

THE CORPORATION OF THE
CITY OF WHITE ROCK
CORPORATE REPORT



DATE: February 27, 2023

TO: Mayor and Council

FROM: Anne Berry, Director, Planning & Development Services

SUBJECT: 1273 Fir Street, White Rock Elementary School – Development Variance Permit No. 452 (File DVP 23-002)

RECOMMENDATION

THAT Council approve the issuance of Development Variance Permit No. 452 for the White Rock Elementary School.

EXECUTIVE SUMMARY

The White Rock Elementary School has constructed a cupola on their school expansion project that exceeds the maximum height permitted through previously issued Development Variance Permit (DVP) No. 436, by 0.12m (4.72”). A new variance is required in order to authorize the additional height and to enable staff to issue occupancy for the building. Staff have considered the previous application process in conjunction with the minor nature of this application and recommend a modified approval process and issuance of proposed DVP No. 452 to permit the nominal increase in height.

PREVIOUS COUNCIL DIRECTION

Motion # & Meeting Date	Motion Details
LU/P-032 March 8, 2021	<p>THAT the Land Use and Planning Committee:</p> <ol style="list-style-type: none"> 1. Recommend that Council direct staff to schedule the required Public Meeting for Development Variance Permit No. 436; and 2. Recommend that Council consider approval of Development Variance Permit No. 436. <p>Motion CARRIED</p>
2021-248 April 26, 2021	<p>THAT Council approve of the issuance of Development Variance Permit No. 436 for 1273 Fir Street, White Rock Elementary School expansion.</p> <p>Motion CARRIED (7 to 0)</p>

INTRODUCTION/BACKGROUND

The subject property is located at 1273 Fir Street and is surrounded by a mix of commercial and residential land uses. The site is zoned Civic/Institutional Use (P-1) Zone and is designated for Institutional Uses in the Official Community Plan.



Figure 1: Subject Location Map 1273 Fir Street

In March and April 2021, White Rock Elementary applied to Council and was issued a variance (DVP No. 436) in order to enable an addition for an eight (8) classroom expansion to be constructed to the existing school, on the Fir Street frontage of the property. As the school was originally constructed under a different zoning bylaw the school required a variance to height so that the new addition could be built to match the existing construction. Council authorized the issuance of a variance which allowed for a maximum height of 15.7m to the top of the cupola on the addition.

School construction is nearing completion and a survey was conducted to verify the finished height of the addition. The submission of this survey is a requirement of the Building Permit, to affirm the construction is in accordance with approvals. The survey determined that the height of the cupola exceeds the maximum allowed by the variance by 0.12m (4.72”). Please refer to Appendix C for a copy of the Building Height Survey, and to Appendix D for current site plans and building elevations.

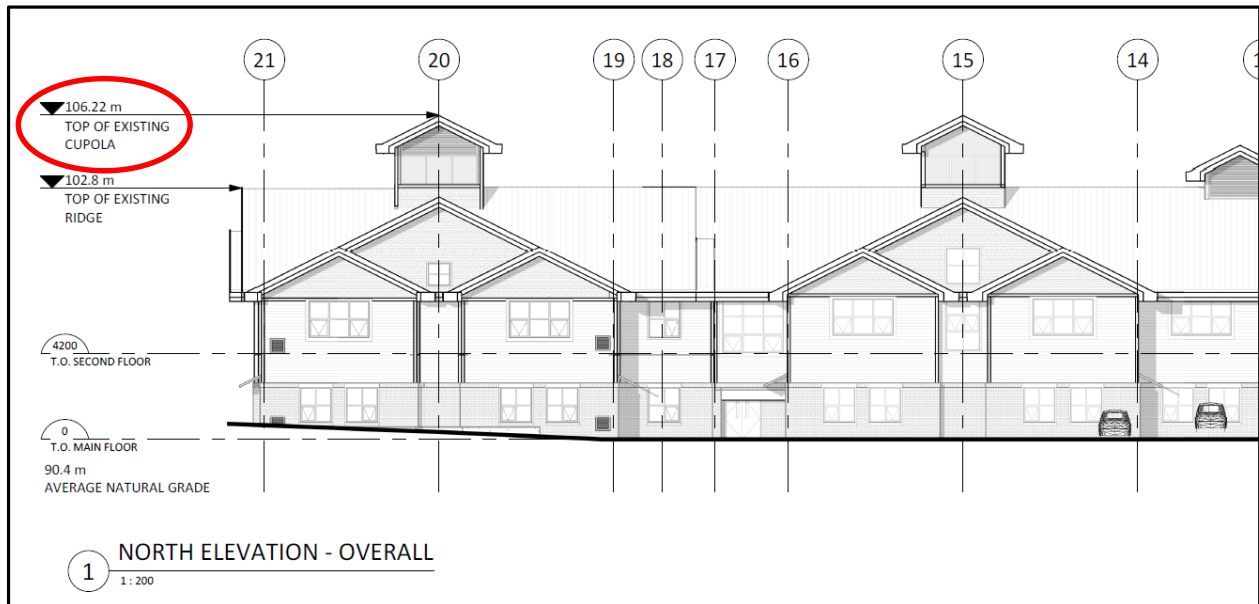


Figure 2 – North Elevation illustrating Height of Constructed Cupola

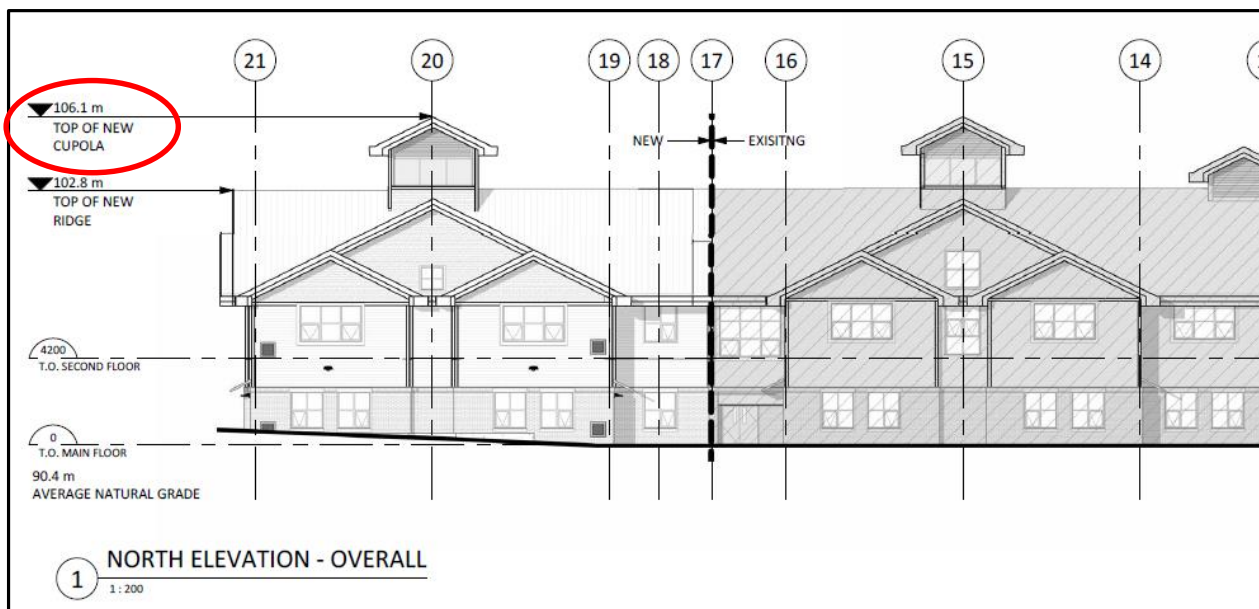


Figure 3 – North Elevation illustrating approved Height of Cupola

The Applicant has advised that the increase in height can be attributed to additional insulation being installed (6” installed, versus the previous 4” on the original portion of the building), and an additional 2” of height being gained through the wooden truss system for the cupola, which required several iterations before they could settle on the current construction.

Options to utilize construction methods to lower the height are costly and the applicant advises that they may compromise the integrity of the building envelope and the structure. Additionally, undertaking this work would further delay occupancy of the building by students and staff who are currently being schooled in temporary portables on the site. Please refer to Appendix B for further details.

The additional height, while not a significant increase, requires a further variance as staff are unable to consider issuing occupancy for the building because it is not in compliance with the existing variance previously authorized by Council. Staff are of the opinion that the additional height is unremarkable and will not impact the surrounding neighborhood. Please refer to the site photos below, showing the existing and new construction at White Rock Elementary.



Figure 4 – Photos illustrating completed cupola construction and existing school

LEGAL IMPLICATIONS

Given the minor nature of this variance request, this application is being reviewed under a modified process from the typical requirements of the Planning Procedure Bylaw No. 2334. The statutory requirements of the *Local Government Act* (LGA) have been met.

The Planning Procedure Bylaw sets out that a report will come forward to the Land Use and Planning Committee and Regular Council before notification is issued to the surrounding area that Council will hold a Public Meeting to hear from the community prior to consideration of the issuance of the permit. Additionally, the Planning Procedure Bylaw requires that the Applicant install a Public Notification Sign and hold a Public Information Meeting (PIM) before the application proceeds to the Land Use and Planning Committee. Refer to Appendix F, for an excerpt of the DVP process in the Planning Procedure Bylaw.

In this instance staff did not require the Applicant to host the PIM or install the information sign. Further, staff have prepared this report directly for Regular Council and the notices have already been issued, advertising the Public Meeting of February 27, 2023, and that Council will consider issuance the same evening.

COMMUNICATION AND COMMUNITY ENGAGEMENT IMPLICATIONS

Notification in accordance with the Planning Procedure Bylaw and the *LGA* has been provided. The DVP is also the subject of Public Meeting held February 27, 2023, in accordance with the Planning Procedure Bylaw.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS

The Building Division was consulted regarding the requested variance. No concerns were identified.

ALIGNMENT WITH STRATEGIC PRIORITIES

There is no specific project or Council Strategic Priority with which this proposal aligns.

OPTIONS / RISKS / ALTERNATIVES

The following alternate options are available for Council's consideration:

1. Defer issuance of Development Variance Permit No. 452 for White Rock Elementary, until such time as any matters identified by Council are resolved; or
2. Deny issuance of Development Variance Permit No. 452 for White Rock Elementary.

Denial of the DVP No. 452 will result in additional construction activity required to reduce the height of cupola to the maximum permitted under the original DVP No. 436.

Staff also notes that given the very minor nature of the variance the Applicant was not directed to comply with all the requirements of the Planning Procedure Bylaw, in particular due to the fact that the public process outlined in the procedure bylaw had previously been met when DVP No. 436 was considered by Council in 2021. All statutory obligations under the LGA have been met.

CONCLUSION

White Rock Elementary requires a variance to authorize an additional 0.12m (4.72") in height for a cupola constructed as part of the school expansion project. The additional height, while not a significant increase, requires the variance as staff are unable to consider issuing occupancy for the building because it is not in compliance with the existing variance previously authorized by Council. Staff are of the opinion that the additional height will not impact the surrounding neighborhood, and therefore recommend that Council authorize the issuance of DVP No. 452.

Respectfully submitted,



Anne Berry
Director, Planning & Development Services

Comments from the Chief Administrative Officer

I concur with the recommendation of this corporate report.



Guillermo Ferrero
Chief Administrative Officer

- Appendix A: DRAFT Development Variance Permit No. 452
- Appendix B: Applicant rationale letter dated January 31, 2023
- Appendix C: Building Height Survey dated January 19, 2023
- Appendix D: Site Plan and Building Elevations prepared By ThinkSpace issued January 27, 2023
- Appendix E: Previously approved DVP No. 436
- Appendix F: Planning Procedure Bylaw excerpt - DVP application process