

**DATE:** October 5, 2023

**TO:** MAYOR AND COUNCIL

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

**SUBJECT:** Development Variance Permit Application No. VP100656

**APPLICANTS:** Casey and Kimberly Brown

**LOCATION:** 1430 Goose Country Road

**ATTACHMENT(S):** Location and Zoning Map  
Development Variance Permit No. VP100656  
Exhibit "A" to VP100656  
Exhibit "B" to VP100656  
Supporting Documents

- Rationale Letter
- Letters of Support and Associated Map

**RECOMMENDATION(S):**

That Council DENY Development Variance Permit No. VP100656 to vary "City of Prince George Zoning Bylaw No. 7850, 2007" for the subject property legally described as The East ½ of the South East ¼ of District Lot 4031, Cariboo District, Except Plans 34340 and PGP38106 as follows:

- Vary Section 5.6.6 by increasing the maximum floor area of a secondary dwelling from 40% to 84% of the total floor area of the principal dwelling, as shown on Exhibit "A" to VP100656.
- Vary Section 9.2.6 2. by increasing the maximum height for carriage housing from 7.0 m to 9.0 m, as shown on Exhibit "B" to VP100656.

**PURPOSE:**

The applicant has applied to vary the secondary dwelling regulations and AF: Agriculture and Forestry accessory development regulations to facilitate the construction of a carriage house at 1430 Goose Country Road (subject property), as shown on Exhibits "A" and "B" to VP100656. Administration does not support the applicant's request to vary the maximum floor area of a secondary dwelling and height for the proposed carriage house.

## BACKGROUND:

The subject property is in the Old Summit Lake Road area and immediately adjacent to the City's municipal boundary. The subject property currently contains a 106.0 m<sup>2</sup> manufactured house and two accessory buildings on a 22.6 ha lot. The existing manufactured house is privately serviced with onsite sewage and water.

### Site Characteristics

Location	1430 Goose Country Road
Current Use	Rural Residence
Site Area	22.6 ha (55.9 ac)
Zoning	AF: Agriculture and Forestry
Servicing	City Services Not Available

### Official Community Plan

Future Land Use	Rural Resource
Growth Management Class	Rural Resource

### Surrounding Land Use Table

North	Rural Residential
South	Goose Country Road; Vacant Lands
East	Regional District of Fraser-Fort George; Rural Residential
West	Rural Residential

### Relevant Applications

**Development Permit Application No. DP100862:** The applicant has concurrently submitted an Intensive Residential Form and Character Development Permit to facilitate the proposed carriage house. Should this application be approved, the Development Permit shall be issued, and a Building Permit will be required.

## POLICY / REGULATORY ANALYSIS:

### Zoning Bylaw

The subject property is zoned AF: Agriculture and Forestry, which is intended to conserve and manage agricultural and forestry land on parcels at least 15.0 ha in size and provide for a compatible range of uses such as residential. Where a parcel is less than 30.0 ha, the AF zone permits one principal dwelling and one secondary dwelling. The subject property is 22.6 ha (55.9 ac), which permits a secondary dwelling within the AF zone subject to Section 5.6 Secondary Dwellings of the Zoning Bylaw and the AF accessory development regulations.

Section 5.6 of the Zoning Bylaw outlines the regulations for a secondary dwelling which include the requirement for a principal dwelling, minimum lot width, parking, and a maximum floor area of 40% of the total floor area of the principal dwelling.

The AF accessory development regulations restrict the maximum total combined gross floor area of accessory buildings and structures on a site to 90.0 m<sup>2</sup> for lots smaller than 0.4 ha. The AF zone also limits the maximum height for accessory development to 20.0 m, except it is limited to 7.0 m for carriage housing. The subject property is 22.6 ha; therefore, the maximum total combined gross floor area of accessory buildings and structures does not apply.

The applicant has applied to construct an accessory building with a 149.0 m<sup>2</sup> footprint and a carriage house above offering a 90.0 m<sup>2</sup> secondary dwelling. Due to the size of the existing 106.0 m<sup>2</sup> manufactured house on the subject property, the proposed secondary dwelling would be limited to 40.0 m<sup>2</sup>. To facilitate the proposed carriage house, the applicant has applied to vary the secondary dwelling regulations to increase the maximum floor area of a secondary dwelling from 40% of the total floor area of the principal dwelling to 84% of the total

floor area of the principal dwelling, as shown on Exhibit “A” to VP100656. The applicant has further applied to increase the maximum height for carriage housing from 7.0 m to 9.0 m, as shown on Exhibit “B” to VP100656.

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 secondary dwellings are considered ancillary to the principal building, Section 5.6 Secondary Dwellings of the Zoning Bylaw restricts the maximum floor area of a secondary dwelling to 40% of the total floor area of the principal dwelling and the AF zone limits the height to 7.0 m.

Administration is not in support of this variance request as the proposed variance from 40% of the total floor area of the principal dwelling to 84% of the total floor area of the principal dwelling, and increased height from for carriage housing from 7.0 m to 9.0 m (2.0 m increase), as this is considered significant, and the proposed carriage house will no longer be considered incidental to the existing manufactured home.

#### **OTHER CONSIDERATIONS:**

##### **Letters of Support**

Two (2) letters of support have been received from the immediately adjacent property owners. These letters are attached to this report, along with a map showing the locations that provided letters of support.

##### **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. 9423, 2023”, 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

**Section 215 Covenant No. PD6266:** Registered on title in February 1990, this covenant restricts building and development from occurring within 7.5 m of the natural boundary and at least 1.5 m above any nearby pond or marsh area. Should this application be approved and development proceeds, the covenant must be complied with at the Development Permit and Building Permit stages.

#### **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. VP100656 be denied. Should Council support this application, Development Variance Permit No. VP100656 has been attached to this report.

**SUMMARY AND CONCLUSION:**

Administration recommends that Council deny the applicant's request to increase the maximum floor area of a secondary dwelling and to increase the maximum height of a carriage house, as shown on Exhibits "A" and "B" to VP100656, for the reasons outlined in this report.

**RESPECTFULLY SUBMITTED:**

Deanna Wasnik, Director of Planning and Development

**PREPARED BY:** Kali Holahan, Supervisor, Land Use Planning

**APPROVED:**

Walter Babicz, City Manager

Meeting Date: 2023/10/30