

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



**DATE:** July 10, 2023

**TO:** Mayor and Council

**FROM:** Anne Berry, Director, Planning and Development Services

**SUBJECT:** Development Variance Permit No. 453 – 15661 Roper Avenue (DVP 22-028)

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**RECOMMENDATIONS**

THAT Council:

1. Receive the corporate report dated July 10, 2023, from the Director of Planning and Development Services, titled " Development Variance Permit No. 453 – 15661 Roper Avenue (DVP 22-028)".
  2. Consider and issue Development Variance Permit No. 453.
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**EXECUTIVE SUMMARY**

An application for a Development Variance Permit (DVP) was received seeking relief from the minimum exterior side yard setback requirement to enable the construction of a single-family house at 15661 Roper Avenue. Staff have considered the DVP approval process in conjunction with the minor nature of this application and recommend a modified approval process and issuance of proposed DVP No. 453 to permit the requested setback variance.

**INTRODUCTION/BACKGROUND**

The subject property is designated 'Mature Neighbourhood' in the Official Community Plan (OCP). It is zoned 'RS-1 One Unit Residential Zone' in the City of White Rock Zoning Bylaw, 2021, No. 2000. The subject property is bounded by two street frontages: Roper Avenue and Maple Street. The surrounding area comprises predominately of single-family homes (see Figure 1 below). There is an SRW located on the north ten feet (3.05m) of the property.

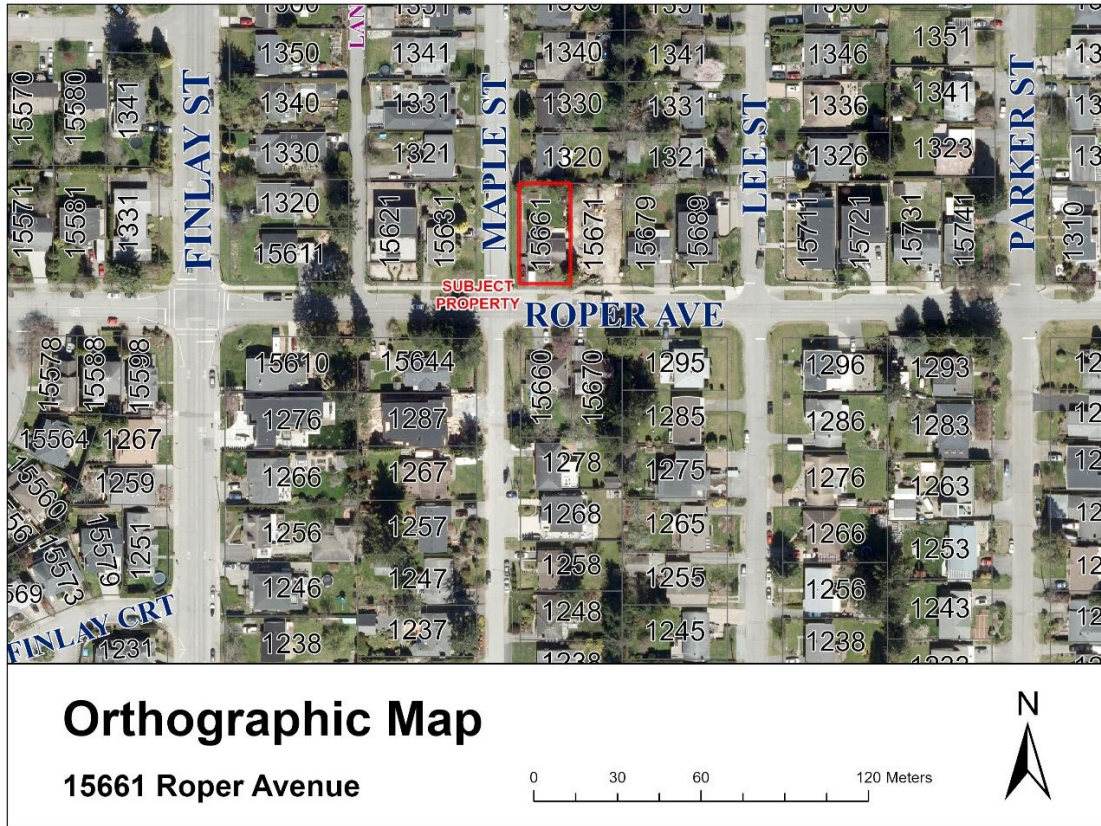


Figure 1 – Ortho Map

**PROPOSED VARIANCE**

The variance seeks relief from a minimum setback requirement in the Zoning Bylaw to allow a 3.8m setback from the exterior side lot line and the proposed principal building. The Site Plan of the proposed building envelope with the setback relief sought is provided on the following page (see Figure 2).

Section 6.1.6 (1) of the RS-1 One Unit Residential Use zone provides the setback requirements that apply to the subject property. The applicable minimum setback requirements for all lot lines for principal and ancillary buildings are as follows:

Minimum Setback requirements (RS-1 zone)	Principal Building	Ancillary Buildings and Structures
Front Lot Line	7.5m	Not Permitted
Rear lot line on a lot with an exterior side yard requirement of 7.5m, where the rear lot line abuts the interior side lot line of an adjacent residential lot	3.8m	1.5m
Interior Side lot line	1.5m	1.5m
Exterior side lot line (where the rear lot line abuts the interior side lot line of an adjacent residential lot)	7.5m	7.5m

As shown in the table above, Section 6.1.6 (1) of the Zoning Bylaw prohibits the principal building from having a setback of less than 7.5m from the exterior side lot line where the rear lot line borders the interior side lot line of an adjacent residential lot. In this proposal, the principal building would have a 3.8m setback from the exterior side lot line along Maple Street, resulting in a requested relief of 3.7.m for a principal building from the exterior side lot line (see Figure 2 below).

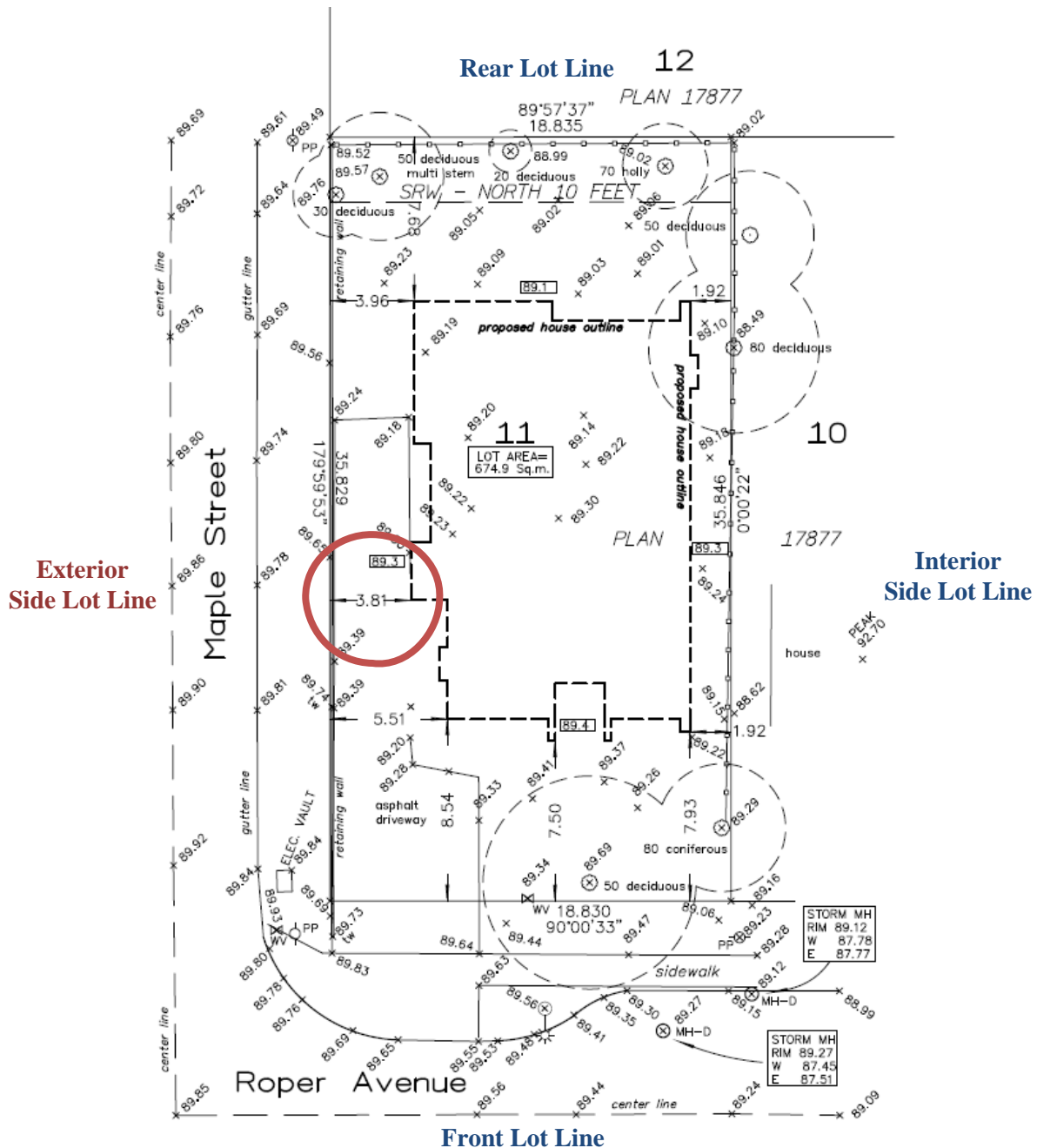


Figure 2 – Site Plan

Due to the presence of protected trees on the interior and rear side of the property along with the presence of a sanitary SRW, the requested setback relief would offset the minimum permitted rear lot line setback from 3.8m to 7.5m, resulting in a building envelope that is closer to Maple Street (west) and further from the adjacent property (north). This extends beyond the minimum setback

requirement for the rear lot line, but this offset will help preserve these trees and to achieve a reasonably sized home.

If the variance is approved, the Applicant would be required to apply for a Building Permit for the proposed home with the reduced exterior setback. If the variance is denied, the Applicant must revise the proposal to comply with Section 6.1.6 (1) of the Zoning Bylaw or make a case of hardship to the Board of Variance.

Staff support the proposed variance as the current design orients the building away from the residential homes to the north and reduces the shadowing that would otherwise negatively impact the neighbouring properties. The reduced setback of the proposed building from the neighbouring residences also helps in maintaining privacy for the single residential homes.

### **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) will be 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 Development Proposal 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 development proposal sign due to the minor nature of the variance sought. Further, the LUPC has been dissolved, and staff have prepared this report directly for Regular Council and the notices have already been issued, advertising the Public Meeting of June 10, 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 *Local Government Act* will be provided if Council directs staff to host a public meeting.

### **INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS**

The application was referred for review and comments to other city departments and all concerns and comments have been addressed by the Applicant.

### **ALIGNMENT WITH STRATEGIC PRIORITIES**

This proposal aligns with Council Strategic Priority to improve development permit processes and to streamline the overall planning approval process.

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

Alternate options are that the Land Use and Planning Committee can recommend that Council:

1. Deny Development Variance Permit No. 453; or
2. Defer consideration of Development Variance Permit No. 453 pending further information to be identified.

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. All statutory obligations under the LGA will be met.

### **CONCLUSION**

The Applicant requires a variance from the minimum exterior side yard setback requirement in the Zoning Bylaw to enable the construction of a reasonable sized single-family due to lot location. Staff are of the opinion that the nature of the variance is minor and will not impact the surrounding neighbourhood and therefore recommend that Council consider approval of Development Variance Permit No. 453.

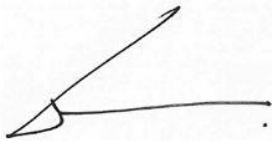
Respectfully submitted,



Anne Berry  
Director, Planning and Development Services

### **Comments from the Chief Administrative Officer**

I concur with the recommendations of this corporate report.



Guillermo Ferraro  
Chief Administrative Officer

- Appendix A: Draft Development Variance Permit No. 453
- Appendix B: RS-1 Zone Provisions
- Appendix C: Rationale and Drawing Package
- Appendix D: Planning Procedure Bylaw excerpt - DVP application process