

STAFF REPORT TO COUNCIL

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DATE: January 12, 2021

TO: MAYOR AND COUNCIL

NAME AND TITLE: Ian Wells, Acting Deputy City Manager

SUBJECT: 2021 RZ100693 Staff Report to Council .docx

Applicant: City of Prince George
Location: 805/855 1st Avenue and 190 Ontario Street

ATTACHMENT(S):

- Exhibit "A" to RZ100693
- Bylaw No. 9086, 2019
- Staff Report to Council dated December 5, 2019, titled "OCP Amendment Application No. CP100159 (Bylaw No. 9085, 2019) and Rezoning Application No. RZ100643 (Bylaw No. 9086, 2019)"

RECOMMENDATION(S):

That Council:

1. GIVES First Two Readings to "City of Prince George Zoning Bylaw No. 7850, 2007, Amendment Bylaw No. 9182, 2021";
2. WAIVES the requirements for a public hearing for proposed "Zoning Bylaw No. 7850, 2007, Amendment Bylaw No. 9182, 2021", pursuant to Section 464(2) of the *Local Government Act*.

PURPOSE:

The purpose of this report is to add the Z21: Integrated Health & Housing zone (attached as Exhibit "A") to City of Prince George Zoning Bylaw No. 7850, 2007 ("Zoning Bylaw").

The bylaw that established the Z21: Integrated Health & Housing zone, rezoned certain properties, however, did not include wording to facilitate the addition of the Z21 zone to the Zoning Bylaw. The inclusion of the Z21 zone in the Zoning Bylaw is required, as it outlines the development regulations of the zone. Administration, therefore, recommends Bylaw No. 9182 be approved to add the Z21 zone to the Zoning Bylaw.

BACKGROUND:

Council adopted Official Community Plan No. 8383, 2011, Amendment Bylaw No. 9085, 2019 ("Bylaw No. 9085") and Zoning Bylaw No. 7850, 2007, Amendment Bylaw No. 9086, 2019 ("Bylaw No. 9086") on June 29, 2020. These Bylaws amended the Official Community Plan (OCP) and rezoned 855 1st Avenue and 190 Ontario Street (subject properties) from M1: Light Industrial to Z21: Integrated Health & Housing to facilitate a site specific zone for health services and housing uses.

The Staff Report to Council dated December 5, 2019 outlined the proposal for the OCP Amendment and details related to the site specific Z21: Integrated Health & Housing zone. The report indicates, *“a site specific zone is recommended by Administration on a case-by-case basis when an application (e.g. uses, development regulations) may not ‘fit’ within an existing zone. In this situation, a zone may be created based on a specific site, supported in principal by OCP policy, identifies uses and development regulations. For this application, the proposed Z21 zone is specifically for the subject properties, and is intended to integrate health services with housing uses (see attached Exhibit “A” to RZ100643)”*. Please see attached the Staff Report to Council dated December 5, 2019 for more detailed information regarding the OCP designation and land use adopted under Bylaw No. 9085 and Bylaw No. 9086.

DISCUSSION:

Rezoning Application No. RZ100693, Bylaw No. 9182, 2021

As indicated above the intent of Bylaw No. 9086 was to create, and zone the subject properties, a site specific zone (i.e. Z21: Integrated Health & Housing) to accommodate the intended health services and housing uses.

Although Bylaw No. 9086 zoned the subject properties to Z21: Integrated Health & Housing, it mistakenly did not include wording to add the Z21 zone to the Zoning Bylaw. It is imperative the Z21 zone is included within the Zoning Bylaw, as the development regulations of the zone are included within it. Administration, therefore, proposes Bylaw No. 9182, which will amend the Zoning Bylaw by adding the Z21: Integrated Health & Housing zone, as shown on Exhibit “A” to RZ100693.

Please note, the Z21: Integrated Health & Housing zone that is proposed through Bylaw No. 9182 is the same version previously reviewed by Council through Bylaw No. 9086.

OTHER CONSIDERATIONS:

Ministry of Transportation and Infrastructure

As per Section 52 of the *Transportation Act*, Bylaw No. 9182, 2021 requires the 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 the Ministerial Order that is currently in place 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 the Ministerial Order 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. 9182, 2021, 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. 9159, 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. 9182, 2021 be approved.

SUMMARY AND CONCLUSION:

Administration recommends that Council support the inclusion of the Z21: Integrated Health & Housing zone within the City of Prince George Zoning Bylaw.

RESPECTFULLY SUBMITTED:

Ian Wells, Acting Deputy City Manager

PREPARED BY: Deanna Wasnik, Manager of Development Services

APPROVED:

Walter Babicz, Acting City Manager

Meeting Date: February 8, 2021