

Date: October 16, 2024

To: **Mayor and Council**

Name and title: Deanna Wasnik, Director of Planning and Development

Subject: Development Variance Permit Application No. VP100679

Applicant: Peter Lawrence Jackson and Christine Ellen Janet Olson
Jackson

Location: 163 McKinley Crescent

Attachment(s): Location and Existing Zoning Map
Development Variance Permit No. VP100679
Exhibit "A" to VP100679
Rationale Letter and Drawings

Recommendation(s):

That Council DENIES Development Variance Permit No. VP100679 to vary "City of Prince George Zoning Bylaw No. 7850, 2007" for the property legally described as Lot 7, District Lot 1427, Cariboo District, Plan 16863 as follows:

- a. Vary Section 10.2.5 5. by decreasing the minimum front yard setback of principal development from 4.5 m to 1.2 m, as shown on Exhibit "A" to VP100679.

Purpose:

The applicant is proposing to vary the minimum required front yard setback at 163 McKinley Crescent (subject property) to facilitate construction of a carport, as shown on Exhibit "A" to VP100679.

Background:

Site Characteristics

Location	163 McKinley Cres
Current Use	Residential
Site Area	583.6 m ² (0.14 acres)
Zoning	RS2: Single Residential

Official Community Plan

Future Land Use	Neighbourhood Residential
Growth Management	Infill

Surrounding Land Use Table

North	McKinley Cres; Residential
South	Residential; McKinley Cres
East	Residential; Highland Community Centre
West	Residential; Tabor Blvd

Policy / Regulatory Analysis:

Zoning Bylaw No. 7850, 2007

The subject property is zoned RS2: Single Residential, as per Zoning Bylaw No. 7850, 2007. The purpose of the RS2 zone is to foster an urban lifestyle on properties larger than 500 m². The RS2 zone also provides for complementary residential related uses that are compatible with the residential character of the area.

This application is intended to facilitate construction of an attached garage and carport. The applicant is proposing to replace an existing carport on the west side of the house with a new garage and construct a carport in front of the new garage that will extend 3.3 m into the required front yard setback. The RS2 principal development regulations require a minimum front yard setback of 4.5 m. To facilitate construction of the proposed carport on the subject property, the applicant has applied to vary the minimum front yard setback from 4.5 m to 1.2 m, as shown on Exhibit "A" to VP100679. Exhibit A also shows where the roof overhang would project 0.6 m into the setback area as permitted by the Zoning Bylaw.

Front yard setbacks provide many functions within the city that contribute to residential neighbourhoods. These setbacks provide separation of residential uses from public infrastructure, traffic and pedestrian uses, as well as space for private utility infrastructure and snow storage. A variance along the front yard to 1.2 m would not be consistent with typical residential frontages and does not provide sufficient area for city crews to clear snow and maintain infrastructure. While lesser setbacks may be reasonable from a land use planning perspective, they would need to be reduced on the neighbourhood scale to reduce the potential of damage from city crews conducting works along the street frontage.

No variances to decrease the front yard setback have been approved in the surrounding neighbourhood. The carport will not be consistent in size and form of front yard setbacks in the surrounding area. The reduced setback has the potential to negatively impact City of Prince George operational works related to snow collection/storage and infrastructure maintenance.

Administration is not in support of this variance request as the proposed 73% decrease in setback area is considered significant and does not conform with setbacks in the surrounding neighbourhood or other variances approved within the RS2 zone.

Other Considerations:

Letters of Support

Six (6) letters of support have been received from the immediately adjacent neighbours for the proposed development variance application. 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. 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 the following comments noted.

Civic Operations Department

The proposed development is outside of what the roads operations would consider acceptable. Snow storage is intended to start in the City ROW however depending on annual snow fall it can potentially be outside of that, and snow storage may be required on private property. The minimum setback that the roads operations would consider acceptable due to snow storage operational needs is 2.5 m.

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. VP100679 be denied. Should Council support this application, Development Variance Permit No. VP100679 has been attached to this report.

Summary and conclusion:

Administration recommends that Council deny the applicant's request to decrease the minimum front yard setback from 4.5 m to 1.2 m, as shown on Exhibit “A” to VP100679, for the reasons 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: 2024/11/18