

DATE: August 2, 2023

TO: MAYOR AND COUNCIL

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

SUBJECT: Development Variance Permit Application No. VP100652

APPLICANTS: JR & Sons Enterprises Ltd. for Russell and Maria Crick
LOCATION: 2438 Estate Road

ATTACHMENT(S): Location and Zoning Map
Development Variance Permit No. VP100652
Exhibit "A" to VP100652
Supporting Documents
- Rationale Letter
- Letters of Support and Associated Map

RECOMMENDATION(S):

That Council DENY Development Variance Permit No. VP100652 to vary "City of Prince George Zoning Bylaw No. 7850, 2007" for the subject property legally described as Parcel B (Being a Consolidation of Lots 45 and 46, See BB1003258), District Lot 808, Cariboo District, Plan 20832 as follows:

- a. Vary Section 9.5.6 1. by increasing the maximum total combined gross floor area of accessory buildings and structures on a site from 90.0 m² to 147.0 m², as shown on Exhibit "A" to VP100652.

PURPOSE:

The applicant has applied to vary the AR3: Rural Residential accessory development regulations to facilitate the construction of an 81.0 m² accessory building (detached garage) at 2438 Estate Road (subject property). The AR3 accessory development regulations restrict the maximum total combined gross floor area of accessory buildings and structures on a site to 90.0 m². As such, the applicant has applied to vary the maximum total combined gross floor area of accessory buildings and structures on a site from 90.0 m² to 147.0 m². This increase to the maximum total combined gross floor area will facilitate the construction of an 81 m² detached garage and allow two existing sheds (36.0 m² and 30.0 m²) to remain on the subject property, as shown on Exhibit "A" to VP100652. The applicant has provided a rationale letter which is attached to this report for Council's consideration.

Administration does not support the applicant's request to vary the maximum total combined gross floor area of accessory buildings and structures on the subject property.

Site Characteristics

Location	2438 Estate Road
Current Use	Rural Residence
Site Area	1.71 ha (4.23 ac)
Zoning	AR3: Rural Residential
Servicing	City Services Not Available

Official Community Plan

Future Land Use	Rural C
Growth Management Class	Rural Areas

Surrounding Land Use Table

North	Vacant rural residential parcels
South	Estate Road; Rural Residential
East	Rural Residential; Hanet Road
West	Vacant rural residential parcels

Relevant Applications

Building Permit Application No. BP042420: During the review of the Building Permit Application, it was determined that a Development Variance Permit is required to facilitate the construction of an 81.0 m² detached garage in addition to the existing accessory buildings on the subject property. The Building Permit Application has been placed on hold pending consideration of the proposed variance. Should this application be approved, the Building Permit Application review process will proceed.

POLICY / REGULATORY ANALYSIS:

Zoning Bylaw

The subject property is located within a neighbourhood at the end of Landooz Road, east of the Old Summit Lake community and directly north of Canfor's Northwood Pulpmill. This neighbourhood encompassing Estate Road, Progress Road, and Vista Road was established prior to amalgamation into the City's boundary and facilitated the creation of 67 lots between 0.8 ha and 1.2 ha.

The subject property is zoned AR3: Rural Residential, which is intended to foster a suburban lifestyle primarily on properties larger than 0.4 ha. The AR3 zone also provides for complementary residential related uses that are compatible with the rural character of the area. The subject property is 1.71ha (4.23 ac) as it is a consolidation of 2 rural lots.

The AR3 accessory development regulations restrict the maximum total combined gross floor area of accessory buildings and structures on a site to 90.0 m². To facilitate the construction of an 81.0 m² accessory building (detached garage) and allow two existing sheds (36.0 m² and 30.0 m²) to remain on the subject property, the applicant has applied to vary the maximum total combined gross floor area of accessory buildings and structures on a site from 90.0 m² to 147.0 m², as shown on Exhibit "A" to VP100652.

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 AR3 accessory development regulations restrict the maximum total combined gross floor area of accessory buildings on a site.

The applicant has also indicated, in the rationale letter attached, that the proposed accessory building is intended to support agricultural activities that exceed the scale allowable under the Home Business 3 regulations permitted within the AR3 zone. To facilitate the proposed agricultural land use at the scale proposed, a Zoning Bylaw Amendment is required. Should this application be approved, the applicant will be required to reduce the proposed scale of agricultural activities to abide by Home Business 3 regulations and to submit a Business License application.

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

- The proposed variance from 90.0 m² to 147.0 m² (an additional 57 m²) is significant (63% increase) and is not consistent with the form and character of the surrounding neighbourhood.
- Administration has conducted a review of Development Variance Permit records and has confirmed no similar applications have been considered. The scale of the requested variance is unprecedented.
- The proposed 147 m² total combined gross floor area for accessory buildings and structures on site is not incidental to the existing single detached house.
- The scale of agriculture outlined in the rationale letter attached to this report is not permitted in an AR3 zone and is not considered an ancillary land use.
- Administration provided the applicant with alternate options including a Zoning Bylaw Amendment or reducing the scale and removing one or more of the existing accessory buildings to limit the total combined gross floor area of accessory buildings on the subject property.

OTHER CONSIDERATIONS:

Letters of Support

Four (4) Letters of support have been received from property owners near the subject property. The letters of support and a map showing the properties that submitted the letters of support are attached to this report as supporting documents.

Statutory Notification and Public Consultation

Members of the public wanting to provide comment on the application may submit written correspondence to Council. 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.

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. VP100652 be denied.

SUMMARY AND CONCLUSION:

Administration recommends that Council deny the applicant's request to increase the maximum total combined gross floor area of accessory buildings and structures on the subject property from 90.0 m² to 147.0 m² for the reasons outlined in this report.

RESPECTFULLY SUBMITTED:

Deanna Wasnik, Director of Planning and Development

PREPARED BY: Eliakim Longaquit, Planner 1

APPROVED:

Walter Babicz, City Manager

Meeting Date: 2023/08/28