

DATE: March 23, 2021

TO: MAYOR AND COUNCIL

NAME AND TITLE: Ian Wells, Acting Deputy City Manager

SUBJECT: Development Variance Permit Application No. VP100584
 Applicant: Stanley Harvey
 Location: 7782 Leyden Crescent

ATTACHMENT(S): Location and Existing Zoning Map
 Development Variance Permit No. VP100584
 Exhibit "A" to VP100584
 Supporting Document (Site Plan)

RECOMMENDATION(S):

That Council APPROVES Development Variance Permit No. VP100584 to vary City of Prince George Zoning Bylaw No. 7850, 2007 for the property legally described Lot 28, District Lot 2013, Cariboo District, Plan 22674 as follows:

- a. Vary Section 10.2.5 5. by decreasing the minimum required front yard for principal development from 4.5 m to 2.8 m, as shown on Exhibit "A" to VP100584.

PURPOSE:

The applicant would like to construct a second attached carport onto an existing single detached dwelling located at 7782 Leyden Crescent (Subject Property). Due to the irregular alignment of the front property line, the southwest corner of the proposed 44 m² carport will extend into the required front yard. In order to facilitate the development, the property owner has requested to vary the minimum front yard for principal development from 4.5 m to 2.8 m.

Background

Site Characteristics

Location	7782 Leyden Crescent
Current Use	Single Family
Site Area	829 m ²
Zoning	RS2: Single Residential

Official Community Plan

Future Land Use	Neighborhood Residential
Growth Management	Infill

Surrounding Land Use Table

North	Single Family
South	Single Family
East	Single Family
West	Leyden Crescent, Single Family

POLICY / REGULATORY ANALYSIS:

Land Use Contract K28397

The subject property has Land Use Contract No. K28397 registered on title. Schedule “B” of this Land Use Contract specifies that the development regulations are to comply with *Zoning By-Law 1967 of the City of Prince George*. As *Zoning By-Law 1967* is no longer in effect, development regulations are instead specified within *City of Prince George Zoning Bylaw No. 7850, 2007*, as this is the current zoning bylaw. Therefore, a variance to *City of Prince George Zoning Bylaw No. 7850, 2007* is required.

Zoning Bylaw No. 7850, 2007

The subject property is zoned RS2: Single Residential. The purpose of the RS2 zone is to foster an urban lifestyle on properties larger than 500 m². The RS2 zone requires a minimum front yard for principal development of 4.5 m. As shown on Exhibit “A” to VP100584, a portion of the proposed carport will project into the required yard; therefore, the applicant has applied to reduce the required front yard to 2.8 m.

Administration supports the variance request for the following reasons:

- As the carport is an open structure, Administration does not anticipate that it will interfere with site lines on Leyden Crescent;
- The variance is minor in nature, as only a small portion of the carport will project into the front yard (see attached Site Plan);
- The development will meet all other development regulations, including required side yards, and site coverage;
- The projection into the front yard is the result of the irregular alignment of the front property line; and,
- As the proposed carport will be screened by an existing cedar hedge, Administration does not foresee any negative impacts to the neighbouring properties.

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.

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 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. VP100584 be approved.

SUMMARY AND CONCLUSION:

In order to facilitate the construction of an attached carport, the property owner has requested that the minimum front yard for principal development be reduced from 4.5 m to 2.8 m. Administration recommends approval for the reasons outlined in this report.

RESPECTFULLY SUBMITTED:

Ian Wells, Acting Deputy City Manager

PREPARED BY: Tristin Deveau, Planner

APPROVED:

Walter Babicz, Acting City Manager

Meeting Date: 2021/04/12