

# STAFF REPORT TO COUNCIL

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**DATE:** February 3, 2021

**TO:** MAYOR AND COUNCIL

**NAME AND TITLE:** Ian Wells, Acting Deputy City Manager

**SUBJECT:** Rezoning Amendment Application No. RZ100688 (Bylaw No. 9172)

APPLICANT: Chad Harvey for Teya Contracting Inc., Inc. No. BC1029637  
LOCATION: 443 Melville Avenue

**ATTACHMENT(S):** Location and Existing Zoning Map  
Appendix "A" to Bylaw No. 9172, 2020

## RECOMMENDATION(S):

THAT Council:

1. GIVES FIRST AND SECOND READINGS to "City of Prince George Zoning Bylaw No. 7850, 2007, Amendment Bylaw No. 9172, 2020"; and
2. WAIVES the requirements for a public hearing for proposed "City of Prince George Zoning Bylaw No. 7850, 2007, Amendment Bylaw No. 9172, 2020", pursuant to Section 464(2) of the *Local Government Act*.

## PURPOSE:

The applicant would like to rezone the subject property located at 443 Melville Avenue from RT1: Two-Unit Residential to RS4: Urban Residential to facilitate the construction of a single-detached house.

## Site Characteristics

Location	443 Melville Avenue
Legal Description	Lot 5, Block 61, District Lot 343, Cariboo District, Plan 1268
Current Use	Undeveloped RT1: Two-Unit Residential
Site Area	303 m <sup>2</sup>
Growth Management Class	Infill

## Zoning (see Appendix "A" to Bylaw No. 9172, 2020)

Current Zoning	RT1: Two-Unit Residential
Proposed Zoning	RS4: Urban Residential

### Surrounding Land Use Table

North	Two-Unit Residential
South	Urban Residential
East	Melville Avenue; Urban Residential
West	Lane; Urban Residential

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

#### **Official Community Plan**

##### Future Land Use

The subject property is designated as Neighbourhood Residential in Schedule B-6: Future Land Use of the Official Community Plan. This designation is intended for neighbourhoods that are primarily residential in nature, and typically comprised of small-scale, single family dwellings and similarly sized buildings. The OCP supports incremental infill development within existing neighbourhoods (Policies 8.3.45 and 8.3.48), and encourages a wide range of housing forms with a density less than 22 units per hectare (Policy 8.3.59).

The proposed rezoning will allow for single residential infill development of a scale consistent with the Future Land Use policies in the OCP. As such, Administration supports this application.

##### Growth Management

The subject property is designated as Infill in Schedule B-4: Growth Management of the Official Community Plan. This designation encourages infill development and the redevelopment of underutilized lots with access to existing servicing and infrastructure (Policy 8.1.11).

Administration supports this application, as it is consistent with the Growth Management policies of the OCP to allow for infill development within an established and serviced neighbourhood.

#### **Zoning Bylaw**

The subject property is zoned as RT1: Two-Unit Residential which is intended to provide for housing, primarily with two dwellings. The property owner would like to rezone the subject property to RS4: Urban Residential in order to permit the construction of a single detached house. The RS4: Urban Residential zone is intended to accommodate single detached housing on lots with lane access. The zone also provides for complementary residential related uses that are compatible with the residential character of the area.

The RT1: Two-Unit Residential zone permits two-unit housing and single-detached housing, however, the zone has a maximum residential density of one dwelling per 325 m<sup>2</sup>. The subject property is only 303 m<sup>2</sup>, therefore, the property must be rezoned in order to permit the construction of a single detached house.

The subject property is approximately 9 m wide and 303 m<sup>2</sup>, which meets the minimum lot width (7.5 m) and minimum lot area (225 m<sup>2</sup>) required by the Subdivision Regulations of the RS4: Urban Residential zone. The property has lane access and is directly adjacent to properties zoned RS4: Urban Residential. The development regulations such as maximum height and minimum setbacks are the same for both the RT1 and RS4 zones, and the difference in the maximum site coverage is minimal (RT1 -40% vs. RS4 - 45%).

Administration supports this application as the RT1: Two Unit Residential and RS4: Urban Residential Zoning Regulations are similar, the property has lane access, and there is no expectation that the construction of the

proposed single detached house on the subject property will negatively impact the surrounding properties, or greater neighborhood.

#### **OTHER CONSIDERATIONS:**

##### **Referrals**

This application was referred to internal City divisions and external agencies for comments and there were no concerns.

##### **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. 9172, 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. 9172, 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. 9172, 2020 be approved.

**SUMMARY AND CONCLUSION:**

The applicant would like to rezone the subject property located at 443 Melville Avenue from RT1: Two-Unit Residential to RS4: Urban Residential to facilitate the construction of a single-detached house. Administration supports this application for the reasons outlined in this report.

**RESPECTFULLY SUBMITTED:**

Ian Wells, Acting Deputy City Manager

**PREPARED BY:** Nicole Fraser, Planner

**APPROVED:**

Walter Babicz, Acting City Manager

Meeting Date: 2021/02/22