

THE CORPORATION OF THE
CITY OF WHITE ROCK
CORPORATE REPORT



DATE: March 13, 2023

TO: Land Use and Planning Committee

FROM: Anne Berry, Director, Planning and Development Services

SUBJECT: Consideration of 1st and 2nd Reading of “White Rock Zoning Bylaw, 2012, No. 2000, Amendment (RS-1 Zone to CD-69 Zone, 15439 Oxenham Avenue) Bylaw, 2022, No. 2454”

RECOMMENDATIONS

THAT the Land Use and Planning Committee recommends that Council:

1. Give first and second readings to “White Rock Zoning Bylaw, 2012, No. 2000, Amendment (RS-1 Zone to CD-69 Zone, 15439 Oxenham Avenue) Bylaw, 2022, No. 2454;”
 2. Direct staff to schedule the public hearing for “White Rock Zoning Bylaw, 2012, No. 2000, Amendment (RS-1 Zone to CD-69 Zone, 15439 Oxenham Avenue) Bylaw, 2022, No. 2454;”
 3. Direct staff to address the following conditions before bringing “White Rock Zoning Bylaw, 2012, No. 2000, Amendment (RS-1 Zone to CD-69 Zone, 15439 Oxenham Avenue) Bylaw, 2022, No. 2454” back for consideration of final adoption:
 - a) Ensure that all engineering requirements and issues, and the execution of a Works and Servicing Agreement, are addressed to the satisfaction of the Director of Engineering and Municipal Operations;
 - b) Registration of a Section No. 219 Covenant to restrict basement suites;
 - c) Ensure that all matters pertaining to tree protection and retention are addressed to the satisfaction of the Director of Planning and Development Services;
 - d) Submit an updated Arborist Report to accurately reflect the surveyed trees, along with an updated Tree Retention and Replacement Plan to reflect replacement tree locations which include a replacement tree on the neighbour's property at 15449 Oxenham Avenue in place of the OS2 tree removal;
 - e) Confirm and ensure the recommendations of the final arborist report, approved by the Director of Planning and Development Services and, more specifically, the city's Arboricultural Technician, are implemented and maintained through future demolition and construction activities;
 - f) Complete the demolition of the existing dwelling to the satisfaction of the Director of Planning and Development Services.
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EXECUTIVE SUMMARY

This application proposes to rezone the property at 15439 Oxenham Avenue from ‘RS-1 One Unit Residential Zone’ to a property-specific Comprehensive Development (CD) zone, modelled around the RT-1 (duplex) stock zone, to allow for the construction of a duplex on the property. Except for the minimum lot area, the subject property meets all other lot requirements of the RT-1 stock zone. The duplex provides two ownership options in the city relative to a large single-family home. In addition, the proposed development is regulated by the requirement for a Minor Development Permit and is reviewed under the ‘Mature Neighbourhood Infill’ Development Permit Area (DPA) guidelines. Overall, staff supports the proposal subject to the recommended conditions.

A copy of the draft Zoning Amendment Bylaw No. 2454 is included in this corporate report as Attachment A. The location and ortho maps of the property are included in Attachment B, Topographic Survey is included in Attachment C, and the architectural, landscape plans and 3D renderings are included in Attachment D.

PREVIOUS COUNCIL DIRECTION

Motion # & Meeting Date	Motion Details
2020-443 September 14, 2020	THAT Council gives first, second, and third reading to "City of White Rock Planning Procedures Bylaw, 2017, No. 2234, Amendment (Initial Information Reports for Zoning Amendments) Bylaw, 2020, No. 2357."
2020-473 September 28, 2020	THAT Council give final reading to "City of White Rock Planning Procedures Bylaw, 2017, No. 2234, Amendment (Initial Information Reports for Zoning Amendments) Bylaw, 2020, No. 2357."
2021-LU/P-055 May 10, 2021	THAT the Land Use and Planning Committee recommends that Council direct staff to advance the zoning amendment application at 15439 Oxenham Avenue to the next stage in the application review process

INTRODUCTION/BACKGROUND

If approved, the zoning would be amended from RS-1 to CD-69, enabling the construction of a duplex on the property. Figure 1.0 on the following page illustrates the Subject Property (in red) and the site's context.



Figure 1: Subject Property and Site Context

The subject property is on the north side of Oxenham Avenue between Best Street and Finlay Street. The street is comprised of predominately single-family homes on lots measuring typically 18 m (59 ft) in width and 40 m (132 ft) in depth on the north and south side of the street. There are two existing duplexes near the subject property: one on the north side of Thrift Avenue at 15511-15 Thrift Avenue and another on the east side of the same block of the subject property at 15541-43 Oxenham Avenue. The property at 15496 Thrift Avenue was rezoned to permit the construction of a duplex in 2021 (see Figure 2.0).

Development of the two blocks north of the area has occurred under the ‘South of the Hospital Lands’ policies, allowing for infill redevelopment of narrow lots (9.1-metre width) per the RI-1 One Unit (Infill) Residential Zone. To the south and east of the site, most development is in the form of low-density single-family homes. Less than 300 metres west of the site, the properties are designated ‘Town Centre Transition,’ consisting of three and four-storey apartment buildings. To the northeast, the ‘East Side Large Lot Infill Area’ considers small-lot subdivisions and townhouse redevelopment supported in the OCP. The recently constructed 13-storey ALTUS mixed-use development is also located in this area.

ANALYSIS

The proposal has undergone a series of revisions to ensure alignment with the city’s Development Permit Area (DPA) Guidelines and Duplex Design Guidelines. The project is consistent with the OCP’s Mature Neighbourhood DPA policies. The following sections describe details of the proposal and key land use planning considerations in preparing the staff recommendation outlined in this report.

White Rock Official Community Plan, 2017, No. 2220

The property is within the city’s “Mature Neighbourhood” designation as outlined in the *White Rock Official Community Plan 2017, No. 2220* (OCP). This OCP designation aims to create low-scale housing forms, including single-family homes with secondary suites, duplexes, and triplexes. The OCP policies are intended to maintain residential character within established neighbourhoods by encouraging gentle infill while supporting a variety of housing choices and different levels of affordability. Therefore, the requested rezoning is from RS-1 to a CD zone modelled around the RT-1 stock zone, which enables the construction of a duplex.

OCP Policy 7.4.2 encourages the spread of duplexes and triplexes throughout the city rather than focusing on specific areas. The following are the policies under Policy 7.4.2. applicable to this development:

- Limiting their numbers along a single block frontage to 20 percent of the total.
- Discourages duplexes or triplexes adjacent to one another (sharing interior side lot lines).

Figure 2.0 below presents the zoning map for the block which encompasses the subject property. The Figure highlights existing RT-1 zoned properties and three properties currently the subject of a rezoning application to enable a duplex (i.e., 15495, 15570 and 15579 Oxenham Avenue). With this application, the 20% limit for a duplex on a single block frontage has been achieved for the north side of Oxenham Avenue between Best and Finlay Street. In addition, the rezoning of 15439 Oxenham Avenue would uphold the policy intentions of the OCP, as noted above.

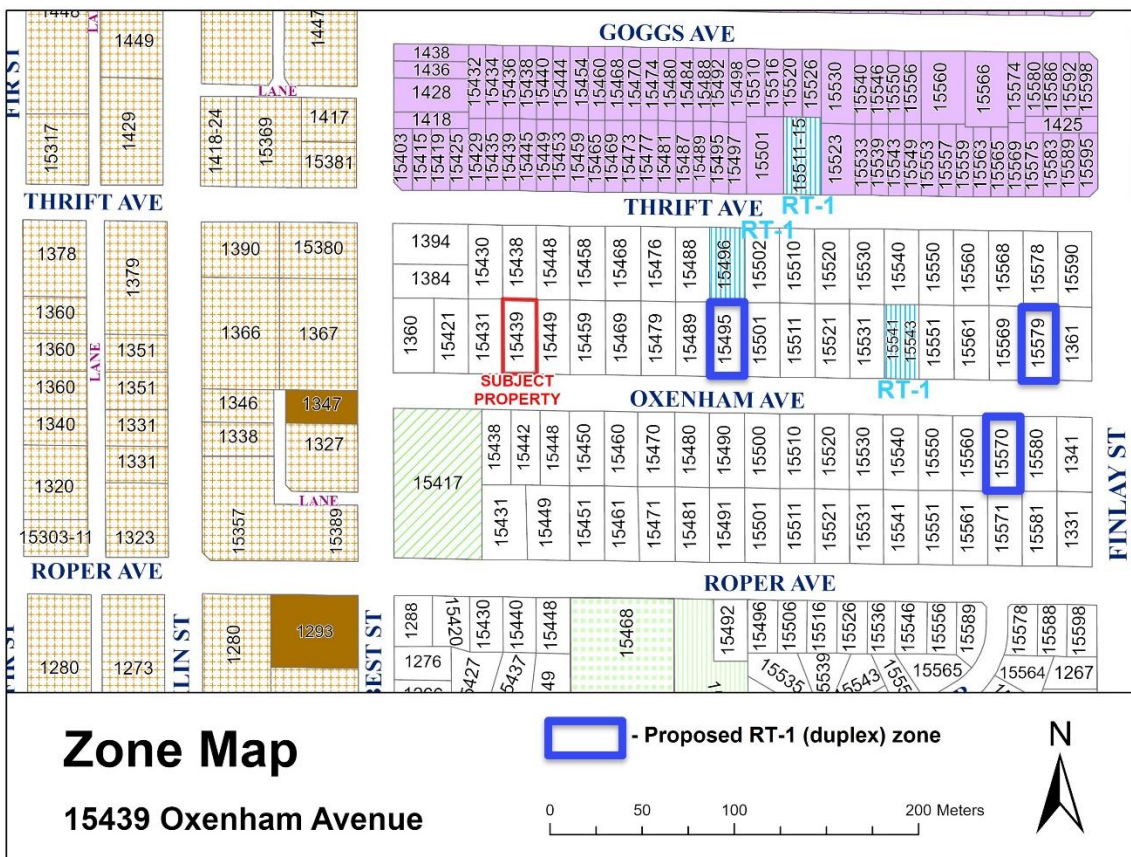


Figure 2: Zone Map

Duplexes are an excellent option for the "missing middle" in housing, a term used to describe a range of housing types that fall between single-family homes and large apartment buildings. Duplexes offer a more affordable and sustainable alternative to single-family homes, as they allow for more efficient use of land and resources. They also provide an opportunity for owner-occupancy, which can increase a sense of community and reduce turnover rates. Additionally, duplexes can provide a steppingstone for families or individuals looking to move from an apartment to a single-family home while providing a more affordable option for those who may not be able to afford a single-family home. Duplexes also provide an option for the aging population that may want to downsize but still want to own a property.

Zoning

The subject property is approximately 18.29 m (60.0 ft) wide and ≈40.5 m (132.9 ft) deep. It has a lot area of approximately 740.75 m² (7,973.36 ft²). The property meets the minimum depth and width requirements for the RT-1 Two-Unit (duplex) residential zone. However, the proposed development seeks relief from the minimum lot area from this zone. Per section 498.2(a) in the *Local Government Act*, a "variance" cannot be made to zoning standards tied to density. Therefore, a CD zone modelled around the RT-1 zone standards has been proposed, this is not uncommon in White Rock. This site-specific zone will support the future construction of a duplex with a lesser lot area. Secondary suites are currently not permitted for duplex developments within the RT-1 zone and will apply to this proposal. Table 1.0 below summarizes the proposed development's current and proposed zoning and configuration.

Table 1: Existing and Proposed Zoning Matrix

Zone Standard	EXISTING	REQUIRED STANDARDS FOR DUPLEX	PROPOSED
Zoning	RS-1 zone	RT-1 zone	CD zone (*modelled around RT-1 zone standards)
Use	One-unit Residential (plus secondary suite)	Two-Unit Residential (Duplex)	Two-Unit Residential (Duplex)
Max. Height	7.7m	7.7 m	7.7 m
Lot Width (<i>min.</i>)	15.0m	18.0 m	18.29 m
Lot Depth (<i>min.</i>)	27.4m	30.5m	40.5m
Lot Area (m ²)	464 m ²	742.0 m ²	approx. 740.75 m²
Floor Area (<i>max.</i>)	0.5 times the lot area		0.5 times the lot area
Setbacks (<i>min.</i>)			
<i>Front lot line</i>	7.5m	7.5m	7.5m
<i>Rear lot line</i>	7.5m	7.5m	7.5m
<i>Interior side lot line</i>	1.5m	1.5m	1.5m
Parking Spaces	2 spaces (+1 for secondary suite)	2 per unit; 4 in total (no secondary suites permitted in RT-1 zone)	2 per unit; 4 in total (no secondary suites permitted within proposed CD zone)

The existing RS-1 zoning allows for a single-family dwelling, while the proposed CD zoning allows for a duplex (two dwelling units) on the property. Additional permitted “accessory” uses in both zones include boarding or home occupation. The parking supply requirements of the bylaw (i.e., two spaces per unit) comply with the duplex design. A section 219 restrictive

covenant is to be registered on the property's land title as a condition of final bylaw adoption. The proposed CD zone does not allow accessory-registered secondary suites.

If Council approves rezoning, Section 3 in the *White Rock Planning Procedures Bylaw, 2017, No. 2234*, provides that proposals for a duplex or triplex require a Minor Development Permit (DP). The authority to issue such DPs is delegated to the City Manager on the advice of the Planning and Development Services and Engineering and Municipal Operations directors. In addition, per Section 22.1 in the OCP, duplex proposals are to be reviewed against the ‘Mature Neighbourhood Infill’ Development Permit Area (DPA) guidelines, found in Section 22.9 of the OCP, which are used to ensure the form and character of the development fits within the character of the neighbourhood.

Mature Neighbourhood Infill DPA Guidelines

The Applicant has submitted a response to the Mature Neighbourhood Development Permit Area Guidelines, which apply to the proposal according to OCP Policy 22.1. The response to the guidelines is attached as Attachment E. Staff consider the submitted response to conform with the Development Permit Guidelines. Figure 3.0 below is a rendering of the proposed duplex development on the subject property.



Figure 3: Proposed front view rendering along Oxenham Avenue

The Applicant has adequately identified how the proposed development meets the development permit guidelines by:

- a) Ensuring the proposal is compatible with the surrounding neighbourhood comprising a mixture of older and more recently developed houses. The massing of the proposed residences is stepped back from each other to reduce the shadowing effects of the building on the neighbouring properties.
- b) To create visual interest through the design, the proposal incorporates open decks, extended roof overhangs, to break down the building massing and a range of cladding materials.

The project has been reviewed by city staff and the city’s Advisory Design Panel (ADP). As a result, the rezoning is consistent with the applicable policies of the OCP and the city’s Mature Neighbourhood DPA Guidelines.

Public Realm and Streetscape Improvements

The Applicant would complete improvements to the city boulevard at the time of redevelopment (e.g., sidewalks, street tree planting, etc.). Modifications to the overall street would occur when enough money is collected to warrant an overall capital improvement project. All services, including driveways, water, storm and sanitary connections as part of this redevelopment, will be located off Oxenham Avenue.

Public Information Meeting and Public Feedback

The Applicant held a digital public information meeting (PIM) on 21st October 2021 to raise awareness of the application. Approximately 137 notification letters were delivered to property owners and occupants within 100 metres of the subject property. The meeting was advertised in the Peace Arch News on October 7, 2021, and October 14, 2021, in advance of the PIM. There were no attendees at this meeting.

Advisory Design Panel Review

The original duplex proposal was presented to the Advisory Design Panel on July 19, 2022, and November 15, 2022. Staff Memo to the ADP on November 15, 2022, and the Panel’s feedback can be found in the meeting minutes (see Attachment F). The motion carried by the Panel during their July 19, 2022, meeting was:

“THAT the Advisory Design Panel defer the project pending the resolution of issues (to be listed by the Panel) following which the application would be brought back to the Panel and the Applicant would be expected to speak to how changes were made to address the issues. The following items were listed by the Panel:

- *Reduce solar gains.*
- *Improve differentiation between two units.*
- *Improve privacy between two units.*
- *Increase side yard setbacks to ensure retention of hedges and enhance privacy.*
- *Increase permeability of hardscape surfaces.*
- *Improve connections between driveway, front entrances, and side pathways.”*

The motion carried by the Panel during their November 15, 2022, meeting was:

“THAT the Advisory Design Panel supports the application for the development proposal at 15439 Oxenham Avenue proceeding to Council, subject to the following considerations made to the satisfaction of Staff. The following items were listed by the Panel:

- *Providing safe and easy pedestrian access to each of the units.*
- *Ensuring that the application meets the Engineering and Bylaw requirements in respect to slope.”*

The Applicant revised their proposal based on the feedback from both meetings. The ADP was overall in support of the design based on the revisions made at the November 15, 2022, meeting. Therefore, the Panel recommended that this application proceed to Council, subject to the following considerations made to staff satisfaction (see Attachment F). Staff believe the Applicant has responded satisfactorily and made changes to the proposal to reflect the comments noted above.

Tree Management and Protection

As per the OCP, development projects should be designed to preserve and protect mature, healthy trees. Accordingly, the Applicant has submitted an arborist report, prepared by Mike Fadum and Associated Ltd., dated February 13, 2023, which identifies a total of four (4) “protected trees,” which are subject to the provisions of the city’s Tree Protection Bylaw, No. 2407 (see Attachment G). Table 2.0 below identifies the protected trees, their size, and whether they are proposed for removal or retention. The table also identifies the value of securities for tree retention and the number and value of replacement trees where removals are proposed.

Table 2: Summary of Protected Trees tied to the development

Tree Ref.	Species	DBH (cm)	Retain / Remove	Security for Retention / Replacement Value	# of Replacements
C1 City tree	Cedar Shrub	-	-	0	0
OSH1(shared)	Cedar Heading between neighbours	-	Retain	0	0
OS1 (off-site)	Douglas Fir	80	Retain	10,000	0
OS2 (off-site)	English Walnut – LOU provided	25	Remove	\$3,000	2
TOTAL				\$13,000	2

Staff have reviewed the recommendations of the Project Arborist. Staff are comfortable with the proposed tree protection measures and removals subject to the following conditions, noted by the city’s Arboricultural Technician, being fulfilled before final adoption:

- Update the Arborist Report to accurately reflect the surveyed trees and proposed duplex as hand-plotting will not be accepted. Tree Retention and Replacement Plan to reflect replacement tree locations which include a replacement tree on the neighbour's property at 15449 Oxenham Avenue in place of the OS2 tree removal.
- Following review from the city’s Arboricultural Technician and Planning staff, all trees identified in Tree Retention and Replacement Plan will be given their retention/removal recommendation on a preliminary basis.
- The Architect and Engineer will need to approve and sign off that all prescriptions made by the project arborist are feasible.
- Posting \$13,000 in securities for trees as required by the Tree Protection Bylaw.

Two new trees are proposed as part of the development. All the trees identified on the Tree Retention/Removal Plan in the Arborist report will be further reviewed upon receipt of an application for a Tree Management Permit (TMP), likely to accompany a future request for demolition of the existing building. Final recommendations will be based on design/construction and grading details.

COMMUNICATION AND COMMUNITY ENGAGEMENT IMPLICATIONS

The Applicant held a digital public information meeting (PIM) on 21st October 2021. If Council gives the first and second readings of the Zoning Amendment Bylaw, a Public Hearing will offer the community an opportunity for direct written and verbal comments to be provided to Council.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS

The application was referred to municipal departments for comments. Comments provided to the Applicant have been addressed related to this stage of the rezoning proposal.

Approval of the final detailed (civil) designs and the execution of a “Works and Servicing Agreement” to the satisfaction of the Director of Engineering and Operations would be required as a condition of 3rd reading.

The completion of covenants and the final approval of the Applicant’s arborist report by the city’s Arboricultural Technician is also recommended as a condition of 3rd reading.

CLIMATE CHANGE IMPLICATIONS

The application will enable modest infill within the ‘Mature Neighbourhood’ designation, thereby lessening the demand for outward sprawl otherwise necessary to accommodate growth. Further, bringing residential use into areas within walking distance of commercial and recreational uses lessens the demand for private automobile use, a known contributor to climate change.

Tree retention, or preserving existing trees during land development, is vital for addressing climate change because trees absorb carbon dioxide from the atmosphere and store it in their biomass. This process, known as carbon sequestration, helps to mitigate the effects of greenhouse gas emissions and reduce the overall concentration of carbon dioxide in the atmosphere. Trees also provide shade and cool the air, reducing the need for energy-intensive air conditioning. They also help to prevent soil erosion, improve air and water quality, and provide habitat for wildlife. Overall, tree retention plays a crucial role in maintaining a healthy and balanced environment, which is essential for addressing the challenges of climate change.

IMPLICATIONS FOR TREE PRESERVATION AND TREE CANOPY ENHANCEMENT

Tree preservation and tree canopy enhancement aim to protect and increase the number of trees in a given area. Tree preservation involves protecting existing trees from being removed or damaged during land development or construction projects. In contrast, tree canopy enhancement involves planting new trees or encouraging the growth of existing trees to increase the overall tree canopy coverage in a given area. These practices are essential for several reasons. Trees help mitigate climate change's effects by absorbing carbon dioxide and releasing oxygen. They also provide many environmental benefits, such as reducing air and noise pollution, mitigating the urban heat island effect, and providing habitat for wildlife. Tree canopy enhancement also helps improve an area's aesthetic and recreational value, making it more attractive and enjoyable for residents and visitors. Tree preservation and tree canopy enhancement are essential in creating healthier and more livable communities.

ALIGNMENT WITH STRATEGIC PRIORITIES

Council has expressed a desire to support a high quality of life in the city. The ability to support residential infill can help lessen the demand for sprawl while also making the best use of existing infrastructure.

OPTIONS / RISKS / ALTERNATIVES

The following alternate options are available for the Council’s consideration:

1. Reject “White Rock Zoning Bylaw, 2012, No. 2000, Amendment (RS-1 Zone to CD-69 Zone, 15439 Oxenham Avenue) Bylaw, 2022, No. 2454”; or
2. Defer consideration of “White Rock Zoning Bylaw, 2012, No. 2000, Amendment (RS-1 Zone to CD-69 Zone, 15439 Oxenham Avenue) Bylaw, 2022, No. 2454,” and refer the application to staff to address any issues identified by Council.

CONCLUSION

The city has received applications for a zoning bylaw amendment and minor development permit to allow the construction of a duplex at 15439 Oxenham Avenue. Staff recommend that the zoning amendment bylaw be given a first and second reading and that a public hearing be scheduled. If Council adopts the zoning amendment bylaw, the subsequent issuance of the Minor Development Permit for the form and character of the duplex would be considered by staff, as the authority is delegated to the Chief Administrative Officer by the Planning Procedures Bylaw. Overall, staff supports the proposal subject to the recommended conditions noted.

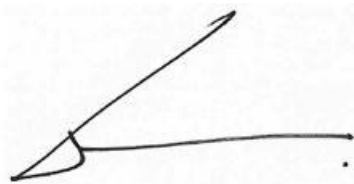
Respectfully submitted,



Anne Berry, MCIP, RPP
Director, Planning and Development Services

Comments from the Chief Administrative Officer

I concur with the recommendations of this corporate report.



Guillermo Ferrero
Chief Administrative Officer

- Attachment A: Draft Zoning Amendment Bylaw No. 2454
Attachment B: Location and Ortho Maps
Attachment C: Topographic Survey
Attachment D: Drawing Package (Architectural & Landscape), Renderings

Attachment E: Mature Neighbourhood DPA Guidelines Response Table

Attachment F: Consolidated Adopted ADP Meeting Minutes (July 19, 2022; November 15, 2022), Applicant’s Summary of Changes letters and ADP Staff Memo

Attachment G: Arborist Report and Plans