

# 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:** Development Variance Permit Application No. VP100546.

Applicant: Brad Christenson for Lane Allen Vaughan  
Location: 4510 Ferguson Lake Road

**ATTACHMENT(S):**

- Location and Existing Zoning Map
- Variance Permit No. VP100546
- Exhibit "A" to VP100546
- Exhibit "B" to VP100546
- Supporting Document

## RECOMMENDATION(S):

1. THAT Council DENY Development Variance Permit No. VP100546 to vary City of Prince George Zoning Bylaw No. 7850, 2007 for the property legally described as Lot A, District Lot 2425, Cariboo District, Plan PGP39220 as follows:
  - a. Vary Section 9.4.6 2. to increase the maximum height of an accessory building from 6.0 m to 7.6 m, as shown on Exhibit "A" to VP100546.

## PURPOSE:

The applicant has applied to vary the AR2: Rural Residential accessory development regulations to facilitate the construction of a 381.6 m<sup>2</sup> detached garage with two (2) attached carports on the subject property located at 4510 Ferguson Lake Road. The applicant has applied to increase the maximum height of an accessory development from 6.0 m to 7.6 m. The maximum gross floor area restriction of an accessory development does not apply to the proposed structure as the AR2 zone does not limit the area of an accessory development if the lot is larger than 0.4 ha. The subject property is 3.17 ha in size.

## Background

### Site Characteristics

Location	4510 Ferguson Lake Road
Current Use	Rural Residential
Site Area	3.17 ha (7.8 acres)
Zoning	AR2: Rural Residential

#### Official Community Plan

Future Land Use	Rural Area B
Growth Management	Rural Areas

#### Surrounding Land Use Table

North	Undeveloped Agricultural land
South	Ferguson Lake Road and Rural Residential
East	Kelly Road North and Agricultural Land
West	Rural Residential

#### POLICY/REGULATORY ANALYSIS:

##### Zoning Bylaw No. 7850, 2007

The subject property is zoned AR2: Rural Residential. The purpose of this zone is to foster a rural lifestyle on properties larger than 2.0 ha. The zone also provides for complementary residential related uses that are compatible with the rural character of the area.

The accessory development regulations in the AR2 zone, restrict the maximum height of accessory buildings to 6.0 m. As identified previously, the subject property is 3.17 ha in size, therefore the maximum total combined gross floor area of accessory developments does not apply to this proposed development. The applicant has applied to increase the maximum height of an accessory development from 6.0 m to 7.6 m to facilitate the construction of a 381.6 m<sup>2</sup> detached garage with two (2) attached carports on the subject property, as shown on Exhibit "A" and Exhibit "B" to VP100546.

Administration is not in support of this variance request for the following rationale:

The Zoning Bylaw defines an Accessory Building as a building or structure detached from a principal building, which is naturally, normally and customarily incidental, subordinate, exclusively devoted to, and on the same site as the principal building in use. To ensure the accessory development is considered ancillary to the principal dwelling, the AR2 accessory development regulations restrict the maximum height to 6.0 m.

The applicant is proposing a detached shop with two (2) attached carports with a gross floor area of 381.6 m<sup>2</sup> and a height increase from 6.0 m to 7.6 m. The existing single storey detached house has a footprint of approximately 196.0 m<sup>2</sup> on the subject property. This would make the accessory development 190% larger than the principal single detached dwelling.

The applicant's proposed structure is not maintaining a similar scale of the form and character along Ferguson Lake Road. A review of Accessory Development Building Permit records for AR2 zoned properties (i.e. active and approved from 2006 to 2019) along Ferguson Lake Road are identified below in Table 1: Range in Height and Area:

Table 1: Range in Height and Area

Use	Range	VP100546- Applicants' Proposal
Accessory Building Height	4.6 m to 6.0 m	7.6 m
Accessory Building Area	93.6 m <sup>2</sup> to 222.9 m <sup>2</sup>	381.6 m <sup>2</sup>

As indicated in Table 1, the height of accessory buildings along Ferguson Lake Road for AR2 zoned properties range from 4.6 m to 6.0 m, which are part of buildings that ranged in area between 93.6 m<sup>2</sup> to 222.9 m<sup>2</sup>. The applicant is proposing a 7.6 m structure, which far exceeds the height of other accessory developments along Ferguson Lake Road by 1.6 m.

Although there is no site coverage and no restriction to the total combined gross floor area of accessory buildings for properties larger than 0.4 ha, the height increase of 1.6 m and the proposed accessory development size of 381.6 m<sup>2</sup> is not considered incidental to the principal use on the subject property.

Administration does not support this application as the scale and size of the proposed detached garage and two (2) attached carports is not keeping with the form and character of the surrounding neighbourhood.

**OTHER CONSIDERATIONS:**

**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 notice to adjacent property owners whose interests may be affected by this variance.

**ALTERNATIVES:**

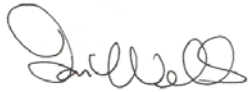
1. Approve the permit
2. Approve the permit as amended
3. Refuse the permit
4. Defer or otherwise deal with the permit

Administration recommends that Development Variance Permit No. VP100546 be denied.

**SUMMARY AND CONCLUSION:**

Administration recommend that Council deny the applicant's required to increase the maximum height of an accessory building from 6.0 m to 7.6 m on the subject property for the rationale outlined in this report.

**RESPECTFULLY SUBMITTED:**

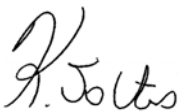


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Ian Wells, General Manager of Planning and Development

**PREPARED BY:** Melissa Nitz, Planner 1

**APPROVED:**



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