

THE CORPORATION OF THE  
**CITY OF WHITE ROCK**  
CORPORATE REPORT



**DATE:** March 29, 2021

**TO:** Land Use and Planning Committee

**FROM:** Carl Isaak, Director, Planning and Development Services

**SUBJECT:** 1588 Johnston Road, Soleil – Development Variance Permit No. 439 (21-004)

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**RECOMMENDATIONS**

THAT the Land Use and Planning Committee recommend that Council:

1. Direct planning staff to obtain public input through a public meeting conducted as an electronic meeting with notice of the meeting given in accordance with Section 466 of the *Local Government Act*, including notice in newspapers and distribution by mail to property owners / occupants within 100 metres of the subject property; and
  2. Following the electronic public meeting, consider approval of Development Variance Permit No. 439.
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**EXECUTIVE SUMMARY**

An application for a Development Variance Permit (DVP) has been received to permit the stairs accessing the rooftop patios at the Soleil development (1588 Johnston Road) to be protected from the weather by stair vestibules. Access to the outdoor rooftop patios units was previously designed via rooftop hatches, which do not comply with the access and egress requirements established within the BC Building Code. The property is zoned Town Centre Area Commercial / Residential Zone (CR-1). The CR-1 enables a maximum height of 80.7 metres (265.0 feet) measured above “average natural grade” and subject to the provisions of Section 6.16.5 of City of White Rock Zoning Bylaw, 2012, No. 2000. The proposed stair vestibules would have a maximum height of 82.24 metres, being 1.54 metres (approx. 5.05 feet) higher than the maximum height permitted in the CR-1 Zone. No other height variances to the approved design are proposed and it is not considered that the proposed vestibules will have an impact on views or shadowing of any adjacent property. Staff have considered the feedback received from the public and the Applicant’s response to this feedback, in addition to applicable policies of the Official Community Plan and good planning principles. Staff recommend that the project proceed to a public meeting.

**PREVIOUS COUNCIL DIRECTION**

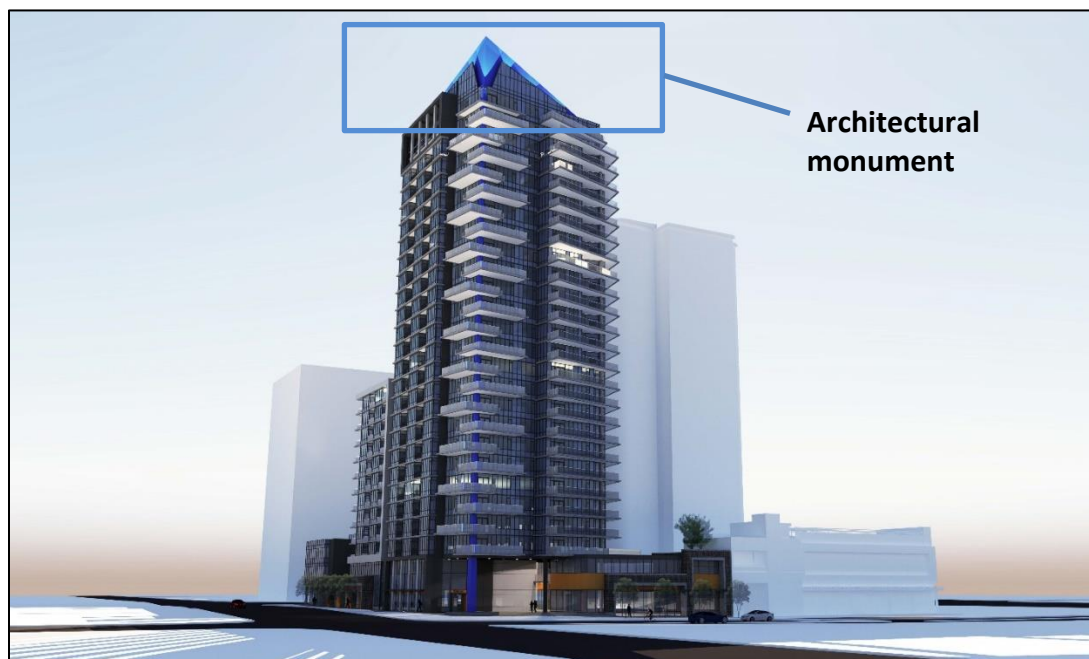
Not Applicable.

## **INTRODUCTION/BACKGROUND**

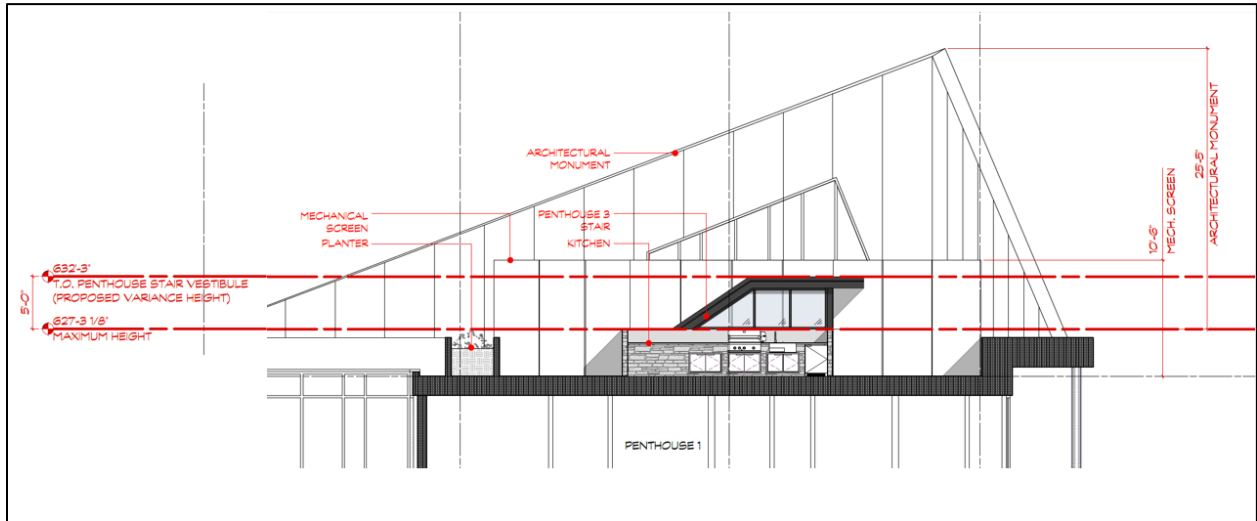
The City of White Rock has received a Development Variance Permit (DVP) application from Ciccozzi Architecture ('Applicant') to enable the introduction of three penthouse stair vestibules within the Soleil development at 1588 Johnston Road ('Property'). The Property, currently under construction, is designated Town Centre in the Official Community Plan ('OCP') and is zoned Town Centre Area Commercial / Residential Zone (CR-1) in City of White Rock Zoning Bylaw, 2012, No. 2000 ('Bylaw'). While there is a draft amendment to the CR-1 zone in process, as this project was previously approved through a Development Permit, the amendments would not impact this property. The Town Centre designation recognizes this area as "the centre for cultural, civic, economic and public life in the City" and current policies support the greatest densities and heights in the area bounded by North Bluff Road, Johnston Road, Russell Avenue, and George Street; the Property is situated within this area (see Appendix A – Location Map).

The CR-1 Zone currently and at the time the Development Permit for the Property was issued, enables a maximum height of 80.7 metres (265.0 feet). The Development Permit drawings at the time of approval indicated rooftop patios on the top of the building which were designed to be accessed via internal stairs and a rooftop hatch. Upon further review of the drawings in the Building Permit application for the main building, it has been determined that the rooftop hatches as originally proposed would not meet the requirements of the BC Building Code. As an alternative, the access stairs are now proposed to be protected from the weather by vestibules. Staff worked with the architect to explore design alternatives that would not require a height variance for the vestibule structures, however no viable alternatives were found and it is considered that these structures are minor and will have no impact to views or shadowing on any properties or the public realm.

The three proposed stair vestibules would have a maximum height of 82.24 metres, which is 1.54 metres (approximately five feet) higher than the maximum height permitted in the CR-1 Zone. It is important to note that the three stair vestibules would be situated adjacent to rooftop mechanical units, with screening, and an "architectural monument" (see Figure 1 and 2). Appendix B to this report includes the complete drawing package.



**Figure 1: Proposed Penthouse Stair Vestibule with Architectural Monument and Mechanical Screening in Background**

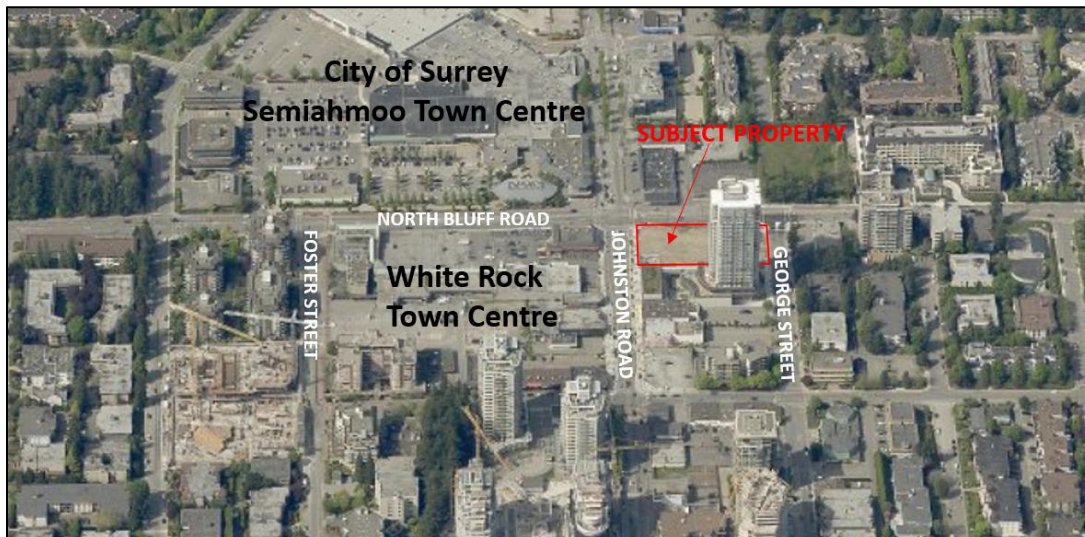


**Figure 2: Proposed Penthouse Stair Vestibule with Architectural Monument and Mechanical Screening in Background**

Section 4.13.4 of the Bylaw allows exceedances from a maximum height standard for: “elevator shafts and stair towers that do not provide direct access to the roof; for antennas; for church spires, belfries and domes; for chimneys; for flag poles; and, for monuments; but no such structure shall cover more than 20 percent of the lot or, if located on a building, no more than 10 percent of the roof area of the building.” Staff provide that the rooftop mechanical units function analogously to a “chimney” and are accordingly exempt from the maximum height standards of the Bylaw. The screening wrapping around the mechanical units, being limited in size to that necessary to enclose the equipment itself and integrated with the units, is also exempt from the maximum height standard. Lastly, the noted section explicitly identifies “monuments” as being exempt from the height standards of the Bylaw. These exemptions are important as the proposed stair vestibules would be lower in height than these components, meaning impacts to views caused by the vestibules would be negligible.

### Site Context

The Property is surrounded by a mix of commercial and residential uses within the City of White Rock’s Town Centre and the southern limits of the City of Surrey’s Semiahmoo Town Centre (see Figure 2). Immediately south of the Property is the Oceana PARC development, being a 23 storey residential tower with commercial floor space at grade.



**Figure 3: Aerial Image illustrating Subject Property and Site Context**

### **Consultation with the Public**

On February 25, 2021 a Public Information Meeting (PIM) was held to raise awareness of the proposal. Approximately 5 people attended the meeting. Digital feedback forms were advertised during the PIM and made available until February 29, 2021. Two forms were completed with both of the respondents offering support for the variance (see Appendix C - Feedback Forms). The Applicant has provided a PIM Summary which acknowledges the single comment (support) received during the PIM (see Appendix D).

### **Analysis**

As noted, the proposed stair vestibules will be largely screened from neighbouring views by rooftop mechanical equipment and an architectural monument, both of which are exempt from the maximum height provisions of the zoning bylaw (see Figure 3 below).



**Figure 4: Rendering of the rooftop penthouse units and the proposed stair vestibules, set against the mechanical screening**

For pedestrians on the street in White Rock's Town Centre, the stair towers will not be visible due to the setback of the structures from the outer edges of the roof (see Figure 4, also provided as Sheet A1.02 in Appendix B). It is also unlikely that pedestrians and land owners viewing the building from much further away will be able to see the vestibules due to their positioning on the rooftop and the overall height of the building within the area.

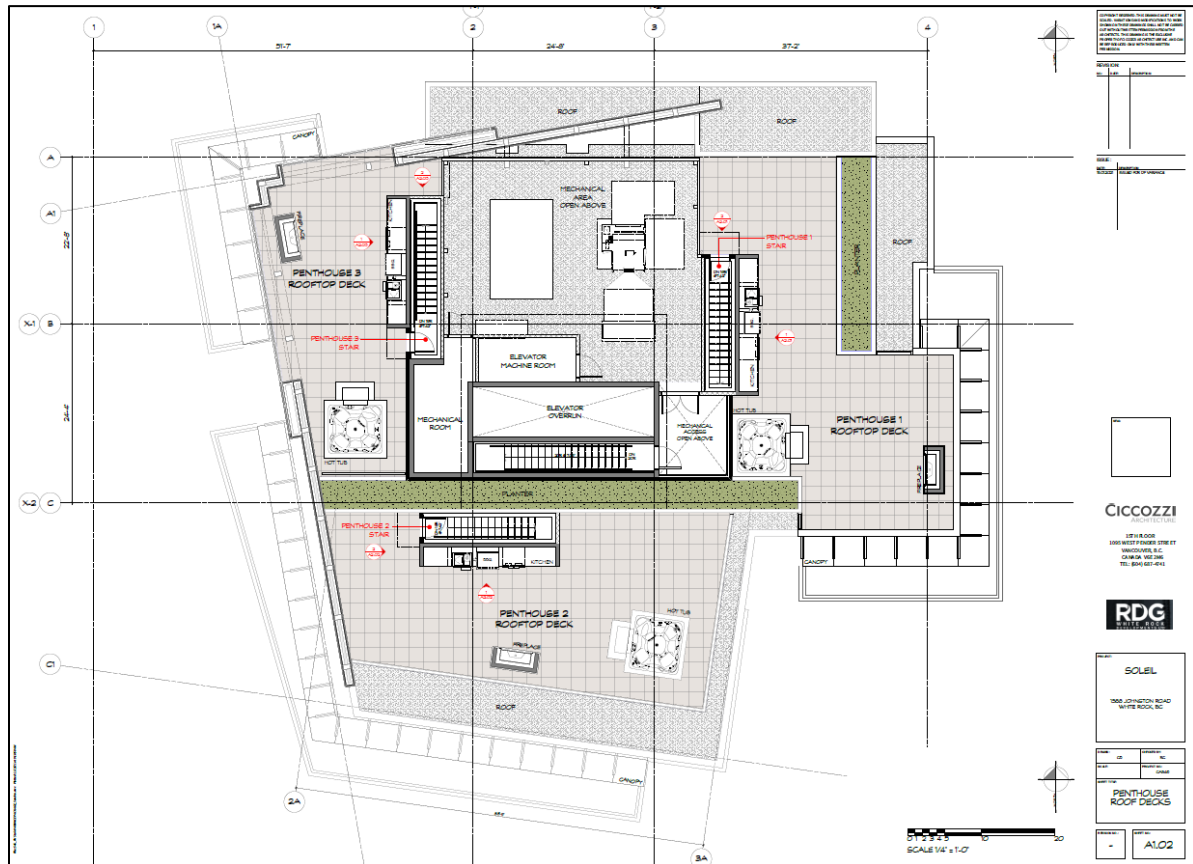


Figure 1: Soleil Rooftop Plan

The Oceana PARC building immediately south of the Subject Property is a 23 storey building that does not have accessible rooftop amenity / penthouse space. The architectural drawings for the PARC building provide that the underside of the roof slab (i.e. the ceiling) of the 23<sup>rd</sup> storey is approximately 2.8 metres (9.3 feet) lower in elevation than the floor level of the penthouse terrace at the Soleil building. This means that, despite the close proximity of the PARC building to the Soleil building, residents living within the top storey of the PARC building would not be able to see the proposed stair vestibules.

It is the opinion of staff that the additional height sought through this development variance permit application will not result in any negative impacts to neighbouring land owners / users nor will the proposed stair vestibules detract from the overall form and character of the Soleil development as experienced by the public. A draft version of Development Variance Permit No. 439 is included as Appendix E to this report.

### **FINANCIAL IMPLICATIONS**

Not Applicable.

### **LEGAL IMPLICATIONS**

Not Applicable.

### **COMMUNICATION AND COMMUNITY ENGAGEMENT IMPLICATIONS**

As noted, feedback received during and after the PIM has been considered in preparing this report and a draft Development Variance Permit for consideration by the City's Land Use Planning Committee and ultimately Council.

### **INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS**

The application was circulated to City Departments for review and comment. There are no outstanding issues to be resolved as they relate to the DVP application.

### **CLIMATE CHANGE IMPLICATIONS**

Not Applicable.

### **ALIGNMENT WITH STRATEGIC PRIORITIES**

This proposal does not align with or respond to any specific project or Council Strategic Priority.

### **OPTIONS / RISKS / ALTERNATIVES**

The following options are available for Council's consideration:

1. Deny Development Variance Permit No. 439 and provide alternative suggestions to the Applicant on how the design could be revised to comply with City of White Rock Zoning Bylaw, 2012, No, 2000; or
2. Defer consideration of Development Variance Permit No. 439 and refer the Application back to staff to address any issues identified by Council.

Either of the above alternatives would necessitate redesign of the building and ultimately delay its construction. The rooftop patios approved in the Development Permit may not be accessible the future residents without significantly compromising the design of the units.

### **CONCLUSION**

Ciccozzi Architecture has made an application for a development variance permit to support the introduction of stair vestibules into the rooftop design of the Soleil building at 1588 Johnston Road. The vestibules provide access and weather protection for internal stairs to rooftop patios that were approved with the Development Permit for this property. The vestibules would be largely screened from neighbouring views as a result of the presence of both an architectural monument and rooftop mechanical equipment/screening which are greater in height than the proposed structures and explicitly exempt from the maximum height provisions of the zoning bylaw. Considering these factors, in addition to contextual matters, staff believe the requested variance will have a minimal impact on the public. Staff recommend that the proposal proceed to Public Meeting and that Council consider the issuance of the Development Variance Permit.

Respectfully submitted,



Carl Isaak, RPP, MCIP  
Director, Planning and Development Services

**Comments from the Chief Administrative Officer**

I concur with the recommendations of this corporate report.

A handwritten signature in black ink, appearing to read 'Guillermo Ferrero', written over a light gray rectangular background.

Guillermo Ferrero  
Chief Administrative Officer

Appendix A: Location Map

Appendix B: Design Drawings for Development Variance Permit

Appendix C: PIM Feedback Forms

Appendix D: PIM Summary

Appendix E: Draft Development Variance Permit No. 439