

Date: March 25, 2025

To: **Mayor and Council.**

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

Subject: Development Variance Permit Application No. VP100697

Applicant: Elijah John Kenmuir and
Mavis Eileen Kenmuir

Location: 7822 Sabyam Road

Attachment(s): Location and Existing Zoning Map
Development Variance Permit No. VP100697
Exhibit "A" to VP100697
Exhibit "B" to VP100697
Letters of Support & Associated Map
Rationale Letter

Recommendation(s):

That Council DENIES Development Variance Permit No. VP100697 to vary "City of Prince George Zoning Bylaw No. 7850, 2007" for the property legally described Lot 14, District Lot 2424, Cariboo District, Plan 9563, Except Parcel A (Plan 21061) as follows:

- a. Vary Section 9.5.6 1. by increasing the maximum total combined gross floor area of accessory buildings on a site from 90.0 m² to 238.0 m², as shown on Exhibit "A" to VP100697; and
- b. Vary Section 9.5.6 2. by increasing the maximum height of accessory development from 7.0 m to 7.4 m, as shown on Exhibit "B" to VP100697.

Purpose:

The applicant is proposing to vary the maximum total combined gross floor area and height for an accessory development at 7822 Sabyam Road (subject property) to facilitate a 89.0 m² addition onto an existing accessory building, as shown on Exhibits "A" and "B" to VP100697. The applicant has provided a rationale letter and seven (7) letters of support to supplement this application.

Background:

Site Characteristics

Location	7822 Sabyam Road
Current Use	Housing, Two-Unit
Site Area	0.3 ha (0.8 acres)
Zoning	AR3m: Rural Residential
Servicing	City services available

Official Community Plan

Future Land Use	Neighbourhood Residential
Growth Management	Infill

Surrounding Land Use Table

North	Rural Residential
South	Rural Residential
East	Rural Residential
West	Sabyam Road; Rural Residential

Relevant Applications

Building Permit No. BP043312: The applicant has concurrently applied for a Building Permit to facilitate the addition and enclosure of an existing accessory building. As part of the review process, Administration notified the applicant that a variance would be required to facilitate the proposed gross floor area and height.

Development Variance Permit No. VP100526: On January 21, 2019, Council concurred with staff to deny Development Variance Permit Application No. VP100526 to similarly vary the AR3m: Rural Residential accessory development regulations for a nearby property at 7731 Sabyam Road. This application proposed to vary the maximum total combined gross floor area of accessory buildings and structures on site from 90.0 m² to 265.0 m², and increase the maximum height from 6.0 m to 8.0 m. Council denied the application for its massing and potential negative impacts on the surrounding neighbourhood.

Policy / Regulatory Analysis:

Zoning Bylaw No. 7850, 2007

The subject property is zoned AR3m: Rural Residential. The purpose of the AR3m zone is to foster a suburban lifestyle primarily on properties larger than 0.4 ha. The AR3m zone also provides complementary residential related uses that are compatible with the rural character of the area.

Accessory development regulations in the AR3m zone restrict the maximum total combined gross floor area of accessory buildings on a site to 90.0 m² and limits the maximum height of accessory buildings to 7.0 m. 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 238.0 m². The proposed variance will facilitate the construction of an 89.0 m² addition onto the existing 149.0 m² accessory building, as shown on Exhibit "A" to VP100697. Further to this, the applicant has also applied to increase the maximum height of

accessory buildings from 7.0 m to 7.4 m, to match the height of the existing accessory building, as shown on Exhibit “B” to VP100697. The existing accessory building is currently unpermitted and non-conforming as the property owner does not have a variance permit or a building permit for the existing structure.

The proposed accessory building addition will increase the gross floor area of accessory buildings from the current maximum of 90.0 m² to 238.0 m², which is approximately 2.65 times or 265% of the permitted floor area. The current size of the house is approximately 200.0 m². The accessory building is approximately 38.0 m² larger than the existing house. This increase combined with the increase in height surpasses the existing scale of other accessory buildings and is not considered incidental or secondary to the principal residential use. While there is a significant landscape buffer of large coniferous trees along the rear of the property, the increased size and height may have negative impacts and is not compatible with the residential character of the neighbourhood.

Although the AR3m zone does not take property size into consideration for the gross floor area of accessory buildings and structures on a site, other AR rural residential zones limit the maximum total combined gross floor area to 90.0 m² for lots smaller than 0.4 ha. The subject property is 0.3 ha in size and therefore the proposed variance would be required under any of the other rural residential zones in the Zoning Bylaw. As previously indicated, Council denied a similar Development Variance Permit Application to vary the AR3m: Rural Residential accessory development regulations for a nearby property at 7731 Sabyam Road to permit an area of 265.0 m² and a height of 8.0 m.

As the application is inconsistent with surrounding land uses, as well as the intent of the AR3m zone, Administration does not support this application.

Other Considerations:

Letters of Support

Seven (7) letters of support have been provided by adjacent property owners which are attached to this report as supporting documents. Further to this, the adjacent property located at 7828 Sabyam Road, directly to the north of the subject property, is currently owned by the applicant who has provided a rationale letter which is also attached as a supporting document.

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.

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. VP100697 be denied. Should Council support this application, Development Variance Permit No. VP100697 has been attached to this report.

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 site from 90.0 m² to 238.0 m² and to increase the maximum height of accessory development from 7.0 m to 7.4 m.

Respectfully submitted:

Deanna Wasnik, Director of Planning and Development

Prepared by: Bryce Deveau, Planner 1

Approved:

Walter Babicz, City Manager

Meeting date: 2025/04/23