

# STAFF REPORT TO COUNCIL

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**DATE:** August 1, 2019

**TO:** **MAYOR AND COUNCIL**

**NAME AND TITLE:** Ian Wells, General Manager of Planning and Development

**SUBJECT:** Variance Permit Application No. VP100547

Applicant: Ivan LePargue for Donalene Gerz  
 Location: 4133 Richet Street

**ATTACHMENT(S):**

- Location and Existing Zoning Map
- Variance Permit No. VP100547
- Exhibit "A" to VP100547
- Exhibit "B" to VP100547
- Supporting Document(s)

**RECOMMENDATION(S):**

1. THAT Council DENY Variance Permit No. VP100547 to vary City of Prince George Zoning Bylaw No. 7850, 2007 for the property legally described as Lot 68, District Lot 4047, Cariboo District, Plan 9543 as follows:
  - a. Vary Section 10.2.6 1. by increasing the maximum total combined gross floor area of accessory buildings on site from 90 m<sup>2</sup> to 197 m<sup>2</sup>, as shown on Exhibit "A" to VP100547; and
  - b. Vary Section 10.2.6 2. to increase the maximum height of an accessory building from 5.0 m to 7.0 m, as shown on Exhibit "B" to VP100547.

**PURPOSE:**

The applicant has applied to vary the RS2m: Single Residential accessory development regulations to facilitate the construction of a detached garage with a carport on the subject property located at 4133 Richet Street. The RS2m accessory development regulations restrict the maximum total combined gross floor area of all accessory buildings on site to 90 m<sup>2</sup> and the maximum height to 5.0 m. The applicant has applied to increase the maximum total gross floor area of accessory buildings on site from 90 m<sup>2</sup> to 197 m<sup>2</sup>, and to increase the maximum height from 5.0 m to 7.0 m. This increase to the maximum total gross floor area will facilitate a new 187 m<sup>2</sup> accessory building and allow an existing 10 m<sup>2</sup> shed to remain on the subject property.

**Background**

Site Characteristics

Location	4133 Richet Street
Current Use	Residential
Site Area	0.4 ha (1.0 acres)
Zoning	RS2m: Single Residential

Official Community Plan

Future Land Use	Neighbourhood Centre Residential and Neighbourhood Residential
Growth Management	Growth Priority and Infill

### Surrounding Land Use Table

North	Richet Street; Residential
South	Residential
East	Residential
West	Residential

### POLICY/REGULATORY ANALYSIS:

#### Zoning Bylaw

The subject property is zoned RS2m: Single Residential. The purpose of the RS2m zone is intended to foster a suburban lifestyle and provide for complementary residential related uses that are compatible with the rural character of the area. Areas designated RS2m provide for manufactured housing.

Accessory development regulations in the RS2m zone, as per Zoning Bylaw No. 7850, 2007, restrict the maximum total combined gross floor area of accessory buildings on a site to 90 m<sup>2</sup>. The applicant has applied to increase the maximum total combined gross floor area of accessory buildings and structures on site from 90.0 m<sup>2</sup> to 197.0 m<sup>2</sup>. This increase to the maximum total gross floor area will facilitate a new 187 m<sup>2</sup> accessory building and allow an existing 10 m<sup>2</sup> shed to remain on the subject property, as shown on Exhibit "A" to VP100547.

The RS2m zone also restricts the maximum height of accessory buildings to 5.0 m. The applicant has applied to vary the maximum height from 5.0 m to 7.0 m in order to facilitate the construction of the proposed 187.0 m<sup>2</sup> accessory building on the subject property, as shown on Exhibit "B" to VP100547.

The Zoning Bylaw defines an accessory building as a building or structure detached from a principal building (*i.e., single detached housing*), which is naturally, normally and customarily incidental, subordinate, exclusively devoted to, and on the same site as the principal building in use. To ensure that accessory development is considered ancillary to the principal building, the RS2m accessory development regulations restrict the maximum total combined gross floor area of accessory buildings on a site and the maximum height. A review of Variance Permit and Building Permit records for Richet Street, found no similar applications for accessory buildings.

Since the proposed accessory building does not maintain a similar scale, or form and character of the surrounding neighbourhood, Administration is not in support of this variance request for the following reasons:

- The proposed accessory building surpasses the existing scale, form and character of the neighbourhood.
- The proposed 187.0 m<sup>2</sup> accessory building does not meet the intent of ancillary land use and is not considered incidental to the existing single detached house.
- The proposed increase in size from 90.0 m<sup>2</sup> to 197.0 m<sup>2</sup> (an additional 107 m<sup>2</sup>) is significant and does not suit the form and character of the neighbourhood.
- The proposed increase in height from 5.0 m to 7.0 m (an additional 2.0 m) is significant and may have negative impacts such as massing or shadowing on adjacent lots.
- Although zoning allows 7.0 m to accommodate carriage housing (*i.e., secondary dwelling constructed above a detached garage*), the proposed accessory building does not include a secondary dwelling and therefore the proposed height does not meet the intent of the zoning bylaw.

As the application is inconsistent with the existing form and character of the neighbourhood, and the proposed accessory building is not considered incidental to the existing single detached house, Administration does not support this application.

### OTHER CONSIDERATIONS:

#### Referrals

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

#### Letters of Support

The applicant has provided a form letter with support from four (4) adjacent land owners.

#### Notification to Adjacent Property Owners

As per the requirements set out in the *Local Government Act*, the City of Prince George will mail notice to adjacent property owners whose interests may be affected by this variance.

**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 Variance Permit No. VP100547 be denied.

**SUMMARY AND CONCLUSION:**

Administration recommends that Council deny the applicant's request to increase the maximum total gross floor area and maximum height of an accessory building on the subject property for the reasons outlined in this report.

**RESPECTFULLY SUBMITTED:**

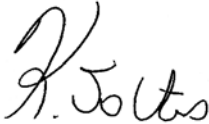


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Ian Wells, General Manager of Planning and Development

**PREPARED BY:** Kali Holahan, Planner

**APPROVED:**



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Kathleen Soltis, City Manager  
Meeting date: August 19, 2019