

STAFF REPORT TO COUNCIL

1100 Patricia Blvd. | Prince George, BC, Canada V2L 3V9 | www.princegeorge.ca

DATE: April 9, 2020

TO: MAYOR AND COUNCIL

NAME AND TITLE: Ian Wells, General Manager of Planning and Development

SUBJECT: Variance Permit No. VP100567
Applicant: Dorothy Van Diepen
Location: 2763 Michener Crescent

ATTACHMENT(S): -Location and Existing Zoning Map
-Development Variance Permit No. VP100567
-Exhibit "A" to VP100567
-Supporting Document
-Rationale Letter from the Applicant

RECOMMENDATION(S):

That Council **DENIES** Development Variance Permit No. VP100567 to vary City of Prince George Zoning Bylaw No. 7850, 2007 for the property legally described as Lot 10, District Lot 8175, Cariboo District, Plan 17631 as follows:

- a. Vary Section 5.6.6 by increasing the maximum floor area of a secondary dwelling from 40% to 60% of the total floor area of the principal dwelling, as shown on Exhibit "A" to VP100567.

PURPOSE:

The applicant would like to construct a secondary dwelling (i.e. carriage house) with a floor area of 100.0 m² at 2763 Michener Crescent (subject property). The secondary dwelling floor area will be situated on the upper floor (one bedroom, kitchen, living room and bathroom) and a portion of the main floor (one bedroom, entryway and bathroom) to provide a total floor area of 100 m² as shown on Exhibit "A" to VP100567.

The applicant has applied to vary the secondary dwelling regulations to increase the maximum floor area of a secondary dwelling from 40% (67.8 m²) to 60% (100.0 m²) of the total floor area of the principal dwelling.

Background

Site Characteristics

Location	2763 Michener Crescent
Current Use	Single Residential
Site Area	621.0 m ²
Zoning	RS2: Single Residential

Official Community Plan

Future Land Use	Neighbourhood Residential
Growth Management	Infill

Surrounding Land Use Table

North	Michener Crescent and Residential
South	Residential and Pinewood Avenue
East	Residential
West	Residential and Vanier Drive

Relevant Applications

Intensive Residential Development Permit No. DP100716: The applicant has applied for an Intensive Residential Development Permit to facilitate the construction of the secondary dwelling (i.e. carriage house). During the review of the Development Permit, it was determined that a variance permit would be required due to the increase in the total floor are of the proposed carriage house, as identified on the plans attached as Exhibit “A”.

POLICY / REGULATORY ANALYSIS:

Official Community Plan (OCP)

The subject property is designated Neighbourhood Residential as per Schedule B-6: Future Land Use of the Official Community Plan No. 8383, 2011. The Neighbourhood Residential states that the City should maintain a similar scale of housing to that typical to the existing neighbourhood, by limiting the size of new buildings (Policy 8.3.58).

Zoning Bylaw No. 7850, 2007

The subject property is zoned RS2: Single Residential. The purpose of the zone is to foster an urban lifestyle on properties larger than 500.0 m². The zone also provides for complementary residential related uses that are compatible with the residential character of the area.

The Zoning Bylaw provides regulations for secondary dwellings to ensure the use is considered “ancillary” use to a residential zoned property. To ensure this intent, the Zoning Bylaw restricts the floor area of a secondary dwelling to be 40% of the total floor area of the principal dwelling. The Zoning Bylaw identifies secondary dwellings as a “secondary use” within rural residential zones (AG, AF, AR,) and urban residential zones (RS).

Further to this, the Zoning Bylaw defines the secondary dwelling as a self-contained dwelling that is detached and subordinate to the principal dwelling in terms of size, scale and massing. The Zoning Bylaw defines the “carriage house” form to be a secondary dwelling constructed above a detached garage with direct vehicle access.

As indicated above, the RS2 zone permits a secondary dwelling only as a secondary use to the principle dwelling to 40% of the total floor area of the principal dwelling. The existing house on the property has a gross floor area of 169.5 m², which would permit a maximum secondary dwelling floor area of 67.8 m². The applicant is proposing the floor area of the carriage house to be 100.0 m². The increase in floor area is to accommodate living space on the main floor of the carriage house (i.e. bedroom, bathroom and entryway), along with the entire upper floor.

Administration is unable to support this application. As indicated previously, the intent of the carriage house is to be ancillary to the principal house on the subject property with the unit of living space being located above the garage portion. Increasing the proposed carriage house total floor area to 60% of the floor area of the principal house on the property compromises the intent of the carriage house being ancillary to the principal house.

Furthermore, Administration is also concerned with the precedent that may be set should the percentage increase proposed through this variance permit application be approved. The Zoning Bylaw clearly defines principal uses, secondary uses, the intent of the uses, and specifically limits the total area of secondary dwellings, such as carriage houses, to 40% of the total area of the principal house to ensure the secondary dwelling is ancillary to the principal house.

OTHER CONSIDERATIONS:

Notification to Adjacent Property Owners

As a result of the COVID-19 pandemic and Ministerial Order No. M083 issued under the *Emergency Program Act*, City Council at their meeting held April 6, 2020 passed a resolution to discontinue informal hearings for Development Variance Permit applications, Temporary Use Permit applications and other applications where such hearings are not legally required to be held. This decision is effective for the period that Ministerial Order No. M083 applies.

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 notice to adjacent property owners and tenants whose interests may be affected by this development variance permit. Written submissions received in response to the public notice for this application will be provided to Council for 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.

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. VP100567 be denied.

SUMMARY AND CONCLUSION:

Administration recommends denial of the variance permit to increase the total floor area of the secondary dwelling to 40% to 60% of the total floor area of the principal dwelling at 2763 Michener Crescent as per the rationale provided in this report.

RESPECTFULLY SUBMITTED:

Ian Wells, General Manager of Planning and Development

PREPARED BY: Melissa Nitz, Planner 1

APPROVED:

Kathleen Soltis, City Manager

Meeting Date: 2020/04/27