

STAFF REPORT TO COUNCIL

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DATE: May 21, 2021

TO: MAYOR AND COUNCIL

NAME AND TITLE: Ian Wells, Acting Deputy City Manager

SUBJECT: 2021 CP100168 and RZ100691 Report to Council.docx

APPLICANT: McWalter Consulting Ltd. on behalf of Catla Enterprises Ltd., Inc. No. BC1034348

LOCATION: 3751 Barnes Drive and 3777 Barnes Drive

ATTACHMENT(S): Location and Existing Zoning Map
Appendix "A" to Bylaw No. 9178
Appendix "B" to Bylaw No. 9178
Appendix "A" to Bylaw No. 9179
Exhibit "A" to Application No. CP100168
Supporting Document

RECOMMENDATION(S):

OCP Amendment Bylaws:

THAT Council:

1. GIVES First Reading to "City of Prince George Official Community Plan Bylaw No. 8383, 2011, Amendment Bylaw No. 9178, 2021"
2. CONSIDERS "City of Prince George Official Community Plan Bylaw No. 8383, 2011, Amendment Bylaw No. 9178, 2021", 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. 9178, 2021", 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. 9178, 2021", 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. 9178, 2021".
6. APPROVES the following public consultation process to fulfill the requirements of Section 475 of the *Local Government Act*:

- a. Two (2) Citywide Newspaper advertisement(s) requesting written comment; and
- b. Request for written comment from properties identified on Exhibit “A” to CP100168.

Zoning Amendment Bylaws:

THAT Council:

1. GIVES First and Second Reading to “City of Prince George Zoning Bylaw No. 7850, 2007, Amendment Bylaw No. 9179, 2021”; and
2. PERMITS that consideration of Final Reading of proposed Bylaw No. 9179, 2021 BE WITHHELD until the following requirements have been met to the satisfaction of Administration:
 - a. Receipt of a Servicing Brief

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 adjust the interior lot line that divides 3751 Barnes Drive (Lot 1) and 3777 Barnes Drive (Lot 2) by establishing the interior lot line in an east to west orientation, rather than north to south as shown on the supporting document. In order to facilitate the lot line adjustment the Official Community Plan (OCP) and Zoning Bylaw must be amended. The applicant has applied for the following amendment to the Official Community Plan (OCP):

- Schedule B-6: Future Land Use amendment from ‘Rural Resource’ to ‘Neighbourhood Residential’ as shown on Appendix “A” to Bylaw No. 9178.
- Schedule B-4: Growth Management amendment from ‘Rural Resource’ to ‘Infill’ as shown on Appendix “B” to Bylaw No. 9178.

The applicant has applied for a rezone the subject properties from AF: Agriculture and Forestry and AG: Greenbelt to RS1: Suburban Residential and AG: Greenbelt as shown on Appendix “A” to Bylaw No. 9179.

Background Information

The subject properties were created in the 1960’s under the policies and regulations of the Regional District of Fraser Fort George prior to incorporation into the City of Prince George in 1975. Therefore, present lot sizes and widths may not conform to the City’s Official Community Plan and Zoning Bylaw regulations.

Site Characteristics

Location	3751 Barnes Drive	3777 Barnes Drive
Legal Description	Lot 1, District Lot 9263, Cariboo District, Plan 16592	Lot 2, District Lot 9263, Cariboo District, Plan 16592
Current Use	Undeveloped land	Undeveloped land
Site Area	0.21 ha	0.22 ha
Growth Management Class	Rural Resource	Rural Resource
Servicing	City Services Available	City Services Available

Schedule B-6: Future Land Use Designation- Official Community Plan (see Appendix “A” to Bylaw No. 9178)

Location	3751 Barnes Drive	3777 Barnes Drive
Current Future Land Use	Rural Resource (0.21 ha)	Rural Resource (0.22 ha)
Proposed Future Land Use	Neighbourhood Residential (0.08 ha) Rural Resource (0.13 ha)	Neighbourhood Residential (0.2 ha) Rural Resource (0.02 ha)

Schedule B-4: Growth Management- Official Community Plan (see Appendix “B” to Bylaw No 9178)

Location	3751 Barnes Drive	3777 Barnes Drive
Current Growth Management Class	Rural Resource (0.21 ha)	Rural Resource (0.22 ha)
Proposed Growth Management Class	Infill (0.08 ha) Rural Resource (0.13 ha)	Infill (0.2 ha) Rural Resource (0.02 ha)

Zoning (see Appendix “A” to Bylaw No. 9179)

	3751 Barnes Drive	3777 Barnes Drive
Current Zoning	AF: Agriculture and Forestry (0.08 ha) AG: Greenbelt (0.13 ha)	AF: Agriculture and Forestry (0.2 ha) AG: Greenbelt (0.02 ha)
Proposed Zoning	RS1: Suburban Residential (0.08 ha) AG: Greenbelt (0.13 ha)	RS1: Suburban Residential (0.2 ha) AG: Greenbelt (0.02 ha)

Surrounding Land Use Table

North	Undeveloped road right of way and undeveloped agricultural land
South	Greenbelt
East	Barnes Drive and Residential uses
West	Greenbelt

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 properties are designated as ‘Rural Resource’ in Schedule B-6: Future Land Use of the Official Community Plan. This designation has intent for 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, environmental sensitive areas, and natural hazard areas in which development is restricted or prohibited. The City should permit single-residential use and limit the density to one unit per 15 ha (Policy 8.3.115). The existing lot sizes of the subject properties do not meet the minimum lot area of 15.0 ha of the ‘Rural Resource’ designation.

The applicant is proposing to amend Schedule B-6: Future Land Use (See Appendix “A” to Bylaw No. 9178) to redesignate a 0.08 ha portion of Lot 1 and 0.2 ha portion of Lot 2 from ‘Rural Resource’ to ‘Neighbourhood Residential’. The remainder of the lots will remain as ‘Rural Resource’ as shown on Appendix “A” to Bylaw No. 9178 to match the existing AG: Greenbelt zoning boundaries.

Neighbourhoods are primarily residential in nature, with associated school and parks within them. Neighbourhoods are typically small-scale, dominated by single-family dwellings and similar sized buildings. The subject property is located adjacent to residential lots (i.e. RS1: Suburban Residential and RS2: Single Residential) in the Barnes and Charella neighbourhood. The OCP supports infill and redevelopment in existing neighbourhoods (Policy 8.3.45) The City should encourage incremental, small scale redevelopment whose impacts are relatively minor (Policy 8.3.48). Housing forms in the Neighbourhood Residential designation should have a density less than 22 units per ha (Policy 8.3.59).

Growth Management

The applicant has propped to amend Schedule B-4: Growth Management (see Appendix “B” to Bylaw No. 9178) to redesignate a portion of the subject properties from ‘Rural Resource’ to ‘Infill’. The OCP supports infill development in areas with existing services and amenities. The proposed subdivision requires connection to City services that are at the terminus of Barnes Drive.

The remainder of the subject properties will remain designated as ‘Rural Resource’ to match the AG: Greenbelt zoning boundaries as shown on Appendix “B” to Bylaw No. 9178.

Significant Slopes

A small portion approximately 230 m² of the northwest corner of Lot 1 is designated under Schedule B-3: Significant Slopes, which identifies slopes greater than 20% grade that may be subject to landslide hazards (Policy 6.4.57). The following activities should be avoided on significant slopes such as excavation of slope or its toes, cutting down trees and alteration of the natural drainage. The portion of the property that contains significant slopes is to remain as ‘Rural Resource’.

Administration is supportive of the Official Community Plan amendment as per the rationale provided above.

Zoning Bylaw

Currently, the subject properties are split zoned AF: Agriculture and Forestry and AG: Greenbelt. The applicant would like to rezone the subject property from AF: Agriculture and Forestry and AG: Greenbelt to RS1: Suburban Residential and AG: Greenbelt, as shown on Appendix “A” to Bylaw No. 9179. As indicated previously, the current property sizes do not conform to the minimum parcel sizes and subdivision regulations of the AF and AG zone as the lots were created in the 1960’s under Regional District of Fraser Fort George zoning regulations.

RS1: Suburban Residential

The applicant is proposing to rezone a portion of Lot 1 (0.08 ha) and Lot 2 (0.2 ha) from AF: Agriculture and Forestry to RS1: Suburban Residential. The purpose of the RS1 is to foster a suburban lifestyle on properties larger than 845 m². The district also provides for complementary residential related uses that are compatible with the residential character of the area. As indicated previously the applicant would like to rezone the subject properties to facilitate a future lot line adjustment as shown on supporting document.

The surrounding land use in the area is predominately RS1: Suburban Residential and RS2: Single Residential in the Barnes and Charella neighbourhood. The subject properties are at the terminus of Barnes Drive with available City services and would be a natural extension to the surrounding residential uses that are occurring in the Barnes and Charella neighbourhood.

AG: Greenbelt

The remaining portions of Lot 1 (0.13 ha) and Lot 2 (0.02 ha) will remain AG: Greenbelt. The intent of the AG: Greenbelt zone is to preserve sensitive lands in a natural state. This includes lands with characteristics such as steep slopes, poor drainage, flooding or other hazards, unique scenic values, significant vegetation, and wildlife habitat by providing for a limited range of uses with regulations that maintain lot sizes of at least 15.0 ha within rural areas.

A small portion of the Lot 1 in the northwest corner contains significant slopes as per Schedule B-3: Significant Slopes, however the portion that contains significant slopes is to remain zoned as AG: Greenbelt, which is intended to preserve sensitive areas in a natural state. In addition, the portion of the subject properties that will remain zoned as AG: Greenbelt would require a Tree Cutting Permit as per the Tree Protection Bylaw No. 6343, 1995 prior to any tree or vegetation removal on the subject properties.

The application provides zoning that is consistent to the existing lot sizes and is compatible with the adjacent residential zones in the Barnes and Charella neighbourhoods. Administration does not anticipate negative land use impacts from the proposed rezoning as the number of lots are remaining the same and allows for same dwelling options (i.e. single detached housing).

Administration is supportive rezone a portion of the subject properties from AF: Agriculture and Forestry and AG: Greenbelt to RS1: Suburban Residential and AG: Greenbelt as per the rationale provided above.

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.

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 Final Reading of Bylaw No. 9178 and 9179 be withheld until a Servicing Brief has been prepared and submitted to the satisfaction of Administration.

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:

- Two (2) Citywide Newspaper advertisement(s) requesting written comment; and
- Request for written comment from properties identified on Exhibit "A" to CP100168

This consultation would occur after First and Second Reading to Bylaw No. 9178 and Bylaw No. 9179 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 No. 9178, 2021 and 9179, 2021 be approved.

SUMMARY AND CONCLUSION:

The applicant would like to amend the Official Community Plan as shown on Appendix "A" and Appendix "B" to Bylaw No. 9178 and rezone as shown on Appendix "A" to Bylaw No. 9179. In order to facilitate a future boundary lot line adjustment between the subject properties. 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: 2021/06/14