

STAFF REPORT TO COUNCIL

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DATE: December 15, 2020

TO: MAYOR AND COUNCIL

NAME AND TITLE: Ian Wells, Acting Deputy City Manager

SUBJECT: 2020 CP100162 RZ100657 Report to Council.docx

Applicant: L&M Engineering Ltd. For Kidd Real Estate Holdings Ltd. Inc., BC821509
Location: 4114 Balsum Road

ATTACHMENT(S): Location and Existing Zoning Map
Appendix "A" to Bylaw No. 9115
Appendix "A" to Bylaw No. 9116
Exhibit "A" to CP100162

RECOMMENDATION(S):

THAT Council:

1. GIVES First Reading to "City of Prince George Official Community Plan Bylaw No. 8383, 2011, Amendment Bylaw No. 9115, 2020."
2. CONSIDERS "City of Prince George Official Community Plan Bylaw No. 8383, 2011, Amendment Bylaw No. 9115, 2020", in conjunction with the current Financial Plan and confirms there are no issues.
3. CONSIDERS "City of Prince George Official Community Plan Bylaw No. 8383, 2011, Amendment Bylaw No. 9115, 2020", in conjunction with the current Regional District of Fraser Fort-George Solid Waste Management Plan and confirms there are no issues.
4. CONSIDERS "City of Prince George Official Community Plan Bylaw No. 8383, 2011, Amendment Bylaw No. 9115, 2020", in conjunction with the City of Prince George Strategic Framework for a Sustainable Prince George and confirms there are no issues.
5. GIVES Second Reading to "City of Prince George Official Community Plan Bylaw No. 8383, 2011, Amendment Bylaw No. 9115, 2020".
6. APPROVES the following public consultation process to fulfill the requirements of Section 475 of the *Local Government Act*:
 - a. Two Citywide Newspaper advertisement requesting written comment; and
 - b. Request for written comment from properties identified on Exhibit "A" to CP100162.

RECOMMENDATION(S) CONTINUED:

7. GIVES First and Second Reading to “City of Prince George Zoning Bylaw No. 7850, 2007, Amendment Bylaw No. 9116, 2020”; and
8. PERMITS the Public Hearing for proposed Bylaw No. 9116, 2020 BE WITHHELD until the following requirements have been met to the satisfaction of Administration:
 - a. Receipt of Servicing Brief; and
 - b. Receipt of a Traffic Brief.
9. PERMITS that consideration of Final Reading of proposed Bylaw No. 9116, 2020 BE WITHHELD until the following requirements have been met to the satisfaction of Administration:
 - a. Registration of a Section 219 Covenant on the legal title of Lot A, District Lot 4047, Cariboo District, Plan 23955 that restricts secondary suites in two-unit dwellings; and
 - b. Registration of a Section 219 Covenant on the legal title of Lot A, District Lot 4047, Cariboo District, Plan 23955 that restricts symmetrical façades for two-unit housing.

In addition, any recommendations presented in the preceding items must be addressed to the satisfaction of the General Manager of Planning and Development.

PURPOSE:

The applicant would like to subdivide and construct a mix of single-detached (four lots) and two-unit housing (two lots) at 4114 Balsum Road (subject property). To facilitate a future six-lot subdivision, the applicant has applied to amend the Official Community Plan from Parks and Open Space to Neighbourhood Residential. Further to this, the applicant has also applied to rezone the subject property from P1: Parks and Recreation to RT1: Two Unit Residential, and RS2: Single Residential. Please see Appendix “A” to Bylaw No. 9115 and Bylaw No. 9116 for additional information.

Site Characteristics

Location	4114 Balsum Road
Legal Description	Lot A, District Lot 4047, Cariboo District, Plan 23955
Current Use	Vacant Land
Site Area	0.5 ha
Growth Management Class	Growth Priority and Infill
Servicing	City Water

Official Community Plan (see Appendix “A” to Bylaw No. 9115, 2020)

Current Future Land Use	Parks and Open Space
Proposed Future Land Use	Neighbourhood Residential

Zoning (see Appendix “A” to Bylaw No. 9116, 2020)

Current Zoning	P1: Parks and Recreation
Proposed Zoning	RS2: Single Residential; RT1: Two-Unit Residential

Surrounding Land Use Table

North	Residential uses
South	Residential uses, Balsum Road and Balsum Park (Joe Martin Baseball Field)
East	Religious facility
West	Crown Drive and residential uses

POLICY / REGULATORY ANALYSIS:

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 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*.

Official Community Plan

Future Land Use

The subject property is designated as Parks and Open Space, which has an intent to designate parks and open space locations through the City of Prince George. This designation further breaks down park classifications (e.g. City, District and Neighbourhood Park, and open space designations (e.g. Green Space, Public and Special Purpose areas). The OCP also supports the release of parkland if the role, function and ability of the park or open space does not meet parkland standards (Policy 11.4.21).

The subject property is a privately owned vacant parcel that does not function as park space. It is located north of Balsum Park, which also includes Joe Martin Baseball Field. The amenities of Balsum Park space provides the neighbourhood with adequate recreational opportunities.

The applicant is proposing to re-designate the subject property from Parks and Open Space to Neighbourhood Residential. The Neighbourhood Residential designation is intended to support low-density residential development (22 units/ha) (Policy 8.3.59, and dispersed asymmetrical two-unit housing (8.3.60).

The applicant intends to subdivide the subject property into six (6) lots, and construct single-detached housing that will meet the residential density of 22 units/hectare (four lots). The proposed two-unit housing will also be dispersed (two lots), and designed to reflect asymmetrical (non-mirror image) housing features that is aligned with policy direction of the OCP. Further to this, the proposed designation is consistent with the designation of the existing surrounding neighbourhood.

Administration supports the proposed Neighbourhood Residential designation as it aligns with the policy direction of the OCP for low density residential uses.

Growth Management

The subject property is designated as Infill and Growth Priority in Schedule B-4: Growth Management of the OCP. The intent of the Infill designation is to prioritize infill development and encourage utilization of vacant sites (Policies 8.1.1 and 8.3.31). Properties designated as Growth Priority are intended to be a priority for redevelopment and infill projects (Policy 8.1.2). Growth Management designations allow the City to direct growth in ways that support community goals.

The Official Community Plan indicates that areas designated as Growth Priority should be a priority for upgrades and extensions to networks and services (e.g. pipes, sidewalks, roads etc.). Further, these areas are intended to facilitate redevelopment and infill, create land-use patterns which are supportive of walking, cycling and transit, promote walkable communities, strengthen neighbourhoods, minimize replacement and maintenance of infrastructure, and remove barriers to growth.

The applicant's proposal is considered infill development within an established neighbourhood, and will utilize existing City infrastructure (i.e. water). Therefore, Administration supports the development and utilization of vacant sites in accordance with the OCP.

Zoning Bylaw

As indicated previously, the applicant has applied to rezone the subject property from P1: Parks and Recreation to RS2: Single Residential and RT1: Two-Unit Residential.

The existing P1: Parks and Recreation zone is intended to provide for the preservation and enhancement of open space. The proposed RS2: Single Residential zone is intended to foster an urban lifestyle on properties larger than 500 m². The zone also provides for complementary residential related uses that are compatible with the residential character of the area. In addition to this, this application will also rezone portions of the subject property to RT1: Two-Unit Residential. The RT1 zone has a purpose of providing for housing, primarily in buildings with two dwellings.

The proposed residential development will consist of a mix of single-family and two-unit housing. The proposed zones are compatible with the existing low-density development occurring along Balsum Road and Crown Drive (e.g. RS2m, RS1, RS1m). Additionally, the subject property is bordered by a religious facility (east), residential uses (north and west) and Balsum Park (south). As indicated by the mix of surrounding uses, the proposed zones are consistent within the exiting uses occurring in the neighbourhood. Therefore, Administration does not anticipate any negative land use impacts to result from this infill development (i.e. traffic and servicing).

Due to the rationale provided above and consistency with the OCP, Administration is supportive of the proposed rezoning 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. 9116 requires the Ministry of Transportation and Infrastructure's approval prior to Final Reading.

Servicing Brief

A Servicing Brief prepared and sealed by a Professional Engineer registered in the Province of British Columbia is required. The Servicing Brief will address technical issues related to water supply, sanitary sewer collection, and storm drainage system designs.

Administration recommends that Public Hearing of Bylaw Nos. 9115 and 9116 be withheld until a Servicing Brief has been prepared and submitted to the satisfaction of Administration.

Traffic Impact Analysis

A Traffic Impact Analysis prepared and sealed by a Professional Engineer registered in the Province of British Columbia is required.

Administration recommends that Public Hearing for Bylaw Nos. 9115 and 9116, 2020 be withheld until a Traffic Impact Analysis has been prepared and submitted to the satisfaction of Administration.

Section 219 Covenant

The applicant has indicated that they will register two (2) Section 219 Covenants on title of the subject property prior to Final Reading of Bylaw Nos. 9115 and 9116, 2020. One (1) covenant will ensure the construction of the two-unit residence is asymmetrical and looks like two distinct dwellings (i.e. varying roof lines and using different building materials for the exterior finish), while the other covenant will restrict secondary suites within two unit housing.

Administration recommends that Final Reading for Bylaw Nos. 9115 and 9116, 2020 be withheld until the Section 219 Covenants have been prepared and submitted to the satisfaction of Administration.

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 Citywide Newspaper advertisements requesting written comment; and
- Request for written comment from properties identified on Exhibit “A” to CP100162.

This consultation would occur after First and Second Reading to Bylaw No. 9115 and prior to the Public Hearing.

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 Nos. 9115 and 9116 be approved.

SUMMARY AND CONCLUSION:

The applicant would like to amend the Official Community Plan as shown on Appendix “A” to Bylaw No. 9115, and rezone as shown on Appendix “A” to Bylaw No. 9116 in order to facilitate a residential development at 4114 Balsum Road (i.e. four RS2 and two RT1 lots). Administration is supportive of this application based on the rationale provided in this report.

RESPECTFULLY SUBMITTED:

Ian Wells, General Manager of Planning and Development/
Acting Deputy City Manager

PREPARED BY: Mandy Stanker, Supervisor of Land Use Planning

APPROVED:

Walter Babicz, Acting City Manager

Meeting Date: [2021/01/11]