

REPORT

Climate Action, Planning and Development

To: Mayor Johnstone and Members of Council
Date: February 27, 2023

From: Jackie Teed
Acting Director of Climate Action,
Planning and Development
File: DVP00708

Item #: 2023-120

Subject: **Development Variance Permit: 231 Lawrence Street – Permit to Vary Lot Frontage**

RECOMMENDATION

THAT Council issue notice that it will consider issuance of Development Variance Permit DVP00708 to vary the minimum permitted lot frontage for 231 Lawrence St.

THAT Council resolve to exempt the new parcels created from 231 Lawrence Street from the statutory minimum frontage requirements set out in section 512 of the Local Government Act.

PURPOSE

The purpose of this report is to request that Council issue notice that it will consider Development Variance Permit DVP00708 to reduce the minimum required lot frontage requirement in the RQ-1 zone for the property at 231 Lawrence Street from 10% to 8.75% (reduction of 1.25%).

EXECUTIVE SUMMARY

Applications for subdivision and a Development Variance Permit (DVP) have been received for the property located at 231 Lawrence Street. These applications would allow the creation of two smaller lots from the existing single lot. The new lots would comply with lot size requirements (371.6 square metres/4,000 square feet). However, a DVP is required to reduce the minimum required lot frontage requirement in the RQ-1 zone from 10% to 8.75% (reduction of 1.25%).

New single detached dwellings on these sites would be required to meet all other City regulations including zoning requirements. Attachment 2 contains the proposed subdivision plan.

BACKGROUND

Site Description and Context

The subject site (231 Lawrence St) is fairly flat and has an existing single detached dwelling. The existing building on the property was constructed in 1932 and an addition was added in 1945. The site is adjacent to single detached dwellings to the north and west, a townhouse development to the east, and Queensborough Middle School to the south. A site context map is shown below in Figure 1.

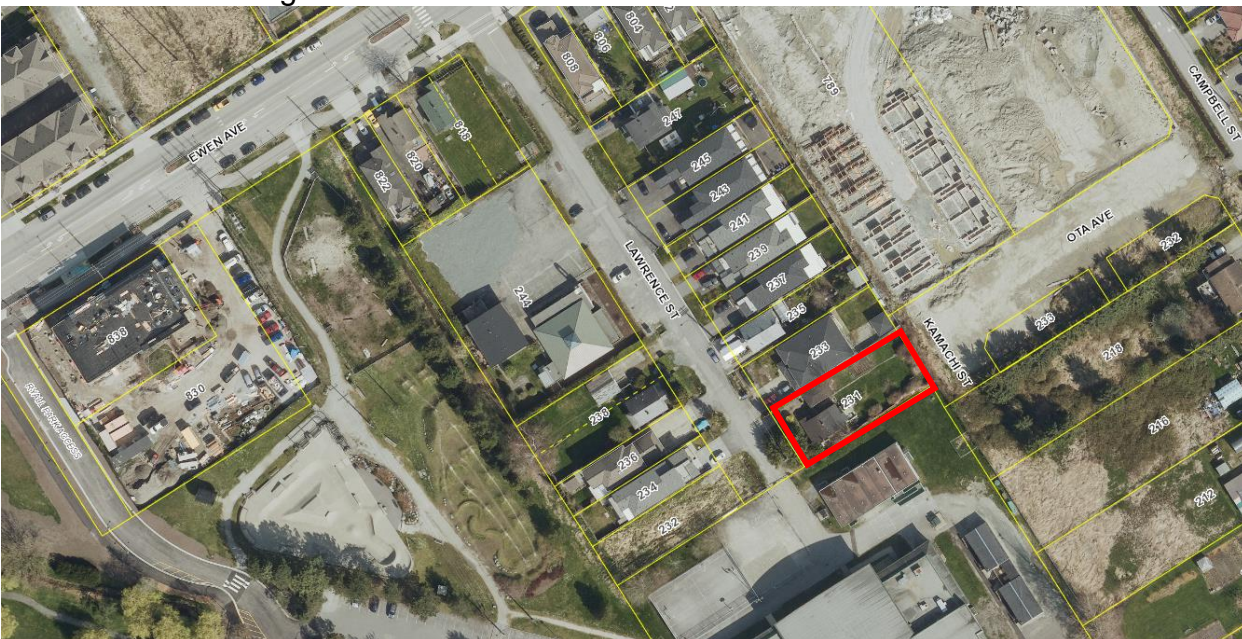


Figure 1 - Site Context Map with 231 Lawrence St outlined in red

Policy and Regulation Context

The subject property is located within the Multiple Unit Buildings (RM) designation in the Queensborough Community Plan. As the applicant is developing within their existing Zoning, evaluation against the Queensborough Community Plan designation is not required.

Local Government Act

The Local Government Act (LGA) requires that a parcel created by subdivision fronting onto a street must have a minimum frontage of 10% of the lot perimeter. The LGA also contains a provision for Local Governments to exempt a parcel from this requirement. This means that Council must consider variances to the 10% lot perimeter requirement, unless delegated to the City's Approving Officer. New Westminster has not yet delegated this power to the City's

Approving Officer; therefore, this DVP cannot be delegated to staff and must be considered by Council.

In the near future, to create efficiencies in the planning process, staff intend to bring forward a report to further delegate DVPs to staff, including lot frontage variances, for Council consideration.

Variance Policy

The proposed variance is subject to the *Policy Approach to Considering Requests for Variances* which was endorsed by Council on January 28, 2008. This is a policy based approach to the consideration of variance applications. This approach involves a set of questions against which the variance is analyzed for the purposes of clarifying the benefits and necessity of the variance. The evaluation criteria are included in Attachment 1.

DISCUSSION

The applicant is proposing to subdivide the existing lot into two equal sized lots and build two new single detached dwellings. The applicant is requesting to reduce the minimum lot frontage from 10% to 8.75% of the lot perimeter (a reduction of 1.25%). City staff have advised that the application does not meet the Zoning Bylaw and Local Government Act minimum frontage requirements. The applicant would need approval of a Development Variance Permit and a motion of exemption from Council from the frontage requirements in order to obtain approval of their subdivision. Attachment 2 contains the proposed subdivision plan.

	Existing Lot	Proposed Lot 1	Proposed Lot 2
Area	775.8 m ²	387.9 m ²	387.9 m ²
Perimeter	121.83 m	103.69 m	103.68 m
Frontage	18.14 m	9.07 m	9.07 m
Frontage Percentage	14.89%	8.75%	8.75%

As a result of the long lot depths in Queensborough, subdivision applications often necessitate a variance to the minimum perimeter percentage. A number of variances of this type in Queensborough have been approved in the past.

The variance outlined above has been examined in light of the City's Policy Approach to Considering Requests for Variances. This analysis is included as part of Attachment 1 to this report. The variances are supported on the basis of its minor impact to the surrounding neighbourhood and consistency with past approved variances in Queensborough.

REVIEW PROCESS

The following table outlines the proposed development review process and target dates:

Complete application submission	December 7, 2022
Report to Council requesting consideration of issuance of notice for Development Variance Permit (WE ARE HERE)	February 27, 2023
Response to public notice provided and Council consideration of issuance of Development Variance Permit	March 13, 2023

Consultation

Should Council issue notice that it will consider issuance of Development Variance Permit DVP00708, notices would be sent to surrounding residents by the Legislative Services Department to provide an opportunity for written feedback.

INTERDEPARTMENTAL LIAISON

This proposal has been reviewed by staff from the Engineering Services Department and the Planning Division of Climate Action, Planning and Development.

OPTIONS

The following options are presented for Council consideration:

1. That Council issue notice that it will consider issuance of Development Variance Permit DVP00708 to vary the frontage requirements for 231 Lawrence Street.
2. That Council provide staff with other direction.

Staff recommends Option 1.

ATTACHMENTS

Attachment 1: Analysis of Proposed Variances

Attachment 2: Proposed Subdivision Plan

APPROVALS

This report was prepared by: Hanna Jarrett, Planning Technician

This report was reviewed by: Demian Rueter, Acting Manager of Planning

This report was approved by: Jackie Teed, Acting Director of Climate Action, Planning and Development

Lisa Spitale, Chief Administrative Officer