

STAFF REPORT TO COUNCIL

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DATE: August 14, 2023

TO: MAYOR AND COUNCIL

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

SUBJECT: Development Variance Permit Application No. VP100648

APPLICANTS: Copper Falls Custom Homes Ltd. for James Yorston

LOCATION: 8391 Toombs Drive

ATTACHMENT(S): Location and Zoning Map
Development Variance Permit No. VP100648
Exhibit "A" to VP100648
Exhibit "B" to VP100648
Supporting Documents

- Rationale Letter
- Letters of Support and Associated Map

RECOMMENDATION(S):

That Council DENY Development Variance Permit No. VP100648 to vary "City of Prince George Zoning Bylaw No. 7850, 2007" for Lot A, District Lot 2099, Cariboo District, Plan 16953, as follows:

- Vary Section 9.5.6 1. to increase the maximum total combined gross floor area of accessory buildings and structures on a site from 90.0 m² to 246.0 m², as shown on Exhibit "A" to VP100648; and
- Vary Section 9.5.6 2. to increase the maximum height of accessory buildings from 6.0 m to 7.4 m, as shown on Exhibit "B" to VP100648.

PURPOSE:

The applicant is proposing to construct a 246.0 m² detached garage (accessory building) at 8391 Toombs Drive (subject property), as shown on Exhibits "A" and "B" to VP100648. Administration does not support the applicant's request to vary the maximum total combined gross floor area and height of the proposed detached garage.

BACKGROUND:

Site Characteristics

Location	8391 Toombs Drive
Current Use	Single Residential
Site Area	1.2 ha (3.0 acres)
Zoning	AR3: Rural Residential

Official Community Plan

Future Land Use	Rural C
Growth Management	Rural Areas

Surrounding Land Use Table

North	Residential; North Nechako Road
South	Residential
East	Toombs Drive; Residential
West	Nechako River

POLICY / REGULATORY ANALYSIS:

Zoning Bylaw No. 7850, 2007

City of Prince George Zoning Bylaw No. 7850, 2007, Amendment Bylaw No. 8256 was approved by Council on April 11, 2016, to comprehensively update the Zoning Bylaw to reflect conditions and trends of that time. This comprehensive update included adding a new regulation for accessory development to all rural residential zones to restrict the maximum total combined gross floor area of accessory buildings and structures on a site to 90.0 m². Where rural residential parcels zoned AF, AG, AR1, AR2, and AR4, are greater than 0.4 ha this regulation does not apply.

The subject property is zoned AR3: Rural Residential as per Zoning Bylaw No. 7850, 2007. The purpose of the AR3 zone is 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 AR3 accessory development regulations restrict the maximum total combined gross floor area of accessory buildings and structures on a site to 90.0 m² and the maximum height of accessory development to 6.0 m, except carriage houses which permit a maximum height of 7.0 m.

To facilitate the construction of a 246.0 m² accessory building, the applicant has applied to vary the maximum total combined gross floor area of accessory buildings and structures on site from 90.0 m² to 246.0 m², as shown on Exhibit "A" to VP100648. The applicant has further applied to increase the maximum height of accessory development from 6.0 m to 7.4 m, as shown on Exhibit "B" to VP100648.

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.

Administration has conducted a review of recent Development Variance Permit records and confirms on June 13, 2022, Council approved VP100613 that varied the maximum total combined gross floor area of accessory buildings from 90.0 m² to 165.0 m² and the maximum height of an accessory building from 6.0 m to 7.0 m at 7843 Toombs Drive in the AR3 zone.

Administration is not in support of this variance request as the proposed variance from 90.0 m² to 246.0 m² (an additional 156.0 m²) is significant (173% increase) and is not considered incidental to the existing single detached house.

OTHER CONSIDERATIONS:

Letters of Support

Three (3) letters of support have been received with one (1) being from a directly adjacent property owner. These letters 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.

Referrals

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

Property Title

A review of the legal title of the subject property indicated no encumbrances or restrictions that would affect this 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. VP100648 be denied. Should Council support this application, Development Variance Permit No. VP100648 has been attached to this report.

SUMMARY AND CONCLUSION:

Administration recommends that Council deny the applicant’s request to increase the maximum gross floor area and the height of accessory development, as shown on Exhibits “A” and “B” to VP100648, for the reason outlined in this report.

RESPECTFULLY SUBMITTED:

Deanna Wasnik, Director of Planning and Development

PREPARED BY: Bryce Deveau, Planner 1

APPROVED:

Walter Babicz, City Manager

Meeting Date: 2023/09/11