

DATE: February 18, 2021

TO: MAYOR AND COUNCIL

NAME AND TITLE: Ian Wells, Acting Deputy City Manager

SUBJECT: Official Community Plan Amendment Application No. CP100164 (Bylaw No. 9156) and Rezoning Amendment Application No. RZ100678 (Bylaw No. 9157)

APPLICANT: The Hub Collection Ltd.
LOCATION: 4500 Ospika Boulevard

ATTACHMENT(S): Location and Existing Zoning Map
Appendix "A" to Bylaw No. 9156
Appendix "A" to Bylaw No. 9157
Exhibit "A" to CP100164

RECOMMENDATION(S):

OCP Amendment Bylaw:

THAT Council:

1. GIVES FIRST READING to "City of Prince George Official Community Plan Bylaw No. 8383, 2011, Amendment Bylaw No. 9156, 2020."
2. CONSIDERS "City of Prince George Official Community Plan Bylaw No. 8383, 2011, Amendment Bylaw No. 9156, 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. 9156, 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. 9156, 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. 9156, 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; and
 - b. Request for written comment from properties identified on Exhibit "A" to CP100164.

Zoning Amendment Bylaw:

THAT Council:

1. GIVES FIRST AND SECOND READING to “City of Prince George Zoning Bylaw No. 7850, 2007, Amendment Bylaw No. 9157, 2020”; and
2. PERMITS the Public Hearing for proposed Bylaw No. 9156, 2020 and 9157, 2020 BE WITHHELD until the following requirements have been met to the satisfaction of Administration:
 - a. Receipt of Traffic Impact Study (TIS)
 - b. Receipt of Serving Brief
3. PERMITS that consideration of Final Reading of proposed Bylaw No. 9156, 2020 and 9157, 2020 BE WITHHELD until the following requirement has been met to the satisfaction of Administration:
 - a. Registration of a Section 219 No Build Covenant on the title of the subject property.

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 construct one (1) 256 unit apartment building at 4500 Ospika Boulevard (subject property). In order to facilitate this use, the applicant has applied to amend the Official Community Plan from ‘Neighbourhood Residential’ to ‘Neighbourhood Centre, Corridor’ and rezone the subject property from RM1: Multiple Residential to RM5: Multiple Residential.

Site Characteristics

Location	4500 Ospika Boulevard
Legal Description	Lot 147, District Lot 2003, Cariboo District, Plan 28774
Current Use	Undeveloped Multiple Residential site
Site Area	2.2 ha (5.64 acres)
Growth Management Class	Infill
Servicing	<i>City Services available</i>

Official Community Plan (see Appendix “A” to Bylaw No. 9156)

Current Future Land Use	Neighbourhood Residential
Proposed Future Land Use	Neighbourhood Centre, Corridor

Zoning (see Appendix “A” to Bylaw No. 9157)

Current Zoning	RM1: Multiple Residential
Proposed Zoning	RM5: Multiple Residential

Surrounding Land Use Table

North	Ospika Boulevard and residential uses
South	Tyner Boulevard
East	Residential uses and Sullivan Crescent
West	Ospika Boulevard and undeveloped land

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 'Neighbourhood Residential' in *Schedule B-6: Future Land Use* of the Official Community Plan (OCP). This designation is intended to ensure change in existing neighbourhoods is in keeping with existing character and scale (Objective 8.3.15) and encouraging incremental, small-scale development whose impacts are relatively minor (Policy 8.3.48). This designation permits a wide range of housing forms having a density of 22 units/ha (Policy 8.3.59). The current designation does not support the proposed apartment use and density of the RM5: Multiple Residential zone (125 units/ha).

In order to facilitate the proposed 256 unit apartment building the applicant would like to amend the OCP designation to 'Neighbourhood Centre, Corridor'. The 'Neighbourhood Centre, Corridor' designation supports 3-4 storey apartments having a density of 75-135 units/ha (Policy 8.3.37). This designation also encourages infill and redevelopment of existing vacant and underused sites, while providing residential uses adjacent to walkable amenities, such as public transit, shopping and trail amenities (Policy 8.3.31). The subject property is located in an area that is in close proximity to shopping centres, a major public transit routes (i.e. Route 16, Route 88/89) and pedestrian connectivity and trails along Tyner and Ospika Boulevard.

Should this application be approved, the proposed development will require a Multiple Residential Form and Character Development Permit. The 'Neighbourhood Centre, Corridor' designation provides policy direction that speaks to building and site development that considers buffering neighbouring residents from traffic noise and visual impacts through appropriate building setbacks, site design and landscaping for the proposed development on the subject property (Policy 8.3.38).

Road Network

Ospika Boulevard and Tyner Boulevard are both deemed arterial roads under *Schedule B-10: 15 Year Road Network* of the OCP. The 'Neighbourhood Centre, Corridor' designation is supported along arterial roads as arterial roads are intended for the movement of large volumes of people and goods between different areas of the City.

Significant Slopes

Schedule B-3: Significant Slopes of the OCP indicates significant slopes are located on the subject property. Significant slopes are identified in the OCP as areas with over 20% grades. As these slopes may be subject to landslide hazards, the OCP recommends that development be located a safe distance from significant slopes, based on a Geotechnical Report prepared by a qualified professional (Policy 6.4.58).

Growth Management

The subject property is identified as Infill as per *Schedule B-4: Growth Management* class of the OCP. The intent of these designations are to prioritize infill development and encourage utilization of vacant sites (policy 8.1.1). OCP policy encourages mixed-use development within Neighbourhood Centres and along arterial and collector streets (Policy 8.1.3). OCP objectives encourage strengthening neighbourhoods within an established area with access to daily amenities, pedestrian connections and transit services.

Administration supports re-designating the subject property to 'Neighbourhood Centre, Corridor', as it is consistent with OCP policy direction to encourage infill of existing vacant and underused sites.

Zoning Bylaw

The subject property is zoned as RM1: Multiple Residential, which has an intent to provide primarily for row housing and apartments with not more than six units in a building, and a maximum density of 30 dwellings/ ha. The current zone does not support the proposed 256 unit apartment building proposed on site.

In order to facilitate the 256 unit apartment building on site, the applicant would like to rezone the subject property from RM1: Multiple Residential to RM5: Multiple Residential. The RM5 zone is intended to provide for multiple housing with a maximum density of 125 dwellings/ha for areas defined by the OCP as suitable for higher density housing. The proposed development will consist of one (1) 256-unit apartment building on the subject property.

For Council's consideration, Administration has prepared a table illustrating the development regulations of the current RM1 zone and proposed RM5 zone (see Table 1). The density, height, and site coverage are the main differences of the zones.

Table 1: RM1 and RM5 Development Regulations Comparison

	RM1: Multiple Residential	RM5: Multiple Residential
Maximum Density	30 dwellings/ ha	125 dwellings/ha
Maximum Height	10.0 m	15.0 m
Maximum number of storeys	2.5	4
Maximum Site Coverage	45%	55%
Minimum Front Yard Setback	4.5 m	4.5 m
Minimum Exterior Side Yard Setback	3.0 m	3.0 m
Minimum Interior Side Yard Setback	1.2 m	3.0 m
Minimum Rear Yard Setback	6.0 m	6.0 m

Administration notes the subject property is adjacent to an existing neighbourhood with predominately single family homes. The OCP states that development within 'Neighbourhood Centres' should be effectively buffered from traffic, noise and visual impacts, and the bulk of the buildings should be mitigated through appropriate use of setbacks, landscaping and/or terracing or building form.

As previously indicated, a Multiple Residential Development Permit will be required prior to a Building Permit being issued. The Multiple Residential Development Permit would consider form and character, parking, landscaping and site design. Additionally, the site features (i.e. topography of the subject property and proximity to arterial roads) will influence the building and site design on the subject property.

Administration supports the proposed zoning, as it will facilitate infill development with considerations of the existing surrounding development in the area.

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.

Geotechnical Report

As previously indicated, the subject property contains significant slopes, Administration required a Geotechnical Report prepared and sealed by a Geotechnical Engineering registered in the Province of British Columbia be submitted as part of the OCP amendment and rezoning application package.

Administration requires further information to be addressed in the Geotechnical Report. Administration is working with the applicant to address the final items that can be better addressed at the Building Permit stage. In order to proceed with the OCP Amendment and rezoning application, while the final geotechnical items are being addressed, the Applicant has indicated they will register a Section 219 No Build covenant on title of the subject property prior to Final Reading of Bylaw No. 9156 and 9157. This covenant would ensure that no building or development will occur on the subject property until the geotechnical items related to the parcel and the intended building have been addressed.

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 No. 9156 and 9157 be withheld until a Servicing Brief has been prepared and submitted to the satisfaction of Administration.

Traffic Impact Study

As indicated previously, the proposed development is adjacent to Tyner and Ospika Boulevard, which are deemed arterial roads. Through the referral process with internal City Divisions and Ministry of Transportation and Infrastructure, a Traffic Impact Study was requested to determine access and egress to and from the site as well as traffic assessment on the road that reflects the maximum allowable development under the proposed rezoning.

Administration recommends that Public Hearing of Bylaw No. 9156 and 9157 be withheld until a Traffic Impact Study has been prepared and submitted to the satisfaction of Administration.

Ministry of Transportation and Infrastructure

As per Section 52 of the *Transportation Act*, Bylaw No. 9157 requires the Ministry of Transportation and Infrastructure's approval prior to Final Reading and adoption.

Council Procedures during COVID-19 Pandemic

As per the requirements set out in the *Local Government Act* and “City of Prince George Development Procedures Bylaw No. 7635, 2005”, the City of Prince George will mail or otherwise deliver a notice to adjacent property owners and tenants whose interests may be affected by these applications. Members of the public may provide representations to Council by written submission or telephone. Written submissions received in response to the public notice for these applications will be provided to Council for their consideration during the public hearing and prior to third reading of the proposed bylaws.

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:

- 2 Citywide Newspaper advertisements requesting written comment; and
- Request for written comment from properties identified on Exhibit “A” to CP100164.

This consultation would occur after First and Second Reading to Bylaw No. 9156 and 9157 and prior to the Public Hearing.

ALTERNATIVES:

1. Approve the bylaws
2. Approve the bylaws as amended
3. Refuse the bylaws
4. Defer or otherwise deal with the bylaws

Administration recommends that Bylaw No. 9156 and 9157, 2020 be approved.

SUMMARY AND CONCLUSION:

The applicant would like to amend the Official Community Plan as shown on Appendix "A" to Bylaw No. 9156, and rezone the subject property as shown on Appendix "A" to Bylaw No. 9157 in order to facilitate the development of one (1) 256 unit apartment building on the subject property. Administration is supportive of this application based on the rationale provided in this report.

RESPECTFULLY SUBMITTED:

Ian Wells, Acting Deputy City Manager

APPROVED:

Walter Babicz, Acting City Manager

Meeting Date: 2021/03/08