

# STAFF REPORT TO COUNCIL

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**DATE:** April 25, 2024

**TO:** MAYOR AND COUNCIL

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

**SUBJECT:** Development Variance Permit Application No. VP100666

**APPLICANT:** Textor Contracting for Amos and Nikki-Lee Ford

**LOCATION:** 6415 Delhi Place

**ATTACHMENT(S):** Location and Existing Zoning Map  
Development Variance Permit No. VP100666  
Exhibit "A" to VP100666  
Supporting Documents

- Rationale Letter
- Letters of Support and Associated Map

## RECOMMENDATION(S):

That Council APPROVES Development Variance Permit No. VP100666 to vary "City of Prince George Zoning Bylaw No. 7850, 2007" for the property legally described as Lot 35, District Lot 754, Cariboo District, Plan 20922 as follows:

- a. Vary Section 10.2.5. 7. by decreasing the minimum rear yard setback for the principal development from 6.0 m to 2.4 m, as shown on Exhibit "A" to VP100666.

## PURPOSE:

The applicant is proposing to vary the minimum rear yard setback to facilitate construction of a deck at 6415 Delhi Place (subject property), as shown on Exhibit "A" to VP100666.

## Background

### Site Characteristics

Location	6415 Delhi Place
Current Use	Residential
Site Area	815 m <sup>2</sup> (0.2 acres)
Zoning	RS2: Single Residential
Servicing	City Services Available

### Official Community Plan

Future Land Use	Neighbourhood Residential
Growth Management	Infill

### Surrounding Land Use Table

North	Delhi Place; Residential
South	City Owned Greenbelt
East	Residential
West	Residential

### STRATEGIC PRIORITIES:

This application is consistent with Council's strategic priority for economic growth and development by facilitating home improvement spending to maximize the quality of life.

### POLICY / REGULATORY ANALYSIS:

#### Zoning Bylaw No. 7850, 2007

The subject property is currently zoned RS2: Single Residential. The RS2 zone is intended to foster an urban lifestyle on properties larger than 500 m<sup>2</sup>. The zone also provides for complementary residential related uses that are compatible with the residential character of the area. The RS2 principal development regulations require a minimum rear yard setback of 6.0 m.

The subject property is located in lower College Heights, within a predominately single-family neighbourhood and backs onto a City owned greenbelt. The applicant is proposing to construct a deck and the rear of the existing residence above an existing concrete patio. The existing patio is currently equal to the landscaped grade and therefore did not trigger development setbacks. As the proposed deck will be greater than 0.6 m above the landscaped grade, RS2 setbacks apply. To construct the proposed deck within the existing patios footprint, the applicant has applied to vary the minimum rear yard setback for principal development from 6.0 m to 2.4 m, as shown on Exhibit "A" to VP100666.

Administration supports this variance request for the following reasons:

- The proposed rear yard setback decrease from 6.0 m to 2.4 m is not seen to have any negative impacts as this area has an existing concrete patio and will not further reduce the properties open space.
- The proposed 2.4 m setback exceeds the required 1.2 m rear yard setback for accessory developments.
- The rear yard abuts a City owned greenbelt.
- The attached deck is proposed at the rear of the existing residence, ensuring the form and character of the surrounding area is maintained.
- The development meets all other development regulations of the RS2 zone, including site coverage.
- Letters of support have been received from the immediately adjacent neighbours.

### OTHER CONSIDERATIONS:

#### Riparian Protection Development Permit Area

The subject property has been identified within Schedule D-2: Riparian Protection Development Permit Area of the Official Community Plan. The Riparian Protection Development Permit Area is intended to protect land and vegetation adjacent to watercourses. As the deck is proposed above an existing concrete patio, the deck is not seen to involve any further contravention to the riparian protection area guidelines. As such, the proposed deck is exempt from requiring a Riparian Protection Development Permit.

#### Letters of Support

Three (3) Letters of support have been received from the immediately adjacent neighbours. These letters and a map indicating proximity to the subject property have been 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. VP100666 be approved.

### **SUMMARY AND CONCLUSION:**

To facilitate the construction of a deck located at 6415 Delhi Place, the applicant has applied to vary the minimum rear yard setback for the principal development regulations from 6.0 m to 2.4 m. Administration supports this application for the reasons outlined in this report.

### **RESPECTFULLY SUBMITTED:**

Deanna Wasnik, Director of Planning and Development

**PREPARED BY:** Keone Gourlay, Planner 1

### **APPROVED:**

Walter Babicz, City Manager

Meeting Date: 2024/05/27