

STAFF REPORT TO COUNCIL

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DATE: August 11, 2021

TO: MAYOR AND COUNCIL

NAME AND TITLE: Deanna Wasnik, Acting Director of Planning and Development Services

SUBJECT: Development Variance Permit No. VP100594

Applicant: L&M Engineering Ltd. for J A Brink Investments Inc., Inc. No. BC0525073
Location: 4087 Brink Place

ATTACHMENT(S): Location and Existing Zoning Map
Development Variance Permit No. VP100594
Exhibit "A" to VP100594

RECOMMENDATION(S):

That Council APPROVES Development Variance Permit No. VP100594 to vary City of Prince George Zoning Bylaw No. 7850, 2007 for the property legally described as Strata Lots 1-3, 8-13, and 31-33, District Lot 4221, Cariboo District, Plan EPS6462, Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V, as follows:

- a. Vary Section 10.8.5 5. by decreasing the minimum side and rear setback from 6.0 m to 3.0 m, as shown on Exhibit "A" to VP100594.

PURPOSE:

The applicant has applied to vary the RT3: Residential Cluster development regulations to facilitate a strata development of single-family dwellings on the subject property located at 4087 Brink Place. The applicant has applied to decrease the minimum side and rear setback from 6.0 m to 3.0 m for Strata Lots 1-3, 8-13, and 31-33, as shown on Exhibit "A" to VP100594.

Background

Site Characteristics

| | |
|-------------|--|
| Location | 4087 Brink Place |
| Current Use | Vacant Land |
| Site Area | 3.0 ha (7.5 acres) |
| Zoning | RT3: Residential Cluster and AG: Greenbelt |

Official Community Plan

| | |
|-------------------|--|
| Future Land Use | Neighbourhood Residential and Rural Resource |
| Growth Management | Infill and Rural Resource |

Surrounding Land Use Table

| | |
|-------|--|
| North | Single Residential; Brink Place |
| South | Nechako River |
| East | Single Residential and Rural Residential |
| West | Stevens Drive |

Relevant Applications

Subdivision Application No. SD100587: This subdivision for a 33-lot bare land strata was filed with the Land Title Office on May 5, 2021.

POLICY / REGULATORY ANALYSIS:

Zoning Bylaw No. 7850, 2007

The subject property is zoned RT3: Residential Cluster and AG: Greenbelt. The purpose of the RT3 zone is to provide a comprehensively planned clusters of single-detached and semi-detached housing, in a bare land strata format. The purpose of the AG zone is to preserve sensitive lands in a natural state.

Due to the topography of the subject property, the applicant has applied to vary the minimum side and rear setback from 6.0 m to 3.0 m to facilitate development of Strata Lots 1-3, 8-13, and 31-33, as shown on Exhibit "A" to VP100594.

Strata Lots 8-13 are adjacent to the RT3: Residential Cluster and AG: Greenbelt zone boundary. As per Section 2.2.4 of the Zoning Bylaw, in circumstances where a single lot is located in more than one zone, the zone boundary shall apply as if were a property line. As such, Strata Lots 8-13 have been included in the variance application.

Administration supports the variance request for the following reasons:

- The decreased side and rear yard setback is greater than side yard setback required by the adjacent RS2: Single Residential zoning;
- The proposed strata development is consistent with the form and character of surrounding RS2: Single Residential neighbourhood (height, scale and form);
- The proposed variance to Strata Lots 8-13 is from the internal AG zone boundary and does not impacts adjacent parcels;
- Strata Lots 3 and 8-13 are adjacent to southern portion of the subject property, near the bank adjacent to the Nechako River thereby not adjacent to residential parcels;
- The proposed strata development will be consistent with the Multiple Residential Form and Character Development Permit Guidelines; and
- The development meets all other development regulations of the RT3 zone, including building height, setbacks between principal buildings, density and site coverage.

OTHER CONSIDERATIONS:

Council Procedures during COVID-19

Orders of the Provincial Health Officer and Ministerial Order No. 192, issued under the *Emergency Program Act*, related to local government meetings and bylaw processes, have imposed specific requirements on local governments related to council meetings and bylaw process. In accordance with these orders, City Council has discontinued informal hearings for Development Variance Permit applications, Temporary Use Permit applications and other applications where such hearings are not legally required to be held. This decision is

effective for the period that the Ministerial Orders related to local government meetings and bylaw processes apply.

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 public notice to property owners and tenants whose interests may be affected by this application. Written submissions received in response to the public notice for this application will be provided to Council for their consideration at the time the application and granting of the permit is being considered. Submissions received after the Council meeting agenda has been published will be provided to Council as a handout on the day of the Council meeting for consideration during deliberations on the application.

Referrals

This application was referred to internal City divisions and external agencies with no outstanding concerns.

Notification to Adjacent Property Owners

As per the requirements set out in the *Local Government Act*, the City of Prince George will mail or otherwise deliver a notice to adjacent property owners and tenants whose interests may be affected by this temporary use.

ALTERNATIVES:

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

Administration recommends that Development Variance Permit No. VP100594 be approved.

SUMMARY AND CONCLUSION:

The applicant has applied to vary the minimum side and rear setback from 6.0 m to 3.0 m to facilitate a strata development of single-family dwellings at 4087 Brink Place. Administration supports the application for the reasons outlined in this report.

RESPECTFULLY SUBMITTED:

Deanna Wasnik, Acting Director of Planning and Development Services

PREPARED BY: Kali Holahan, Planner

APPROVED:

Walter Babicz, City Manager

Meeting Date: 2021/09/20