

The Corporation of the
CITY OF WHITE ROCK



Board of Variance
AGENDA

Wednesday, April 24, 2024, 3:30 p.m.

City Hall Council Chambers

15322 Buena Vista Avenue, White Rock, BC, V4B 1Y6

	Pages
1. CALL TO ORDER	
2. ADOPTION OF AGENDA	
RECOMMENDATION THAT the Agenda for the Board of Variance meeting scheduled for April 24, 2024 be approved.	
3. ADOPTION OF MINUTES	2
RECOMMENDATION THAT the Board of Variance adopts the minutes from the November 22, 2023 meeting as circulated.	
4. APPEAL SUBMISSIONS TO THE BOARD OF VARIANCE	
4.1 BOV 24-008, 1285 Everall Street	5
EXECUTIVE SUMMARY This Board of Variance application is requesting the following variances to the RS-2 One Unit (Small Lot) Residential Zone to permit an addition to the existing garage:	
1. To vary the rear lot line setback from 3.0m (9.84ft) to 1.20m (3.94ft); and	
2. To vary the front and rear yard combination setback from 12.0m (39.37ft) to 4.44m (14.57ft).	
5. CONCLUSION OF THE MEETING	



Board of Variance

Minutes

November 22, 2023, 3:30 p.m.
City Hall Council Chambers
15322 Buena Vista Avenue, White Rock, BC, V4B 1Y6

PRESENT: Brian Hagerman, Board Member
Mike Hornak, Board Member
Chris Tupy, Board Member

GUESTS: Owner/Applicant, 14737 Marine Drive
Owner, 14737 Marine Drive
Designer, 14737 Marine Drive
Neighbour, 14737 Marine Drive
Neighbour, 14737 Marine Drive
Owner/Applicant, 1407 Bishop Road
Builder, 1407 Bishop Road

STAFF: Wayne Berg, Deputy Director of Planning and Development Services
Neethu Syam, Planning Division Lead
Sophia Bihari, Planning and Development Assistant II
Bonnie Hardeo, Planning and Development Assistant

1. CALL TO ORDER

The meeting was called to order at 3:32 p.m.

2. ADOPTION OF AGENDA

It was **MOVED** and **SECONDED**

THAT the Agenda for the Board of Variance meeting scheduled for November 22, 2023, be approved.

CARRIED

3. ADOPTION OF MINUTES

It was **MOVED** and **SECONDED**

THAT the Board of Variance adopts the minutes from the June 28, 2023, meeting as circulated.

CARRIED

7. **ADOPTION OF MEETING SCHEDULE FOR 2024**

RECOMMENDATION

It was **MOVED** and **SECONDED**

THAT the Board of Variance adopt the meeting schedule for 2024 as presented.

Note: The Chair may request additional meetings and, with input from the Board, revise the meeting schedule as required to ensure quorum.

CARRIED

8. **APPEAL SUBMISSIONS TO THE BOARD OF VARIANCE**

8.1 **BOV 23-010, 14737 Marine Drive**

To accommodate the construction of a single-family dwelling, the applicant is seeking a variance to:

- i. Increase the maximum permitted height from 7.7m to 10.42m
- ii. Allow a portion of the building to extend 75% into the angle of containment for the top floor.

The Chairperson sought a motion on the appeal as a whole:

It was **MOVED** by C. Tupy and **SECONDED** by M. Hornak.

THAT the appeal be denied for a variance to Section 6.2.5 of White Rock Zoning Bylaw 2012, No. 2000 to increase the height of the building from 7.7m to 10.42m and increase the angle of containment from 45% to 75%

DEFEATED

3-0

8.2 **BOV22-018, 1407 Bishop Road**

To accommodate the construction of single-family home, The applicant is seeking a variance to:

- i. Reduce the exterior side lot line setback from 7.5m to 3.5m (Zoning Bylaw Section 6.1.6)

The Chairperson sought a motion on the appeal as a whole:

It was **MOVED** by M. Hornak and **SECONDED** by C. Tupy.

THAT the appeal be granted for a variance to Section 6.1.6 of White Rock Zoning Bylaw 2012, No. 2000 to reduce the exterior side lot line setback from 7.5m to 3.5m.

CARRIED

9. **CONCLUSION OF MEETING**

There being no further business, the meeting adjourned at 4:33 pm.

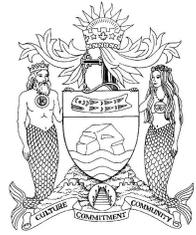
The foregoing minutes of November 22, 2023, are hereby certified correct.

BRIAN HAGERMAN, Chairperson

SOPHIA BIHARI, Recording Secretary

UNADOPTED

THE CORPORATION OF THE
CITY OF WHITE ROCK
CORPORATE REPORT



DATE: April 24, 2024
TO: Board of Variance
FROM: Sophia Bihari, Planning and Development Assistant II
SUBJECT: Board of Variance Application for 1285 Everall Street **BOV 24-008**

EXECUTIVE SUMMARY

This report is to provide the Board of Variance with the information and analysis regarding an application to the Board of Variance requesting the following variances to the RS-2 One Unit (Small Lot) Residential Zone to permit an addition to the existing garage:

1. To vary the rear lot line setback from 3.0m (9.84ft) to 1.20m (3.94ft); and
 2. To vary the front and rear yard combination setback from 12.0m (39.37ft) to 4.44m (14.57ft).
-

APPLICATION OVERVIEW:

Owner/Applicant: [REDACTED]
Civic Address: 1285 Everall Street
Existing Lot Area: 551.89m² (5940.51ft²)
OCP Designation: Mature Neighbourhood
Zone: RS-2 One-Unit (Small Lot) Residential Zone
Variance Requested: Relief from rear lot line setback and front and rear yard combination setback

BACKGROUND

The subject property is zoned RS-2 One-Unit (Small Lot) Residential Zone. The intent of this zone is to accommodate one-unit residential buildings on lots 362.0m² (3896.53ft²) or more in area. The subject property at 1285 Everall Street is situated at the corner of Everall Street and Prospect Lane (see Figure 1 and Appendix A) with a lot area of 551.89m² (5940.51ft²). The subject property is designated Mature Neighbourhood in the Official Community Plan (OCP), as such these areas are comprised of existing single-family homes.



Figure 1: Orthographic Map

Variance Details

The subject property is situated at the corner of Everall Street and Prospect Lane. To accommodate additional parking on the subject property, the applicant is proposing to construct an extension to the existing attached garage and is seeking a variance to reduce the rear yard setback requirement of the RS-2 One-Unit (Small Lot) Residential Zone from 3.0m (9.84ft) to 1.20m (3.94ft) per Section 6.2.6 of the Zoning Bylaw. The applicant noted in their application that the subject property is a corner lot with varying topography, which makes off-street parking on the subject property very limiting. This is noted within the applicant's hardship statement attached as Appendix B.

During staff analysis of the application, it has been noted that in addition to the variance to the rear lot line, a second variance is required to the front and rear yard setbacks which shall be in combination of not less than 12.0m (39.37ft), per Section 6.2.6(2) of the Zoning Bylaw. The second variance is to vary the front and rear yard setback combination of minimum 12.0m (39.37ft) to 4.44m (14.57 ft.), a variance of 7.56 m (24.80 ft.). (Following staff review, staff has included this second variance as part of this Board of Variance application.)

To provide further context to the variance application, it has been noted that in February 1991, the previous property owner applied to the Board of Variance and was granted a variance to construct an ancillary building in the required rear yard setback. Per Section 6.2.6 in the Zoning Bylaw, ancillary buildings or structures are required to have a 1.5m setback from the rear lot line. The applicant at the time was granted to reduce the rear yard lot line setback from 1.5m (4.92ft) to 1.26m (4.13ft). A copy of the 1991 Board of Variance meeting minutes and a drawing of the approved variance request is attached as Appendix F.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS

The Planning Division referred the application for review to the Building Division, Engineering and Municipal Operations Department, Parking Division and to the Tree Preservation Official.

The Engineering division noted that the applicant must ensure not to impact City property or reduce the width of Prospect Lane by any means. In addition, the Engineering division staff noted that the subject property currently has two driveways, one off Everall Street (to the east) and the other on Prospect Lane (to the south). Staff note that under the current Street and Traffic Bylaw no more than one driveway per parcel is permitted. However, the current two access points were permitted under previous regulations.

The Parking division has indicated there is no impact to on-street parking as Prospect Lane and Everall Street are both too narrow to allow parking. However, as the subject property is a corner lot, the narrow lanes may increase likelihood of conflict between vehicles in the process of parking and laneway traffic, specifically vehicle traffic travelling south on Everall Street and turning west onto Prospect Lane.

IMPLICATIONS FOR TREE PRESERVATION AND TREE CANOPY ENHANCEMENT

The Tree Preservation Official has noted that the cedar hedges situated on the West side of the property can be removed without a tree management permit as the cedar trees do not meet the size specifications outlined in the Tree Protection Bylaw No. 2407 for retention. The Tree Preservation Official has also noted that the two city trees, comprising of one Colorado Blue Spruce and one Grand Fir located within 4 metres of the property, may necessitate Tree Protection Barriers in accordance with City standards.

SAMPLE MOTIONS

The following sample motion are proposed for the Board's consideration:

1. That the Board approve application BOV 24-008 to vary the following section of the Zoning Bylaw:
 - To vary the rear lot line setback from 3.0m (9.84ft) to 1.20m (3.94ft) based on Section 6.2.6 of the Zoning Bylaw (*refer to Table 1.0 below*).
 - To vary the front and rear yard combination setback from 12.0m (39.37ft) to 4.44m (14.57ft). (*refer to Table 1.0 below*).

2. That the Board deny application BOV 24-008 to vary the following section of the Zoning bylaw:
 - To vary the rear lot line setback from 3.0m (9.84ft) to 1.20m (3.94ft) based on Section 6.2.6 of the Zoning Bylaw (*refer to Table 1.0 below*).
 - To vary the front and rear yard combination setback from 12.0m (39.37ft) to 4.44m (14.57ft). (*refer to Table 1.0 below*).

Table 1.0

6.2.6 Minimum Setback Requirements: 1) <i>principal buildings and ancillary buildings and structures</i> in the RS-2 zone shall be sited in accordance with the following minimum <i>setback</i> requirements:		
Setback	Principal Building	Ancillary Buildings and Structures
Front lot line i.e. see 2) below	3.0m (9.84ft)	Not permitted
Rear lot line i.e. see 2) below	3.0m (9.84ft)	1.5m (4.92ft)
Interior side lot line	1.2m (3.94ft)	1.2m (3.94ft)
Interior side lot line (abutting a lane)	2.4m (7.87ft)	2.4m (7.87ft)
Exterior side lot line (rear lot line abutting a lane or rear lot line of adjacent lot) i.e. for a distance of 7.5m as per 3) below	3.0m (9.84ft) & 1.5m (4.92ft)	3.0m (9.84ft) & 1.5m (4.92ft)
2) Notwithstanding the above, the <i>front and rear yard setbacks</i> shall in combination be not less than 12.0m (39.37ft).		

Alternatively, any other motion the board may deem appropriate for the applicant.

SUMMARY/CONCLUSION

The applicant for 1285 Everall Street has requested the following variance to the RS-2 One Unit (Small Lot) Residential Zone requirements of the Zoning Bylaw No. 2000.

1. To reduce the rear lot line setback from 3.0m (9.84ft) to 1.20m (3.94ft).
2. To reduce the front and rear yard combination setback from 12.0m (39.37ft) to 4.44m (14.57ft).

Respectfully submitted,

Sophia Bihari

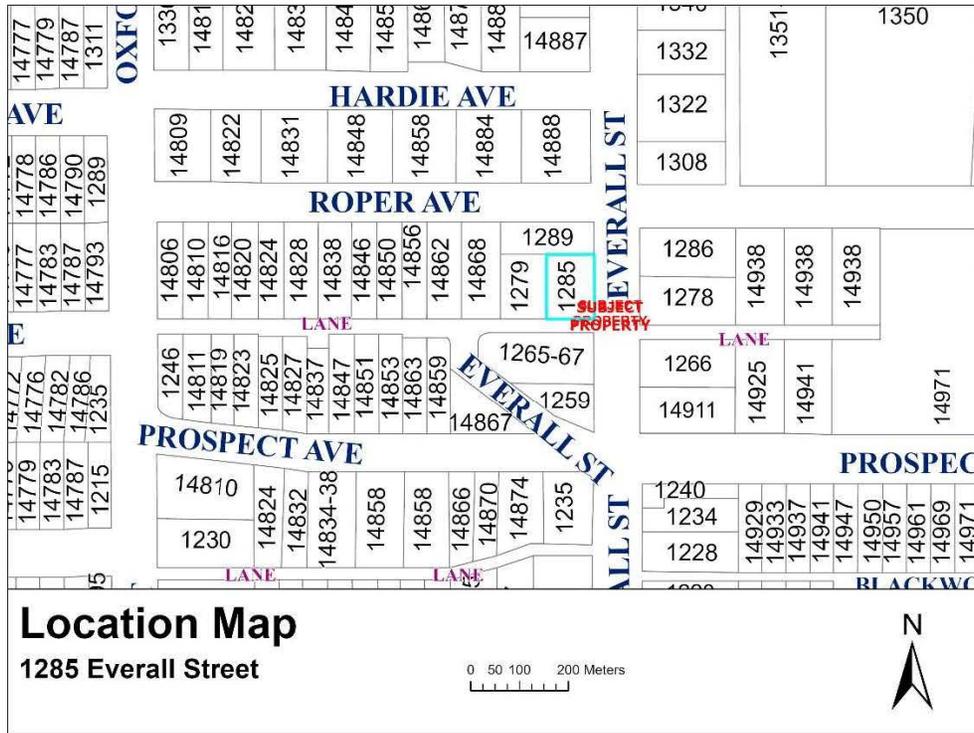
Sophia Bihari
Planning and Development Assistant II

Attachments:

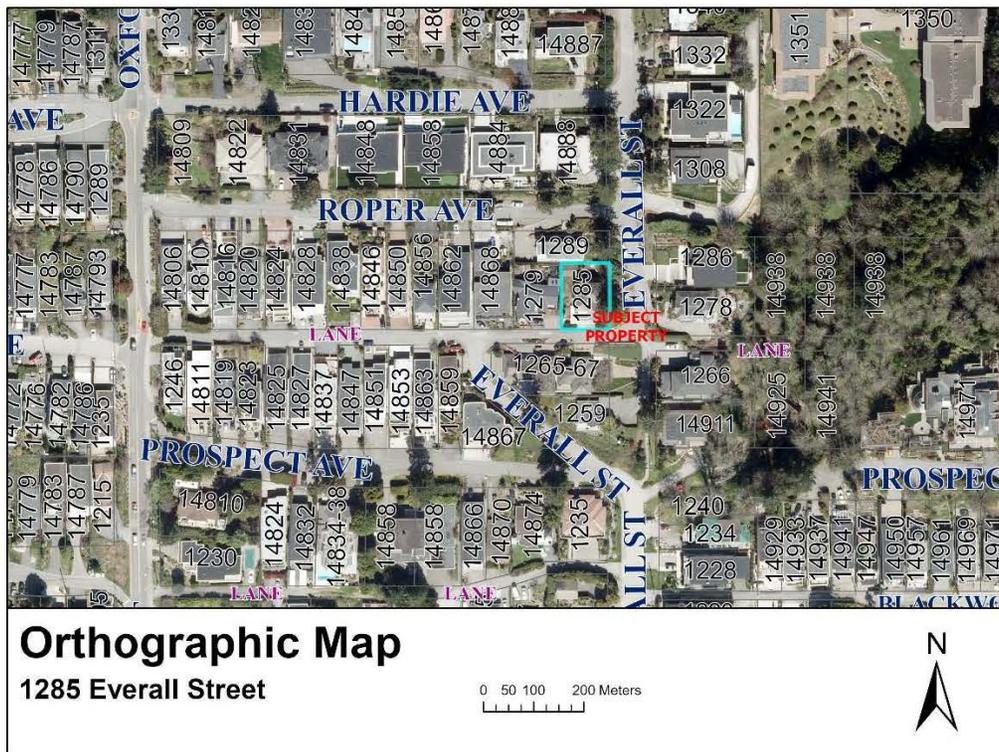
- Appendix A: Location and Ortho Map
- Appendix B: Application Form/Statement of Hardship
- Appendix C: Definitions and RS-2 Zoning Reference
- Appendix D: Site Survey
- Appendix E: Drawings (Site Plans and Elevations)
- Appendix F: Previous Board of Variance Appeal

Appendix A
Location and Ortho Map

Location Map



Orthographic Map



Appendix B
Application Form/Statement of Hardship



Board of Variance Application Form

Planning and Development Services

P: 604-541-2136 | F: 604-541-2153

www.whiterockcity.ca

15322 Buena Vista, White Rock B.C. V4B 1Y6

In accordance with White Rock Board of Variance Bylaw, 2004, No. 1753 and White Rock Planning Procedures Bylaw, 2017, No. 2234, I / we hereby submit the following application to the Board of Variance:

Site Address(es)	1285 Overall st.
PID(s)	
Legal Description(s)	Lot BNE 1/4 sec 10 TP .1 plan 71712 NWD
Zoning	RS-2

Variance(s) Requested

Please detail the specific variances to the White Rock Zoning Bylaw, 2012, No. 2000 that you are requesting below:

Variance Requested Example: Front Lot Line Setback from 7.5 metres to 6.0 metres in RS-1 Zone	Zoning Bylaw Section Example: Section 6.1.6 (3)
This is a corner lot with the long side running north south and the short side east west. The existing structure's set backs closely match the current code if the structure is deemed to be facing south. Planning has determined the house has a east facing frontage. We request a variance to allow a south facing setback determination and a small variance to allow the new garage and dec to align with the existing structure with a S 1m by E 2.75 m intrusion into the S.W. Setback	6.2.6

Description of Proposal

Please provide a short description of your proposal below:

We propose to add two additional enclosed parking stalls on the West side of our existing structure. This would be under the existing West side deck and extend 2.75 meters to the West of our existing deck. The existing deck would be replaced with new decking and railing covering the new parking space and align with the existing South side structure. The requested variance changing our deemed frontage to the south side and for a 1m reduction into the total 12 m zoning setback by 2.75m wide on the SW corner of the property. The new structure would be concrete and timber and would be dug into the bank and close to ground level on the north side. This proposal does not affect any neighborhood views and is significantly behind the neighbors to the West. Changing the deemed frontage to the south on a north south axis would be similar to the lots along north side of the roadway to the east of our property

Hardship Statement

The Board of Variance is authorized to act only in cases of undue hardship as relating to the siting, size, or shape of buildings or structures on a property. Please provide a short description of your hardship below:

Parking spaces is at a premium in many areas of White Rock. On the hillside around this house, parking is especially limited and Everall street is very steep and dangerous to park on. Due to the shape and location of this property, it is limited to two off street parking spaces. This proposal will add both enclosed and external parking while improving the south side building lines and overall appearance of the residence.

Minimum Application Requirements

Please use the following checklist to assist with the preparation of your application:

Checklist	CHECK
A Completed Application Form with associated fee per the City's Fees and Charges Bylaw. <i>Note: 8 copies of this document are required.</i>	
An Authorized Agent Form, if the property owner is represented by a third party	
Proof of Business Ownership (Notice of Articles) <i>Note: Only required if the property owner is a corporation.</i>	
A recent title search, dated within 30 days of the application <i>Note: Staff will require copies of any applicable legal encumbrances on title.</i>	
A Registered Survey Plan <i>Note: The Registered Survey Plan must show the existing ("permitted") and proposed ("varied") dimensions of the building envelope. It must also show the topography of the site, along with the siting, size and elevations of trees located on and around the subject property. Along with the original stamped/sealed survey plan, 8 copies (11 by 17) are required.</i>	
Site Plan, Building Elevations Plans, and Floor Plans <i>Note: Only plans applicable to the requested variances are required. Be sure to verify which ones are required with staff. 8 copies of these plans (11 by 17) are required.</i>	

Additional Application Requirements

Some applications may have additional submission requirements. Other studies not described here may be required. Please verify with Planning staff before proceeding with the submission of this application:

Checklist	STAFF CHECK	APPLICANT CHECK
Tree Assessment Report <i>Note: The report, as prepared by a certified arborist, will need to identify trees of protected size for retention and removal on and around the subject property (see: White Rock Tree Management Bylaw, 2008, No. 1831). 8 copies of this document are required.</i>		
Parking Plan <i>Note: The plan will illustrate off-street (on-site) parking space dimensions, drive aisles, and turning radiuses. 8 copies of this document are required.</i>		

Owner / Applicant Information

Please input the following information into each box as labelled and organized below:

	Registered Owner	Applicant (only if not the Owner)
Full Name / Organization	[REDACTED]	
Address	1285 Everall St.	
City	White Rock	
Postal Code	V4B 3S4	
Phone (Main)	[REDACTED]	
Phone (Cell)	[REDACTED]	
Fax		
E-mail	[REDACTED]	

Consent

Please fill out and sign the following materials below to signify your consent for this application:

I hereby consent ...	Input Signature Below:	Date (YY/MM/DD)
Property Owner	[REDACTED]	24/04/02
Property Owner		
Authorized Agent		

Appendix C
Definitions and RS-2 Zoning

6.2 RS-2 One Unit (Small Lot) Residential Zone

The intent of this zone is to accommodate one unit residential *buildings* on *lots* of 362 square metres (3,896.53 square feet) or more.

6.2.1 Permitted Uses:

- 1) a *one-unit residential* use in conjunction with not more than one (1) of the following accessory uses:
 - a) an *accessory child care centre* in accordance with the provisions of Section 5.1.
 - b) an *accessory boarding use* in accordance with the provisions of Section 5.4.
 - c) an *accessory registered secondary suite* in accordance with the provisions of Section 5.5.
 - d) an *accessory bed & breakfast use* in accordance with the provisions of Section 5.7.
 - e) a *short term rental* in accordance with the provisions of Section 5.8.
- 2) an *accessory home occupation* in conjunction with a *one-unit residential use* and in accordance with the provisions of Section 5.3;
- 3) a *care facility* in accordance with the provisions of Section 5.1.
- 4) notwithstanding the above, on lots with less than the minimum required *lot area*, a one-unit residential use only is permitted.

6.2.2 Lot Size:

- 1) The minimum *lot width*, *lot depth* and *lot area* in the RS-2 zone are as follows:

Lot width	10.0m (32.81ft)
Lot depth	27.4m (89.9ft)
Lot area	362.0m ² (3,896.53ft ²)

6.2.3 Lot Coverage:

- 1) The maximum *lot coverage* in the RS-2 zone is 50%.

6.2.4 Floor Area:

- 1) maximum *residential gross floor area* shall not exceed 0.6 times the *lot area*.

6.2.5 Building Heights:

- 1) *principal buildings* shall not exceed a *height* of 7.7m (25.26ft), and the height of the southerly elevation of the building shall be determined by an angle of containment of 45 degrees to the vertical commencing 6.0 metres (19.69 feet) above the natural grade at the base of the south wall as illustrated in sub-section 4.9.
- 2) *ancillary buildings* and structures shall not exceed a *height* of 4.0m (13.12ft).

6.2.6 Minimum Setback Requirements:

- 1) *principal buildings and ancillary buildings and structures* in the RS-2 zone shall be sited in accordance with the following minimum *setback* requirements:

Setback	Principal Building	Ancillary Buildings and Structures
Front lot line i.e. see 2) below	3.0m (9.84ft)	Not permitted
Rear lot line i.e. see 2) below	3.0m (9.84ft)	1.5m (4.92ft)
Interior side lot line	1.2m (3.94ft)	1.2m (3.94ft)
Interior side lot line (abutting a lane)	2.4m (7.87ft)	2.4m (7.87ft)
Exterior side lot line (rear lot line abutting a lane or rear lot line of adjacent lot) i.e. for a distance of 7.5m as per 3) below	3.0m (9.84ft) & 1.5m (4.92ft)	3.0m (9.84ft) & 1.5m (4.92ft)

- 2) Notwithstanding the above, the *front and rear yard setbacks* shall in combination be not less than 12.0m (39.37ft).
- 3) Notwithstanding the above, the *exterior side yard setback* requirement for *principal buildings* and for *ancillary buildings and structures* shall be 3.0m (9.84ft) for a distance of 7.5m (24.61ft) from the *front lot line* and 1.5m (4.93ft) from that point to the *rear lot line* of the *lot*.

6.2.7 Ancillary Buildings and Structures:

Except as otherwise provided in Section 4.13 and in addition to the provisions of subsections 6.2.5 and 6.2.6 above, the following also applies:

- 1) there shall be not more than one *ancillary building per lot*.
- 2) *ancillary buildings* shall not exceed a gross floor area of 11.15m² (120.0ft²).
- 3) *ancillary buildings and structures* shall not be located in any required *front yard or exterior side yard area*.

6.2.8 Accessory off-street parking shall be provided in accordance with the provisions of Section 4.14.

Appendix D
Site Survey

TOPOGRAPHIC PLAN OF LOT B, SECTION 10, TOWNSHIP 1, NWD, PLAN 71721

CIVIC ADDRESS: 1285 Everall Street, White Rock, B.C.



SCALE - 1 : 250

All distances are in metres

SURVEY LEGEND

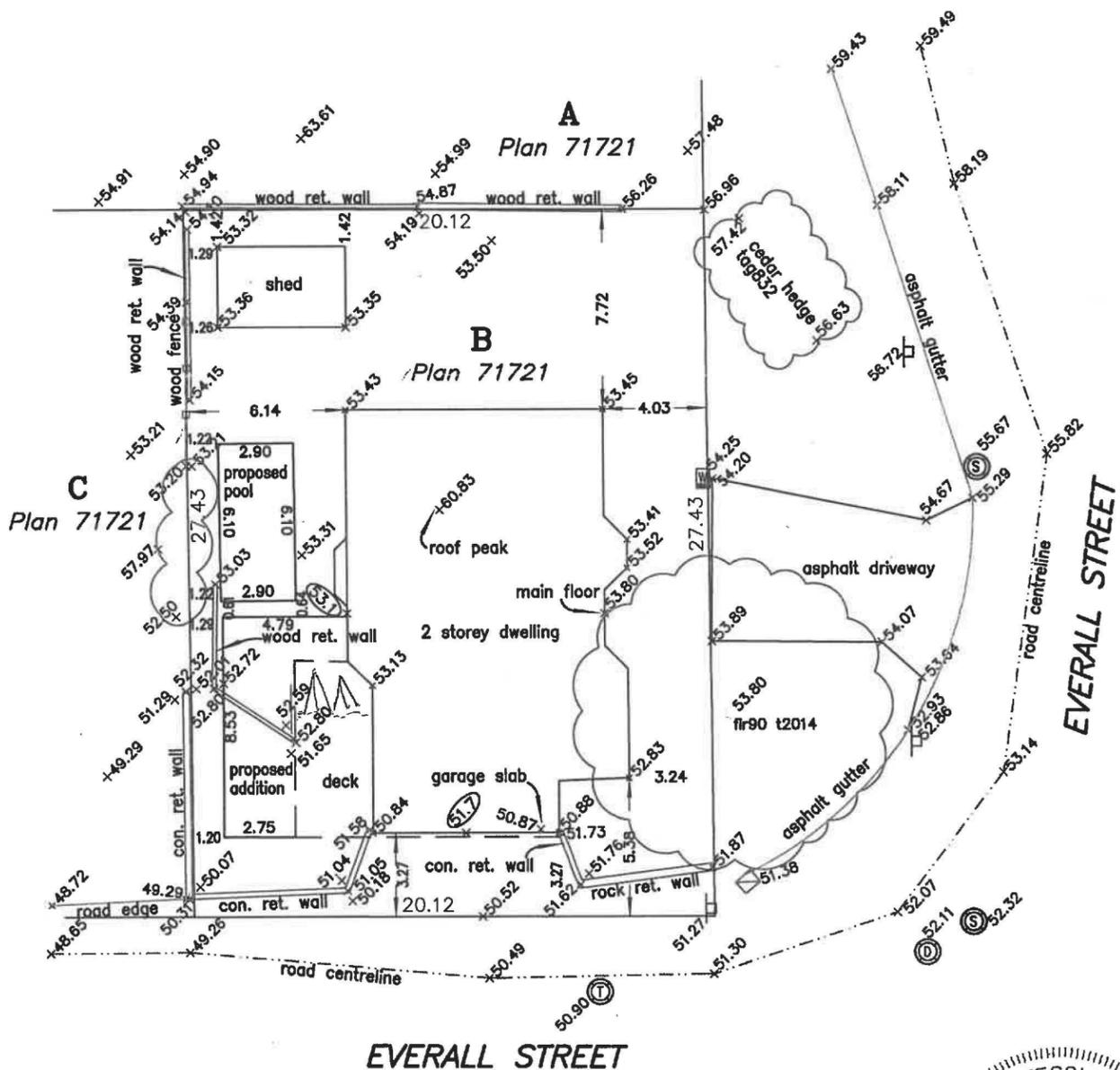
- Water meter
- Sign
- Shaw manhole
- Sanitary manhole
- Storm manhole
- Catch basin

fir90 t### Denotes 90cm dia Fir tree with tag

Natural grade elevation

NOTES:

- 1) Elevations are in metres and are geodetic.
- 2) Elevations are derived from Control Monument no. 88H3889 located at the southeast corner of intersection of Prospect Ave and Oxford Street. Elevation = 25.954 metres
- 3) This Plan was prepared for architectural design and site servicing purposes, and is for the exclusive use of our client. The signatory accepts no responsibility or liability for any damages that may be suffered by a third party as a result of reproduction, transmission or alteration to this document without consent of the signatory.
- 4) Prior to any construction, underground services are to be confirmed by the City of White Rock Engineering Dept.
- 5) If there is any conflict in information between the hard copy of this Plan and the digital data provided, the hard copy shall be taken to be correct. Any information taken from digital data shall be confirmed by information shown on the hard copy of this plan.
- 6) Property lines derived from Land Titles Office records and field ties.
- 7) Trees are represented using a standard size symbol. This symbol does not represent the true size of the tree on the site.



This plan has been prepared in accordance with the Professional Reference Manual with additional specifications from our client and is certified correct this 18th day of April, 2023.

Sean Costello

B.C.L.S. (900)

Cameron Land Surveying Ltd.
B.C. Land Surveyors
Unit 234 - 18525-53rd Avenue
Surrey, B.C. V3S 7A4
Phone: 604-597-3777
File: 8023-TP1

This plan lies within the Metro Vancouver Regional District

Appendix E
Drawings (Site Plans and Elevations)



NOTES
 Lot Coverage:
 LOT SIZE = 5940 sq ft
 EXISTING BUILDINGS = 1744.5 sq ft
 = 29.4% Coverage
 NEW GARAGE = 516 sq ft
 NEW DRIVEWAY = 2260.5 sq ft
 = 38 %
 ZONE
 RS-2

1285 EVERALL
 SITE PLAN A1044
 19/12/2023 1/8" = 1'-0"

Appendix F
Previous Board of Variance Appeal

THE CORPORATION OF THE CITY OF WHITE ROCK
MINUTES OF MEETING OF THE BOARD OF VARIANCE

1991 February 27

PRESENT: [REDACTED]

IN ATTENDANCE: Mr. C.G. Atchison, Acting Director, Permits
and Licences;
Mr. H. Thomas, Solicitor Appearing for the
City

[REDACTED]

1. PREVIOUS MINUTES

The Minutes of Meeting of the Board of Variance dated
1990 November 09 were taken as submitted and

2. APPEALS

(a) By [REDACTED] and [REDACTED] requesting
relaxation of the rear yard setback from 3m to 1.2m to allow
the construction of a 10 foot by 16 foot studio at 1285
EVERALL STREET.

[REDACTED] was in attendance and stated that if he had to
conform to the required setbacks it would reduce the light
and block more view from the northwest window of the family
room and would significantly reduce the southern view.

A letter was submitted by [REDACTED], 1279 EVERALL
STREET stating that she has no objection to this appeal.

After reviewing the plans, the Board felt that hardship
had been shown.

RESOLVED that the Appeal be granted.

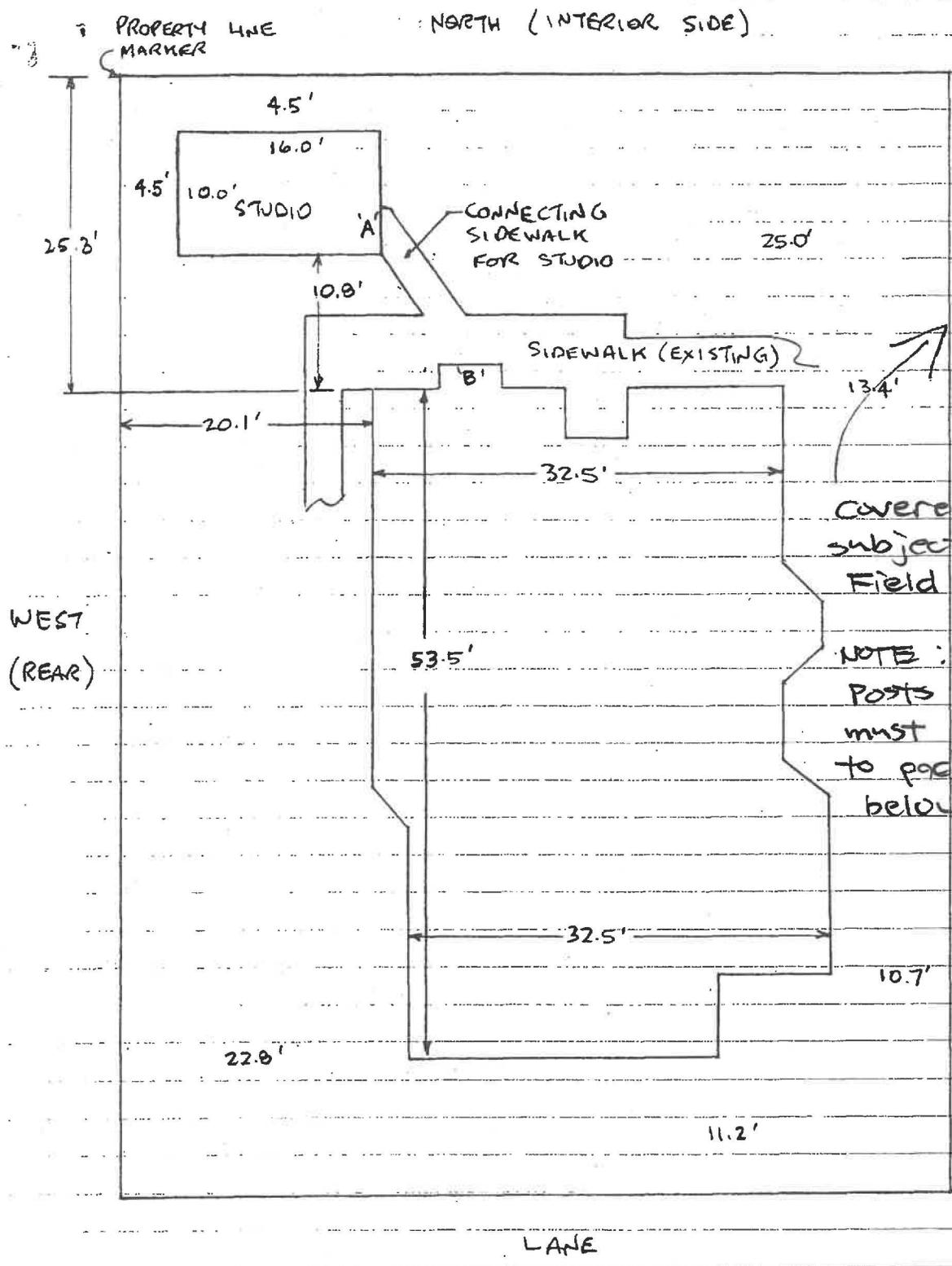
(b) [REDACTED]

[REDACTED]

[REDACTED]
1285 Everall
Please type
Permit only

NOTE 3

STUDIO AT POINT 'A'
TO BE ATTACHED
TO HOUSE AT POINT
'B' BY COVERED
WALKWAY SUPPORTED
BY POSTS ADJACENT
TO CONNECTING
SIDEWALK.
UNDER-SIDE OF
COVER TO BE 2'7 1/2"
ABOVE SIDEWALK.
EXACT ARCHITECTURAL
DESIGN TO BE
DETERMINED.



Covered Walkway
subject to
Field Inspection.

NOTE: Posts for walkway must be anchored to pad footing 18" below fin. grade

NOTES:

- 1. SCALE 1" = 5/64"
- 2. EXISTING HOUSE SITING
& DIMENSIONS PER 6 FEB 87
SURVEY CERTIFICATE

STUDIO ADDITION
1285 EVERALL ST.

ISSUE 2
91-3-25 PAGE 1
91-3-12 km

3. SEE UPPER RIGHT CORNER OF PAGE 1

PAGE 1 OF 4