of the bylaw is commercial (Policy 8.3.11).

The 0.15 ha portion of this parcel that is proposed to be added to 9800 Sintich Road needs to be re-designated to “Rural Resource” to ensure consistency with the residential zoning and use occurring at 9800 Sintich Road as shown on Appendix “A” to Bylaw No. 9154.

Administration is supportive of the proposed amendments to facilitate a realignment of the property boundaries and ensure consistency with the zoning boundaries.

Schedule B-4: Growth Management Area

The subject properties are both designated as ‘Rural Resource’ in Schedule B-4: Growth Management of the Official Community Plan. This designation includes areas used for agriculture, forestry and resource extraction activities that are important in the long-term health of the regional economy. It also encompasses natural open spaces and environmentally sensitive areas.

The City has recently conducted a servicing upgrade in the area to provide increased capacity. In addition, a Servicing Brief was submitted during the previous Rezoning Applications No. RZ100572 (Bylaw No. 8942) and RZ100575 (Bylaw No. 8903) for the subject properties. The servicing brief was accepted by Administration as a condition of Final Reading of Bylaw No. 8903 and Bylaw no. 8942.

Zoning Bylaw No. 7850, 2007

9800 Sintich Road

The subject property is zoned RM9: Manufactured Home Park, with an intent to regulate manufactured home park uses in a rental or a bare land strata format. The 0.15 ha portion of this parcel that is proposed to be added to 9912 Sintich Road needs to be rezoned to C6Ic: Highway Commercial to ensure consistency with the commercial uses as shown on Appendix “A” to Bylaw No. 9155.

9912 Sintich Road

The subject property is zoned C6Ic: Highway Commercial, with an intent to provide for uses appropriate for some highway locations. The 0.15 ha portion of this parcel that is proposed to be added to 9800 Sintich Road needs to be rezoned to RM9: Manufactured Home Park to ensure consistency with the manufactured home park use, as shown on Appendix “A” to Bylaw No. 9155.

As indicated previously, the rezoning of the parcels is to facilitate a lot line adjustment between the two subject properties. Administration is supportive of the application as the rezoning is minor in nature (i.e. no new uses are being proposed) and the rezoning is to facilitate a land transfer between the subject properties. When the subdivision is completed, the property boundaries will match the zoning boundaries of RM9: Manufactured Home Park and C6Ic: Highway Commercial as shown on Exhibit “A” to RZ100670.

OTHER CONSIDERATIONS:

Referrals

This application was referred to internal City divisions and external agencies for comments. There are no outstanding comments or concerns with this application.

Ministry of Transportation and Infrastructure

As per Section 52 of the *Transportation Act*, Bylaw No. 9155 requires 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 Official Community Plan Bylaw No. 8383, 2011 was adopted by considering the Financial Plan, Solid Waste Management Plan and Strategic Framework. Therefore, any amending bylaws to the Official Community Plan must also consider these plans.

Section 477 of the *Local Government Act* identifies the adoption procedures for the development, repeal or amendment to the Official Community Plan 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.

Statutory Consultation

The Department recommends that Council approve the consultation method outlined in the recommendation section of this Staff Report to Council to provide:

- Two (2) Citywide Newspaper advertisements requesting written comment.

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. 9154, 2020 and Bylaw No. 9155, 2020 be approved.

SUMMARY AND CONCLUSION:

The applicant would like to amend the Official Community Plan as shown on Appendix “A” to Bylaw No. 9154, and rezone as shown on Appendix “A” to Bylaw No. 9155. The rezoning is required to facilitate a subdivision application that will adjust the property lot lines between the subject properties as shown on Exhibit “A” to RZ100670. Administration is supportive of this application based on the rationale provided in this report.

RESPECTFULLY SUBMITTED:

Ian Wells, Acting Deputy City Manager

PREPARED BY: Melissa Nitz, Planner 1

APPROVED:

Walter Babicz, Acting City Manager

Meeting Date: [2020/11/09]