

THE CORPORATION OF THE
CITY OF WHITE ROCK
CORPORATE REPORT



DATE: October 30, 2023

TO: Mayor and Council

FROM: Anne Berry, Director, Planning and Development Services

SUBJECT: Consideration of Development Variance Permit No. 455 – 15643 Buena Vista Avenue (22-034)

RECOMMENDATIONS

THAT Council:

1. Receive the corporate report dated October 30, 2023, from the Director of Planning and Development Services, titled "Consideration of Development Variance Permit No. 455 – 15643 Buena Vista Avenue (22-034)".
2. Consider and issue Development Variance Permit No. 455.

EXECUTIVE SUMMARY

The purpose of this report is to present for Council’s consideration a Development Variance Permit (DVP) application to reduce the minimum lot depth for a proposed two-lot subdivision at 15643 Buena Vista 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. 455 to permit the requested variance.

INTRODUCTION/BACKGROUND

A DVP application was received to vary the provisions of the “City of White Rock Zoning Bylaw, 2021, No. 2000” (the “Zoning Bylaw”) to reduce the minimum lot depth requirement for a proposed two-lot subdivision.

Subject Property and Site Context

OCP Designation	Mature Neighbourhood
Zoning	RS-1 One Unit Residential
Location	The subject property is located at the corner of Buena Vista Avenue and Maple Street
Total Lot Area	1,666 m ² (17,936 ft ²)

The lot currently contains one single-family dwelling which will be demolished prior to the Approving Officer granting final approval of the subdivision. The surrounding area comprises predominately single-family dwelling lots (see Appendix A – Location and Ortho Maps); and the White Rock Seniors Village facility is located to the south of the subject property.

Attached as Appendix G is the Tree Evaluation Report by Mike Fadum and Associates Ltd. dated February 11, 2021 and revised February 8, 2022.

Proposed Variance

Minimum Lot Depth Requirement

The Applicant is proposing a two-lot subdivision on the subject property. A variance to the minimum lot depth requirement required per the RS-1 zone in the Zoning Bylaw is necessary to allow the proposed subdivision. The Draft Development Variance Permit No. 455 is attached in Appendix B. The Applicant's rationale can be found in Appendix C. Figure 1.0 below shows the Site Plan of the proposed lots.

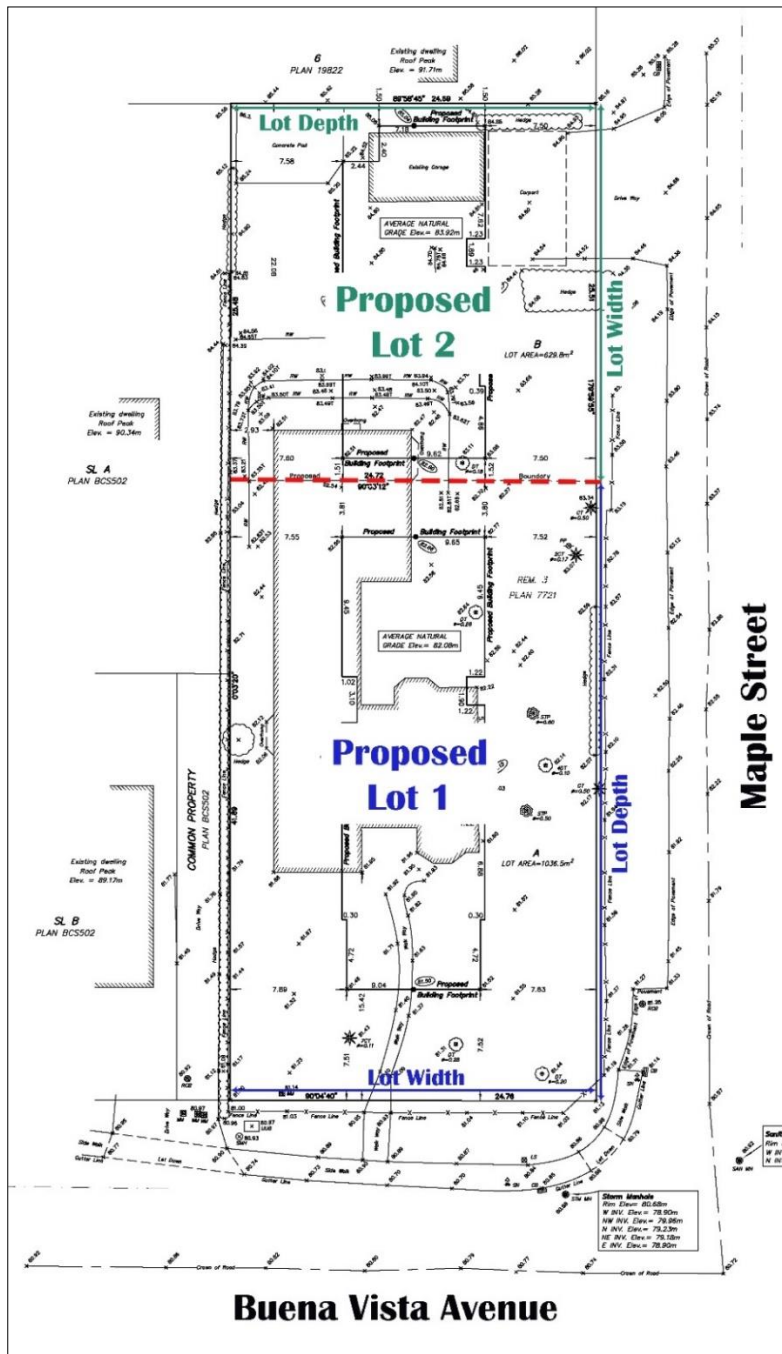


Figure 1: Proposed subdivision plan

In the Zoning Bylaw, the “lot line, front” is defined as a lot line common to the lot and an abutting street **or** where there is more than one lot line common to abutting streets, the shortest of these lines shall be considered as the front lot line. As the subject property abuts two streets, the lot line abutting Buena Vista Avenue is considered the front lot line. Therefore, this is also the “lot width” as per its Zoning Bylaw definition (see Appendix D).

Proposed Lot 2 (see Figure 1) will have one common lot line abutting this lot and a street i.e. Maple Street, subsequently this is the front lot line and lot width for the proposed Lot 2. Proposed Lot 1 will hold the lot configuration as shown in Figure 1 above.

Section 6.1.2 (1) of the RS-1 One Unit Residential Use zone (see Appendix D) provides the minimum lot size requirements that apply to the subject property and are described below:

Lot requirements (RS-1 zone)	Regulation (min.)	Proposed
Lot Width	15.0m (49.2 ft)	Lot 1: 24.76m Lot 2: 25.51m
Lot Depth	27.4m (89.9 ft)	Lot 1: 41.89m Lot 2: <u>24.69m</u> (variance)
Lot Area	464.0m ² (4,994 ft ²)	Lot 1: 1036.5 m ² Lot 2: 629.8 m ²

In order to subdivide the property, the proposed lot configuration for Lot 2 will require a relief of 2.71 metres from the RS-1 zone’s minimum lot depth requirement of 27.4 metres. All other zoning requirements, including minimum lot width and lot area, are met.

A concurrent subdivision application has been submitted by the Applicant. The proposed subdivision plan (see Appendix E) to create two lots will be reviewed for acceptability by the Approving Officer, should Council approve this DVP. Facilitating the proposed subdivision of the subject property will also allow infill in an existing neighbourhood in accordance with gentle infill policies in the Official Community Plan (OCP).

If the variance is denied, the Applicant must revise the proposal to comply with Section 6.1.2 (1) of the Zoning Bylaw or make a case of hardship to the Board of Variance.

LEGAL IMPLICATIONS

Given the minor nature of this variance request, this application is being reviewed under a modified process from the typical requirements (see Appendix F) 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 October 30, 2023, and that Council will consider issuance the same evening. Statutory Notification has taken place prior to Council's consideration of the variance.

COMMUNICATION AND COMMUNITY ENGAGEMENT IMPLICATIONS

Notification in accordance with the Planning Procedure Bylaw and the *Local Government Act* has been met.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS

The application was referred for review and comments to other city departments and no concerns were noted for this application as proposed.

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 Council:

1. Defer consideration of Development Variance Permit No. 455 pending further information to be identified; or,
2. Deny Development Variance Permit No. 455.

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 lot depth requirement in the Zoning Bylaw to enable the subdivision of the property. Aside from lot depth, the property conforms to the One-Unit Residential (RS-1) site requirement regulations in the Zoning Bylaw. Staff is of the opinion that the nature of the variance is minor and will not impact the surrounding neighbourhood. Therefore, staff recommend that Council consider approval of Development Variance Permit No. 455.

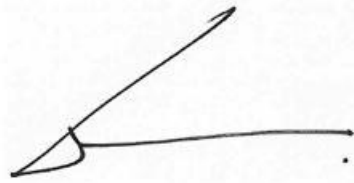
Respectfully submitted,



Anne Berry
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, consisting of a stylized 'G' followed by a horizontal line and a small dot at the end.

Guillermo Ferraro
Chief Administrative Officer

- Appendix A: Location and Ortho Maps
- Appendix B: Draft Development Variance Permit No. 455
- Appendix C: Rationale and Drawing Package
- Appendix D: Definitions and the RS-1 Zone Provisions
- Appendix E: Proposed Subdivision Plan
- Appendix F: Planning Procedure Bylaw excerpt - DVP application process
- Appendix G: Arborist Report