

STAFF REPORT TO COUNCIL

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DATE: March 24, 2021

TO: MAYOR AND COUNCIL

NAME AND TITLE: Ian Wells, Acting Deputy City Manager

SUBJECT: Development Variance Permit Application No. VP100586
Applicant: David Keough
Location: 1826 Garden Drive

ATTACHMENT(S): Location and Existing Zoning Map
Development Variance Permit No. VP100586
Exhibit "A" to VP100586
Letters of Support

RECOMMENDATION(S):

That Council APPROVES Development Variance Permit No. VP100586 to vary City of Prince George Zoning Bylaw No. 7850, 2007 for the property legally described as Lot 26, Block L, District Lot 936, Cariboo District, Plan 10005 as follows:

- a. Vary Section 10.2.6 6. by decreasing the minimum rear yard setback for an accessory building from 1.2 m to 0.0 m, as shown on Exhibit "A" to VP100586.

PURPOSE:

The applicant would like to construct a 40 m² detached garage on an existing foundation on the subject property located at 1826 Garden Drive. In order to facilitate the development, the applicant has requested to vary the required 1.2 m rear yard setback to 0.0 m, as shown on Exhibit "A" to VP100586.

Background

Site Characteristics

Location	1826 Garden Drive
Current Use	Single Residential
Site Area	613 m ²
Zoning	RS2: Single Residential
Future Land Use	Neighbourhood Residential

Surrounding Land Use Table

North	Single Residential
South	Single Residential
East	Lane; Single Residential
West	Garden Drive; Single Residential

POLICY / REGULATORY ANALYSIS:

Zoning Bylaw No. 7850, 2007

The subject property is zoned RS2: Single Residential. The purpose of this zone is to foster an urban lifestyle on properties larger than 500 m². The zone also provides for complementary residential related uses that are compatible with the residential character of the area. The RS2 zone requires a 1.2 m rear yard setback for accessory development.

The applicant proposes to construct a 40 m² detached garage on an existing foundation on the subject property. To facilitate the construction, the applicant has applied to reduce the minimum rear yard to 0.0 m.

Administration supports the variance request for the following reasons:

- The reduced setback is supported by neighbouring properties to the north, south, and east of the subject property;
- The rear yard is adjacent to a lane which will provide an increased buffer from residential uses east of the subject property;
- The proposed setback complies with BC Building Code;
- The development will meet all other regulations, including site coverage and maximum height;
- The form is consistent with the character of the surrounding neighbourhood; and,
- Administration believes there will be minimal impact on the adjacent land uses and that the variance is minor in nature.

OTHER CONSIDERATIONS:

Council Procedures during COVID-19

Orders of the Provincial Health Officer and Ministerial Order No. 192, issued under the Emergency Program Act, related to local government meetings and bylaw processes, have imposed specific requirements on local governments related to council meetings and bylaw process. In accordance with these orders, City Council has discontinued 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 the Ministerial Orders related to local government meetings and bylaw processes apply.

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.

Letters of Support

The applicant has received letters of support from the properties directly adjacent (north, south and east) of the subject property (see supporting documents).

Notification to Adjacent Property Owners

As per the requirements set out in the *Local Government Act* 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.

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. VP100586 be approved.

SUMMARY AND CONCLUSION:

The applicant has applied to decrease the minimum rear yard setback from 1.2 m to 0.0 m to facilitate the construction of a 40 m² detached garage on an existing foundation on the subject property. Administration supports this application for the reasons outlined in the Report.

RESPECTFULLY SUBMITTED:

Ian Wells, Acting Deputy City Manager

PREPARED BY: Nicole Fraser, Planner

APPROVED:

Walter Babicz, Acting City Manager

Meeting Date: 2021/04/12