

August 20, 2020

FOI No: 2020-23

VIA E-MAIL – Redacted

# Redacted

Dear Redacted

Re: Request for Records  
Freedom of Information and Protection of Privacy Act

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The City of White Rock has received your request for access to the following information pursuant to the Freedom of Information and Protection of Privacy Act (the “Act”):

- *for all emails, letters, texts, and other correspondence between the property owner of 15081 Marine Drive (Little India Restaurant) and the Director of Planning, other City Staff as well as all Council members, and the Mayor*

Access to these records is available. However, some of the information in the records is excepted from the disclosure requirements of the Act. I have severed the excepted information so that I could disclose to you the remaining information as attached.

The severed information is excepted from disclosure under section 22 of the Act. Severing is necessary to avoid disclosing any third-party personal information without permission.

Please contact our office if you have any questions or concerns.

Sincerely,



Ken Overton  
Manager, Property, Risk Management, and FOI  
604-541-2104

Att.

Corporate Administration  
P: 604.541.2212 | F: 604.541.9348

City of White Rock  
15322 Buena Vista Avenue, White Rock BC, Canada V4B 1Y6

**WHITE ROCK**  
*City by the Sea!*

[www.whiterockcity.ca](http://www.whiterockcity.ca)

If you believe that the City of White Rock has been unreasonable in its handling of your request, you may ask the Information and Privacy Commissioner to review our response. You have 30 days from receipt of this notice to request a review by writing to:

Office of the Information and Privacy Commissioner  
3rd Floor, 756 Fort Street  
Victoria BC V8W 1H2

Should you decide to request a review, please provide the Commissioner's office with:

1. your name, address and telephone number;
2. a copy of this letter;
3. a copy of your original request sent to the City of White Rock; and
4. the reasons or grounds upon which you are requesting the review.

**From:** Redacted S. 22  
**To:** [Wayne Baldwin](#); [White Rock Council](#); [Carl Isaak](#)  
**Subject:** Revision of By-law CR-3  
**Date:** Thursday, May 31, 2018 12:00:07 PM

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With due regards, I would like to request the Honourable Mayor, Council members and the Manager of Planning for a review and amendment of the existing By law, CR-3, which pertains to the development of commercial properties.

I am the owner of the property at 15081 Marine Drive in White Rock, BC. I had purchased the property in 2003 with the intent to redevelop it in the future. However, due to old age and poor health, I am unable to carry out the developments myself. Therefore, I have been trying to sell the property in order to retire. Despite my efforts, I am deeply distraught, as all the prospective buyers have expressed their discouragement from purchasing the property due to the parking and loading by-laws which restrict the redevelopment of a commercial outlet on the ground floor with residential units above.

I had also spoken to Mr. Jamieson Pritchard during my visit to City Hall, and was advised to purchase neighboring properties in order to consolidate the land so that parking and loading by-laws can be met. However, this option is unreasonable and not financially possible for me.

I have extensively reviewed the parking by laws and feel that an exception should be made for my property, as, the lot is merely 30x65 feet, therefore making it impossible to provide 1 parking space for every 16 seats, in addition to 2 parking spaces for each residential unit. Furthermore, I find the clauses listed under the aforesaid law with respect to parking for the customers unreasonable, as, there is parking access provided by the city on Marine Drive itself.

I have been a proud resident of White Rock for 17 years and have been a restaurant owner for the same amount of time. In light of the foregoing, I strongly feel that By-law CR-3 is penalizing small property owners, such as myself. You are requested therefore to please review and modify the existing by law for my building.

Your cooperation is solicited please.

Thank you. I look forward to hearing from you.

Sincerely,

**Redacted S. 22**

**From:** Redacted S. 22  
**To:** Carl Isaak  
**Subject:** Re: Revision of By-law CR-3 for 15081 Marine Drive, White Rock !  
**Date:** Wednesday, July 04, 2018 12:11:44 PM

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Thanks Carl!

Sent from my iPhone

On Jul 4, 2018, at 10:53 AM, Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)> wrote:

Yes, you may bring anyone you like.

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**From:** Redacted S. 22  
**Sent:** Wednesday, July 04, 2018 10:40 AM  
**To:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>  
**Subject:** Re: Revision of By-law CR-3 for 15081 Marine Drive, White Rock !  
Hi Carl! Will it be ok if I bring my realtor for this meeting?  
Thanks,  
Redacted S. 22

Sent from my iPhone

On Jul 4, 2018, at 9:19 AM, Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)> wrote:

Good morning Redacted S. 22  
Yes, that will work well – I have booked the board room for us on the lower level of City Hall.  
Please let me know if your timing changes.  
See you tomorrow,  
Carl

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**From:** Redacted S. 22  
**Sent:** Wednesday, July 04, 2018 9:16 AM  
**To:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>  
**Subject:** Re: Revision of By-law CR-3 for 15081 Marine Drive, White Rock !  
Good morning Carl !  
Will it be possible for you to meet us around 10.30 AM tomorrow at your office?  
Sincerely,  
Redacted S. 22

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**From:** Redacted S. 22  
**Sent:** July 3, 2018 2:37 PM  
**To:** Carl Isaak  
**Subject:** Re: Revision of By-law CR-3 for 15081 Marine Drive, White Rock !

**Thanks once again Mr Carl. I am trying to get hold of the prospective buyer to find out the timing of his availability. The moment , I find out his schedule, I will inform you the timing please.**

**Sincerely,**

**Redacted S. 22**

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**From:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>

**Sent:** July 3, 2018 2:23 PM

**To:** **Redacted S. 22**

**Subject:** RE: Revision of By-law CR-3 for 15081 Marine Drive, White Rock !

Hello **Redacted S. 22**

At the moment my Thursday is free – please let me know your preferred time between 8:30 and 4:30. You may bring your buyer with you.

Thanks,

Carl

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**From:** **Redacted S. 22**

**Sent:** Tuesday, July 03, 2018 1:53 PM

**To:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>

**Subject:** Re: Revision of By-law CR-3 for 15081 Marine Drive, White Rock !

**Thanks Mr Carl for your prompt reply! What time are you available to meet me on Thursday ? If you allow me, I may bring the prospective buyer along with me for this meeting ?**

**Sincerely,**

**Redacted S. 22**

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**From:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>

**Sent:** July 3, 2018 1:39 PM

**To:** **Redacted S. 22**

**Subject:** RE: Revision of By-law CR-3 for 15081 Marine Drive, White Rock !

Hello **Redacted S. 22**

Carl Johanssen is not available this week – if you wish to meet with both of us it would need to be following July 9.

I am available to meet this week Thursday.

Thanks,

Carl

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**From:** **Redacted S. 22**

**Sent:** Tuesday, July 03, 2018 1:37 PM

**To:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>

**Subject:** Re: Revision of By-law CR-3 for 15081 Marine Drive, White Rock !

Dear Carl!

I am awaiting response to my mail dated June 27, 2018, in which, I had requested you to let me know the date and time of your availability to meet me and discuss various options with regard to redevelopment of my property at 15081 Marine Drive. I have a prospective buyer who is awaiting certain questions to be answered by the W Rock city, depending on which, he will be able to decide his futuristic course of action.

Looking forward hearing from you!

Sincerely,

**Redacted S. 22**

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**From:** Redacted S. 22

**Sent:** June 27, 2018 5:28 PM

**To:** Carl Isaak

**Subject:** Re: Revision of By-law CR-3

Dear Carl,

Thank you very much for your response. I can meet you and Mr. Johannesen at your convenience.

Kindly let me know your availability as soon as possible.

I look forward to hearing from you.

Regards,

**Redacted S. 22**

On Jun 27, 2018, at 4:41 PM, Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)> wrote:

Dear **Redacted S. 22**

Thank you for your correspondence regarding your land at 15081 Marine Drive. Both myself and the Director of Planning, Carl Johannesen, would be available to meet with you to discuss further at your convenience.

We appreciate that there are challenges associated with redeveloping small properties that were originally established under a very different development patterns and context (yours being less than 2,000 square feet and

originally surveyed in 1927). As you may be aware, the current minimum lot size that would apply to a new CR-3 parcel (5,750 square feet) is over three times the lot area of your parcel.

Our new Official Community Plan (adopted October 2017) envisions the properties along Marine Drive in your area under the “Waterfront Village” land use designation, which would permit up a building of up to four storeys. However, to achieve the amount of building that is contemplated in the OCP, it is likely that smaller properties will need to be consolidated to be able to provide an efficient building layout and meet parking requirements.

Updating our Zoning Bylaw (including the height parameters of the CR-3 zone) to be consistent with the OCP Waterfront Village is on our department’s workplan, however the earliest this work is likely to be brought before Council is later in 2018 or early in 2019, following further review, public consultation, and analysis, and even so this update may not address the specific parking and loading issues you have raised regarding your property.

Should you, or a prospective purchaser, wish to develop under the existing zoning but with fewer than the required amount of off-street parking or loading spaces, you may apply for a Development Variance Permit to reduce the amount of parking spaces required, and Council can consider this request based on the merits of the application (e.g. a smaller amount of units, provision of transit passes to tenants, etc.)

If you would like to pursue this option, please feel free to contact me directly to discuss the process. This does not modify the existing CR-3 bylaw for all properties but would give Council an opportunity to consider a property-specific variance based on the circumstances.

Yours truly,  
Carl

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**From:** Redacted S. 22

**Sent:** Thursday, May 31, 2018 12:00 PM

**To:** Wayne Baldwin <[WBaldwin@whiterockcity.ca](mailto:WBaldwin@whiterockcity.ca)>; White Rock Council <[whiterockcouncil@whiterockcity.ca](mailto:whiterockcouncil@whiterockcity.ca)>; Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>

**Subject:** Revision of By-law CR-3

With due regards, I would like to request the Honourable Mayor, Council members and the Manager of Planning for a review and amendment of the existing By law, CR-3, which pertains to the development of

commercial properties.

I am the owner of the property at 15081 Marine Drive in White Rock, BC. I had purchased the property in 2003 with the intent to redevelop it in the future. However, due to old age and poor health, I am unable to carry out the developments myself. Therefore, I have been trying to sell the property in order to retire. Despite my efforts, I am deeply distraught, as all the prospective buyers have expressed their discouragement from purchasing the property due to the parking and loading by-laws which restrict the redevelopment of a commercial outlet on the ground floor with residential units above.

I had also spoken to Mr. Jamieson Pritchard during my visit to City Hall, and was advised to purchase neighboring properties in order to consolidate the land so that parking and loading by-laws can be met. However, this option is unreasonable and not financially possible for me.

I have extensively reviewed the parking by laws and feel that an exception should be made for my property, as, the lot is merely 30x65 feet, therefore making it impossible to provide 1 parking space for every 16 seats, in addition to 2 parking spaces for each residential unit. Furthermore, I find the clauses listed under the aforesaid law with respect to parking for the customers unreasonable, as, there is parking access provided by the city on Marine Drive itself.

I have been a proud resident of White Rock for 17 years and have been a restaurant owner for the same amount of time. In light of the foregoing, I strongly feel that By-law CR-3 is penalizing small property owners, such as myself. You are requested therefore to please review and modify the existing by law for my building.

Your cooperation is solicited please.

Thank you. I look forward to hearing from you.

Sincerely,

**Redacted S. 22**



**From:** [Carl Johannsen](#)  
**To:** [Carl Isaak](#); [Jamieson Pritchard](#)  
**Subject:** FW: 15081 Marine Drive Development Variance Permit Information  
**Date:** Friday, August 03, 2018 4:13:09 PM  
**Attachments:** [15081 Marine Drive Parking Scenarios.pdf](#)  
[Bylaw 2234 - Planning Procedures.pdf](#)

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FYI – thanks for your help on this!

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**From:** Carl Johannsen  
**Sent:** Friday, August 03, 2018 4:12 PM  
**To:** Redacted S. 22  
**Subject:** RE: 15081 Marine Drive Development Variance Permit Information  
Hi **S. 22**

This email serves as a general ‘road-map’, for yourself or a prospective purchaser, if there is an interest to redevelop the property under the existing CR-3 zone to either a new stand-alone restaurant (which is a change in use and requires existing Zoning Bylaw provisions to apply) or a new restaurant with apartment units above, and if that redevelopment approach requires variances (ie. parking) to the Zoning Bylaw, which in turn requires a Development Variance Permit (DVP) application to be submitted for staff review and consideration to approve or deny by Council.

Re: the redevelopment possibilities for your property, I have attached a PDF that shows the various options we previously discussed and what you have described below, only as it relates to parking and related variances. Note that while the conceptual options in the PDF generally follow the parameters/requirements of the CR-3 zone, an architect will need to confirm if the options shown in the PDF are possible regarding the CR-3 density, building height and other applicable requirements. Based on my basic concepts, at the CR-3 max. density of 1.75 FAR (~3400 sf), you would likely get a similar-sized restaurant as you have today on the ground floor storey (around 1400 sf), plus 2 storeys of residential above (each storey measuring around 1000 sf in size). In my estimation, this could yield 2 two-bedroom apartments, or 2 450 sf studios and 1 two-bedroom apartment in 2 storeys of residential space. I imagine the 2 two-bedroom apartment scenario, with 1 apartment on each residential storey, is more likely (which would require 3 residential parking spaces). Unfortunately one other item was revealed through developing these concepts, namely that due to the lot coverage of 75% maximum in the CR-3 zone, one or more of the options in the PDF may need a lot coverage variance as well, to allow for the 3<sup>rd</sup> storey to be cantilevered over the parking deck (ie. to set it back from the 2 storey), which could push the lot coverage over 75 percent.

**In summary, the attached pdf shows the following likely parking variances required, according to redevelopment Options.** Note that while leasing a commercial parking space on Martin Street or elsewhere does not eliminate the need for a parking variance, it can be used as a solid rationale for staff supporting a commercial parking variance. The key points of each Option are summarized below:

**Option 1:** New 32 seat restaurant (ie. a ‘food primary’ use that serves food and liquor; parking requirement of one space per 16 seats) and one residential unit above (considered a multi-tenant residential use and apartment by virtue of being a unit above a restaurant commercial use, therefore required parking of 1.5 spaces per unit), and with three on-site parking spaces available off Marine Lane, on a parking deck that comes in level or slightly below Marine Lane:

Parking variances required:

- Residential - none for one unit (1.5 x 1= 1.5; 2 required parking spaces that can be accommodated on site)

- Commercial – variance for 1 parking space (2 parking spaces required, one of which can be accommodated on site, combined with the 2 residential parking spaces)
- Commercial Loading - variance for 1 loading space

Lot Coverage variance potentially required:

- For lot coverage above 75% maximum, if necessary

**Option 2:** New 32 seat restaurant (ie. a 'food primary' use that serves food and liquor) and two or three residential units above (considered a multi-tenant residential use and apartment by virtue of being a unit above a restaurant commercial use, therefore required parking of 1.5 spaces per unit), and with three on-site parking spaces available off Marine Lane, on a parking deck that comes in level or slightly below Marine Lane:

Parking variances required:

- Residential - 2 units - none ( $1.5 \times 2 = 3$ ; 3 parking spaces required, 3 parking spaces that can be accommodated on site)
  - 3 units – variance for 2 parking spaces ( $1.5 \times 3 = 4.5$ ; 5 parking spaces required; only 3 parking spaces can be accommodated on site)
- Commercial – variance for 2 parking spaces (2 parking spaces required; none of which can be accommodated on-site if there is more than one residential unit)
- Commercial Loading - variance for 1 loading space

Lot Coverage variance required:

- For lot coverage above 75% maximum (the third storey cantilevered above the parking deck will result in a lot coverage higher than 75%)

**Option 3:** New 32 seat restaurant (ie. a 'food primary' use that serves food and liquor) and two or three residential units above (considered a multi-tenant residential use and apartment by virtue of being a unit above a restaurant commercial use, therefore required parking 1.5 spaces per unit), and with three on-site parking spaces available off Marine Lane, on a parking deck that is inclined up from Marine Lane:

Parking variances required:

- Residential - 2 units - none ( $1.5 \times 2 = 3$ ; 3 parking spaces required, 3 parking spaces that can be accommodated on site)
  - 3 units – variance for 2 parking spaces ( $1.5 \times 3 = 4.5$ ; 5 parking spaces required; only 3 parking spaces can be accommodated on site)
- Commercial – variance for 2 parking space (2 parking spaces required; none of which can be accommodated on-site if there is more than one residential unit)
- Commercial Loading - variance for 1 loading space

Lot Coverage variance potentially required:

- For lot coverage above 75% maximum, if necessary

**Re: your questions below, I have the following responses:**

1. This is workable according to Option 1, but will still require a variance application for 2 commercial parking spaces, even if they are leased off-site. Note that while leasing a commercial parking space on Martin Street or elsewhere does not eliminate the need for a parking variance, it can be used as a solid rationale for staff supporting a commercial parking variance.
2. See Options 2 and 3, which will give you a good indication of required parking spaces (5 total parking spaces for two residential units plus restaurant; 7 total parking spaces for three residential units plus restaurant).

3. We are open to you renting out more parking spaces, but unfortunately that does not eliminate the need for a parking variance, as these spaces are only being rented and are not owned by you. As noted above, leasing more spaces can be used as a rationale for supporting a parking variance and can be also used as a condition for the business license for a new restaurant.
4. You will require at least a conceptual plan (not a detailed plan), developed by an architect, to apply for a DVP (the application requirements and process for a DVP are attached as well, see page 27 of Bylaw 2234 Planning Procedures). The reason for this is that staff will need to confirm that the redevelopment approach that you are seeking clarity on is allowable under the zoning (ie. density/FAR, building height, lot coverage, setbacks etc. in addition to parking), Council will need to see and understand the potential redevelopment concept to be able to make an informed decision regarding the proposed DVP, and your neighbours/public/residents will need to know what is being proposed in terms of height, density etc. , as there is a Public Information Meeting requirement for a DVP application. To be clear a conceptual plan/drawings are not detailed architectural drawings; a local architect, like Ankemann Associates (<http://aaai.bc.ca/>) in Crescent Beach for example, has done this sort of conceptual work before and may be able to help you on this (as would other architects). While you can also apply for a combined DVP and a Development Permit (DP), which requires detailed architectural drawings, I am OK with a DVP application without a DP, **provided** the conceptual DVP drawings by an architect provide enough information for staff, Council and the public to review and understand that scale and basic look of a proposed new building. At this stage a geotechnical/structural engineering review will be unnecessary, and an architect will also be able to give you some general advice about what components of a more detailed architectural design will review by a Professional Engineer. A conceptual plan will also be reviewed at a high level by staff, including Engineering, who will identify potential servicing, access, frontage and geotechnical/lane shoring requirements, which then can be communicated to an architect doing a detailed design for a DP application at a later stage (which will be required prior to proceeding to a Building Permit, but again not necessary for considering a DVP application).
5. Unfortunately the cash-in-lieu option for parking is no longer available, as the previous Bylaw allowing this has been repealed. This being said, staff are reviewing the parking cash-in-lieu approach City-wide and there may be report coming to Council in the new term regarding this issue. As a staff member I am unable to grant this sort of provision, and only the entire Council can make decisions in this regard.
6. As noted above, a conceptual plan should not cost the amount you have described below; conceptual plans are more basic and less labour intensive – a quick discussion with an architect should give you an idea of how to proceed and at what cost.

Due to the small size and unique nature of your property, staff are willing support a commercial parking and loading variance, and if necessary a lot coverage variance, subject to commercial parking spaces being leased off-site (ie. Martin Street, plus others as required in Montecito for example) and the provision of three on-site parking spaces, accessible from Marine Lane and confirmed as feasible by our City Engineering department.

If you have any more questions or would like to discuss further, please give me a call or we can meet. I will also delegate this project to one of my very capable staff, who can help you along in this process.

Regards,  
Carl

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**From:** Redacted S. 22  
**Sent:** Sunday, July 29, 2018 11:13 PM  
**To:** Carl Johannsen  
**Subject:** Re: hello and potential discussion

Dear Carl,

Thank you very much for your mail. I really appreciate the efforts you have put in my situation. Thank you.

With reference to your mail dated July 27, 2018, I have the following questions on which I would like your inputs-

1. I currently pay for a commercial parking space off-site. If I choose to build a 32 seats restaurant and one more residential unit above, I will require a total of 5 parking spaces ( 2 for commercial, 1.5 for residential and one loading). For that I can give 3 parking space on-site and the two spaces off-site. (The one I rent from the city continues and I can rent another one).

Is this workable ?

2. Am I correct in understanding that if I choose to build two more storeys above the restaurant, I will need to file for a variance permit for 2 more parking spaces for the second storey? In total 7 Parking spaces ?

3. Alternatively, if I decide to not apply for the variance, can the city rent out to me 3 more parking spaces off-site (excluding the one I currently have), as has been previously done by the city in the case of Giraffe restaurant? If so, that should satisfy the parking requirements ?

4. Most importantly, If I am asked to file for the variance permit, will just a **Conceptual plan** be good enough?

I distinctly remember when I met with you and the Mayor in his chamber, he had suggested that a conceptual plan will be good to go.

as, I don't intend redeveloping the property myself, instead, would like to sell it to some prospective developer. Therefore, in order to get the variance, a conceptual plan should be good, Mayor had summarized and you too had given your acceptance!!

5. It is also submitted that in the last meeting with the Mayor, we all had agreed that there are certain inherent limitations in CR 3 By law, pertaining to provision of customer parking. Thus, I request you to raise this issue with the Mayor and provide me with exemptions like, **Cash in Lieu** which was in force few years ago.

6. I consulted a few architectural firms and they project that , I would have to spend at least 8 to 10 percent of the total building cost if I am asked to get the detailed Development Plan made. That would financially strangulate me.

I look forward to your response on these please !

Warm regards,

**Redacted S. 22**

On Jul 27, 2018, at 6:03 PM, Carl Johannsen <[CJohannsen@whiterockcity.ca](mailto:CJohannsen@whiterockcity.ca)> wrote:

Hi **s. 22**

It has been a very busy week, and I have not been able to put together a comprehensive package for you yet – my apologies.

This being said, I do have some key points of information to pass along, re: parking.

Re: your question below, if you redeveloped your property to include a new restaurant at the ground floor and a single apartment unit up above, and you are able to locate 3 new parking spaces off the lane, you would still require a commercial parking variance, if you choose to locate the residential parking and commercial loading on-site.

More specifically, the one unit apartment would require 1.5 spaces (which rounds up to two spaces), and the commercial loading space could be added as well which then takes up the 3 spaces off the lane. The variance would be for three commercial spaces that you would be required to provide for the new restaurant (due to a 'change in use').

Another option is that you could build two residential units on top of a new restaurant, and use the three spaces off the lane to accommodate the residential parking (1.5 spaces per unit x 2 units = 3 spaces), but you would need a variance for the required commercial loading space and three commercial parking spaces. So almost the same variance situation, but you could park two residential units on the site without a residential parking variance.

I hope that helps in the meantime and I will endeavor to get you the complete information early next week,

Cheers

Carl

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**From:** Redacted S. 22

**Sent:** Saturday, July 21, 2018 2:07 PM

**To:** Carl Johannsen

**Subject:** Re: hello and potential discussion

Dear Carl,

I hope you are doing well. I wanted to thank you for meeting with me yesterday with regard to my unit on Marine Drive and I greatly appreciate your assistance. To be on the same page, am i correct in understanding from our yesterday's meeting, that building my property as is and building one more unit above it, requires no variance permit?

And, if I go beyond one more storey, that would require me to file for a variance permit?

I look forward to you sending me the documents needed for applying the variance permit. I would be very grateful to you if you could demarcate the requirements for an Engineer, and the ones for an Architect, while sending me the documents. This would make it easier for me to get the things done effectively and economically.

Let me know if you would require any further details. I look forward to hearing from you.

Please convey my regards to your family.

Regards,

**Redacted S. 22**

On Jul 18, 2018, at 3:07 PM, Carl Johannsen <[CJohannsen@whiterockcity.ca](mailto:CJohannsen@whiterockcity.ca)>

wrote:

Hi **s. 22**

Sounds great, 1:30pm it is. Of course, your nephew is welcome.

Carl

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**From:** Redacted S. 22

**Sent:** Wednesday, July 18, 2018 3:05 PM

**To:** Carl Johannsen

**Subject:** Re: hello and potential discussion

Thanks. 1.30 is fine. Look forward meeting you. Could I bring my nephew along ?

Thanks!

**s. 22**

Sent from my iPhone

On Jul 18, 2018, at 3:02 PM, Carl Johannsen

<[CJohannsen@whiterockcity.ca](mailto:CJohannsen@whiterockcity.ca)> wrote:

Hi **s. 22**

How about 1:30pm?

Carl

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**From:** Redacted S. 22

**Sent:** Wednesday, July 18, 2018 3:02 PM

**To:** Carl Johannsen

**Subject:** Re: hello and potential discussion

Hi Carl!

Does anytime prior to 2.30 suit you? Please advise.

Thanks,

**s. 22**

Sent from my iPhone

On Jul 18, 2018, at 2:54 PM, Carl Johannsen

<[CJohannsen@whiterockcity.ca](mailto:CJohannsen@whiterockcity.ca)> wrote:

Hi **s. 22**

Does 2:30pm on Friday July 20 work for you?

Regards,

Carl

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**From:** Redacted S. 22

**Sent:** Monday, July 16, 2018 4:34 PM

**To:** Carl Johannsen

**Subject:** Re: hello and potential discussion

**Thanks Carl for your support !**

**Sincerely,**

**s. 22**

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**From:** Carl Johannsen  
<[CJohannsen@whiterockcity.ca](mailto:CJohannsen@whiterockcity.ca)>  
**Sent:** July 16, 2018 2:46 PM  
**To:** Redacted S. 22  
**Subject:** RE: hello and potential discussion  
Hi s. 22  
I will do my best,  
Carl

---

**From:** Redacted S. 22  
[Redacted]  
**Sent:** Monday, July 16, 2018 10:13 AM  
**To:** Carl Johannsen  
**Subject:** Re: hello and potential discussion  
Hi Carl!

In continuation to my earlier mail, i will further like to submit that keeping in view my financial constraints and poor health, I will be grateful if an economical and quicker approach to the matter could be considered!

Thanking you,  
Sincerely,

Redacted S. 22

Sent from my iPhone

On Jul 16, 2018, at 9:23 AM, Carl Johannsen  
<[CJohannsen@whiterockcity.ca](mailto:CJohannsen@whiterockcity.ca)> wrote:

Hello s. 22

Nice to meet you as well, and I will contact you closer to the middle of the week to set up a meeting time,

Regards,

Carl

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**From:** Redacted S. 22  
[Redacted]

**Sent:** Friday, July 13, 2018 3:17 PM

**To:** Carl Johannsen

**Subject:** Re: hello and potential discussion

Hi Carl!

At the outset, I sincerely thank you for meeting and discussing the problems confronting my property for redevelopment. As

per your advise, I look forward  
meeting you again to discuss  
possible way out to solve the  
issue.

Kindly let me know as to when ,  
you will be available to meet me ?

Thanking You,

Sincerely,

**Redacted S. 22**

Sent from my iPhone

On Jul 13, 2018, at 11:22 AM,

**Redacted S. 22**

wrote:

Hi Mr Carl!  
Thanks for your mail.  
I am a bit under the  
weather. When I get  
better, I will like to  
meet you and  
request you to  
please advise me on  
my property  
development!

Thanks once again!

Sincerely,

**Redacted S. 22**

Sent from my iPhone

On Jul 10, 2018, at

4:46 PM, Carl

Johannsen

<[CJohannsen@whiterockcity.ca](mailto:CJohannsen@whiterockcity.ca)>

wrote:

Hello

**s. 22**

[Redacted]

I

understand

that

you



have  
met  
and  
discuss  
your  
property  
with  
Carl  
Isaak,  
our  
Manager  
of  
Planning,  
and he  
provided  
information  
regarding  
the  
potential  
redevelopment  
of your  
property.  
I was  
away  
last  
week  
and  
unable  
to  
attend  
that  
meeting;  
perhaps  
if you  
are  
available  
later  
this  
week  
or next  
week  
we  
could  
discuss  
your

property  
and  
ideas  
further;  
if so, let  
me  
know  
via  
email  
or  
phone  
and I  
will be  
glad to  
discuss  
this  
with  
you,  
Regards,  
Carl  
Carl  
Johannsen  
Director,  
Planning  
and  
Development  
Services  
City of  
White  
Rock  
604.541.2142

**15081 Marine Drive**

CR-3 Zone

**Existing Condition**

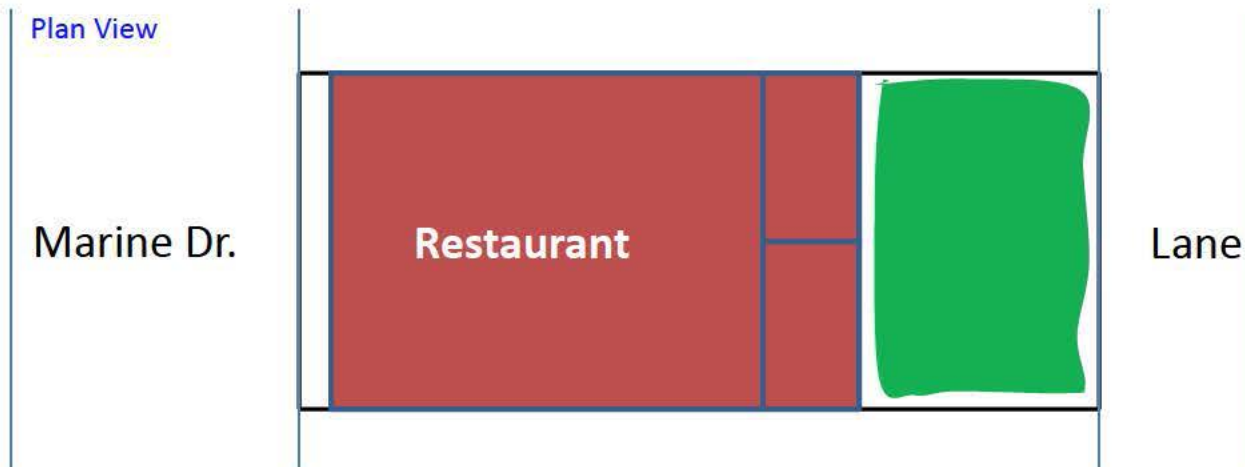
1.75 FAR, 75% max. lot coverage

11.3 m height (~3 storey height)

Section View



Plan View



**15081 Marine Drive**

**Option 1**

CR-3 Zone

1.75 FAR, 75% max. lot coverage

11.3 m height (~3 storey height)

**Parking Options**

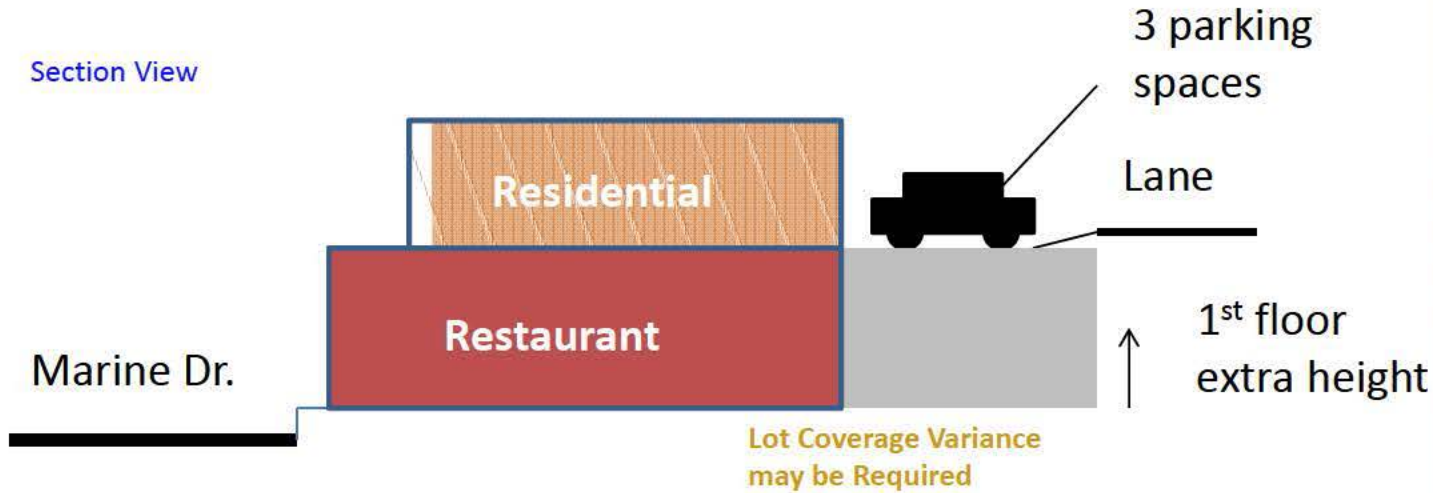
**Residential**

- 1 unit = 2 spaces

**Restaurant**

- 32 seats = 2 spaces (variance for 1 space)
- No loading space (variance for loading space)

Section View



Plan View



**15081 Marine Drive**

**Option 2**

CR-3 Zone

1.75 FAR, 75% max. lot coverage

11.3 m height (~3 storey height)

**Parking Options**

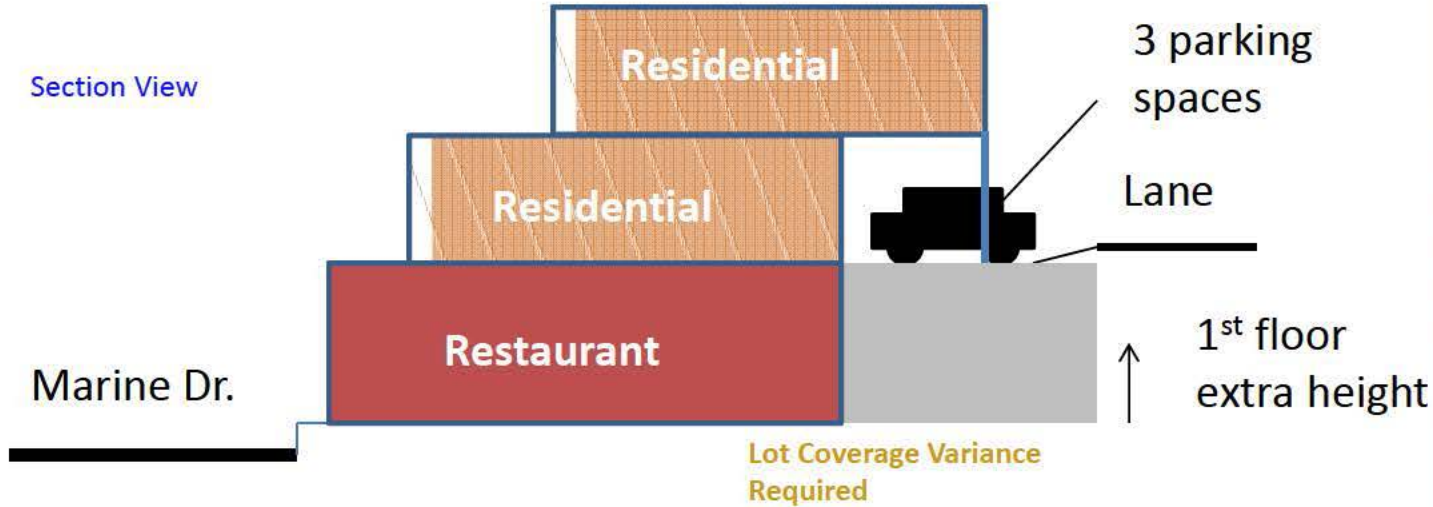
**Residential**

- 2 units = 3 spaces
- 3 units = 5 spaces (variance for 2 spaces)

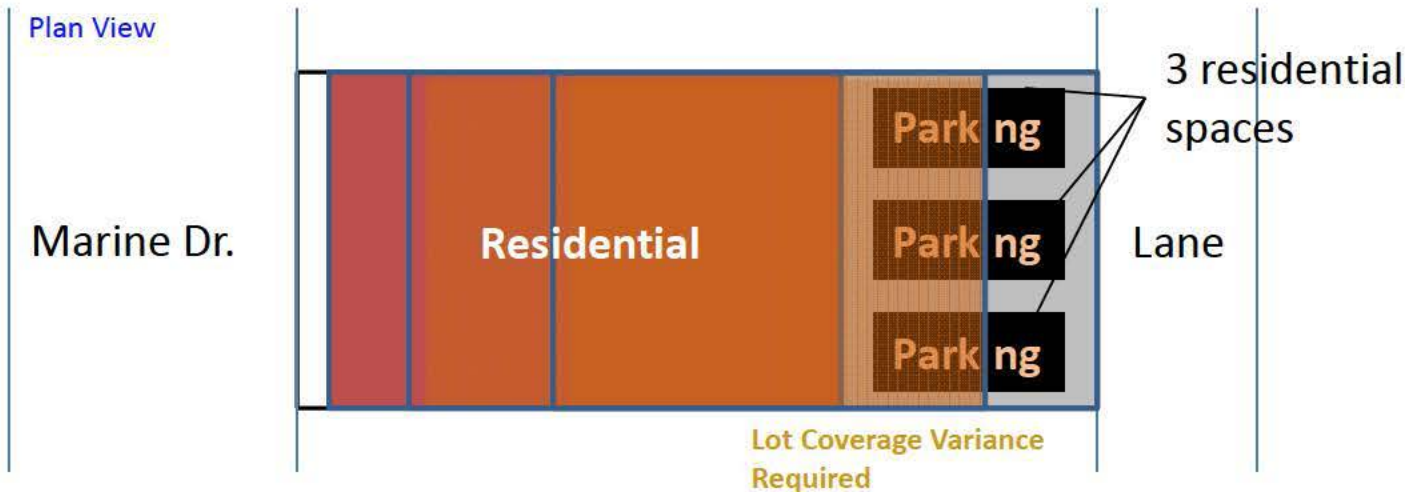
**Restaurant**

- 32 seats = 2 spaces (variance for 2 spaces)
- No loading space (variance for loading space)

Section View



Plan View



**15081 Marine Drive**

**Option 3**

CR-3 Zone

1.75 FAR, 75% max. lot coverage

11.3 m height (~3 storey height)

**Parking Options**

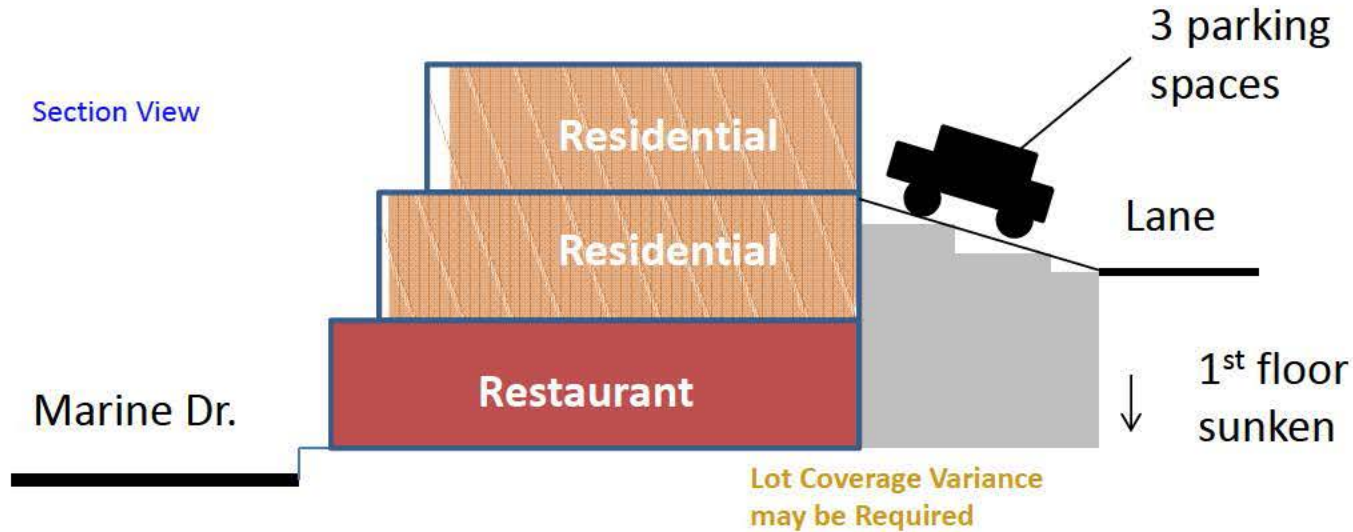
**Residential**

- 2 units = 3 spaces
- 3 units = 5 spaces (variance for 2 spaces)

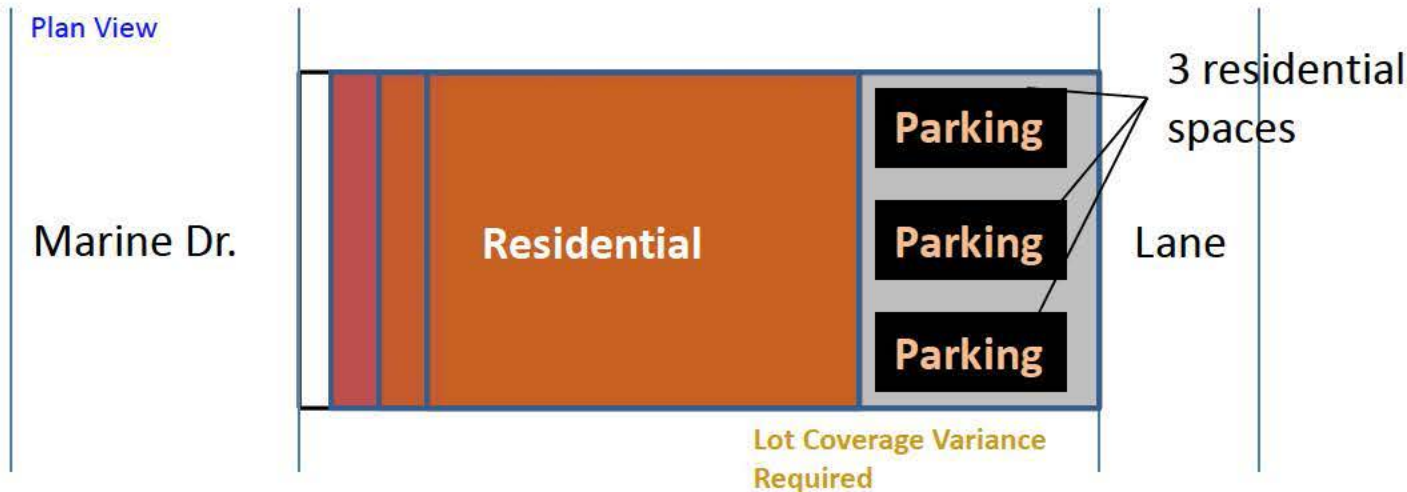
**Restaurant**

- 32 seats = 2 spaces (variance for 2 spaces)
- No loading space (variance for loading space)

Section View



Plan View



**The Corporation of the  
CITY OF WHITE ROCK  
BYLAW 2234**



A Bylaw of the City of White Rock to define Planning Procedures and for the referral of  
liquor license applications

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## **City of White Rock Planning Procedures Bylaw, 2017, No. 2234**

**WHEREAS** the City of White Rock is required to establish procedures by bylaw under which an owner of land may apply for an amendment to a plan or bylaw or for the issue of specified permits;

**AND WHEREAS** the City of White Rock receives referrals from the Province of British Columbia for liquor license applications, which require community input and recommendation by way of Council resolution;

**AND WHEREAS** the City of White Rock may, by bylaw, impose fees in relation to applications and inspections;

The Council of the City of White Rock, in open meeting assembled, enacts as follows:

### **TITLE**

- 1) This Bylaw may be cited for all purposes as "*City of White Rock Planning Procedures Bylaw, 2017, No. 2234*".

### **APPLICATION**

- 2) This Bylaw applies to an application for
  - a) an amendment of the Official Community Plan;
  - b) an amendment of the Zoning Bylaw;
  - c) the making or amendment of a Phased Development Agreement;
  - d) an amendment to or early termination of a Land Use Contract, including the discharge of a Land Use Contract;
  - e) the issuance or amendment of or time extension for a Development Variance Permit;
  - f) the issuance or amendment of or time extension for a Major Development Permit;
  - g) the issuance or amendment of a Temporary Use Permit;
  - h) a request for Council Resolution on a Liquor Licence Application;
  - i) a request for acquisition of an interest in a Municipal Right of Way;
  - j) the issuance or amendment of or time extension for a Minor Development Permit;
  - k) the approval or amendment of or time extension for a subdivision, including in respect of Air Space, Fee-Simple, Strata, or Strata Plan approval for conversion of a previously occupied building;
  - l) the issuance or amendment of a Tree Management Permit;
  - m) a Board of Variance determination; or



- n) a decision on an application for conversion into strata lots of a previously occupied building pursuant to the *Strata Property Act*.

## INTERPRETATION

- 3) In this Bylaw

- Advisory Design Panel:** means the Panel appointed by the Council and governed by the “City of White Rock Advisory Design Panel Terms of Reference”, as amended or replaced by the City Council from time to time, to advise the City Council generally on the design quality of the built environment of the City, and specifically to provide comments and suggestions to the City Council and City employees to improve the design quality of development permit applications for new development or redevelopment in the City.
- Applicant:** means an Owner of land, or a person authorized in writing by the Owner to act as agent in place of the Owner, who makes an application referred to in section 2.
- Director:** means the Director of Planning and Development Services or a person authorized by Council to act in the place of the Director, or the Director’s Deputy;
- Minor Development Permit:** means a development permit which, if issued, would conform to the development permit guidelines set out in the Official Community Plan, but which does not require a variance to a provision of a City bylaw, for
- a) a development permit in respect of natural resource preservation, environmental development or protection from hazardous conditions;
  - b) a residential development permit for a duplex or triplex;
  - c) a commercial development permit limited to minor façade improvements or signage, that does not involve reconstruction or expansion of the existing building footprint or floor area.
  - d) An amendment to a development permit where no variance is required.
- Major Development Permit:** means every development permit other than a Minor Development Permit.
- Public Hearing:** means a statutory meeting held by or on behalf of Council under Part 14, Division 3 of the *Local Government Act*.
- Public Information Meeting:** means a meeting required under this Bylaw to be held in accordance with Schedule E.
- Public Meeting:** means a non-statutory meeting held as a City requirement for the issuance, amendment or extension of a Major Development Permit which includes a variance, a Development Variance Permit or a Temporary Use Permit, and for

the removal of highway dedication associated with the purchase of municipal right of way.

- 4) Except as provided in this Section 3, words, terms and expressions in this Bylaw shall be interpreted in accordance with the definitions contained in the Zoning Bylaw, the *Local Government Act*, and the *Community Charter*.
- 5) Every reference to this Bylaw in this or another bylaw of the City is a reference to this bylaw as amended to the date of the reference. Definitions of words or phrases used in this Bylaw that are not included in the definitions in this section 3 or the *Local Government Act* or *Community Charter* have the meanings commonly assigned to them in the context in which they are used in this bylaw, considering the specialized use of terms with the application to which the terminology applies.

#### **APPLICATION CONSIDERATION**

- 6) The City Council must consider every application for:
  - a) an amendment to an Official Community Plan or Zoning Bylaw; or
  - b) the issuance of a permit referred to in section 2, other than a Minor Development Permit, which the Director must consider.
- 7) An Applicant making an application referred to in section 2 must complete the applicable form and deliver it to the Planning and Development Services Department of the City.
- 8) The City or the Director, as applicable, will not consider an application referred to in section 2 until the Applicant has provided all the required information for the respective application, as prescribed in Schedules G through U.

## **DEVELOPMENT APPROVAL INFORMATION**

- 9) Sections 9 through 13 apply to those circumstances that have been specified in the Official Community Plan as requiring development approval information. Where the Official Community Plan specifies circumstances in which development approval information may be required, then the procedures and policies for requiring such information and the substance of that information are set out in this Bylaw.
- 10) The City, the City Approving Officer or the Director may require as part of an application under section 2 in addition to the requirements identified in Schedules G through U, development approval information at the sole cost of the Applicant regarding impact on
  - a) transportation patterns including traffic flow and volumes, and public transit;
  - b) local infrastructure;
  - c) public facilities including schools, parks and open space;
  - d) community services;
  - e) the natural environment of the area affected, including sun, shadow, and wind impacts.
- 11) If the Director or City Approving Officer require a report under this section, the report must
  - a) comply with and fully addresses the terms of reference that are provided by the Director or Approving Officer to the applicant, based on the provisions of this Bylaw;
  - b) identify and define the context, interaction, scope, magnitude and significance of the anticipated impacts of the activity or development, as well as the data and methodological accuracy, assumptions, uncertainties, acceptability thresholds, and how the anticipated impacts may cumulatively contribute to existing risks, stressors, and threats;
  - c) provide recommendations for conditions or requirements that Council; the Director or the Approving Officer may impose to mitigate the anticipated impacts; provide recommendations and detailed costs for modifications to the environment, or construction of works, to mitigate or ameliorate the anticipated impacts;
  - d) satisfy the standards and requirements of the documents set out in the Schedules to this Bylaw; and
  - e) comply with all applicable requirements as set out in the Official Community Plan with respect to development permits, including development permit guidelines, policies and objectives.
- 12) The terms of reference provided by the Director or Approving Officer may require the applicant to provide information on, and a systematic detailed assessment of the compliance of the activity or development with the Official Community Plan and any other relevant City bylaw, plan or policy in preparation or adopted by Council, and the following
  - a) compatibility with adjacent and community land uses, functions, form, character, aesthetic and scale of development;

- b) socioeconomic impacts affecting the day to day quality of life of people and communities, including direct and indirect economic impacts, demographics, housing, local services and sociocultural issues;
- c) land use impacts such as noise, vibration, glare and electrical interference;
- d) the nature, significance and magnitude of landscape and visual impacts, including the impact on view corridors, the creation of shadows, visual envelope, prominent features, experiential characteristics, and landscape character;
- e) transportation demand management strategies, including, but not limited to, transportation impacts, public transit, parking demand, traffic safety, pedestrian, cyclist and vehicular traffic flow or operation, trip generation, site access and egress, network connectivity and accessibility;
- f) retail impacts of a proposed commercial development, including but not limited to, the effects of additional competition, traffic impacts, the effects on tenancy, and the impacts to neighbourhood/sector stability;
- g) air quality impacts including, but not limited to, pollution, dust, fumes, smoke and odours;
- h) the impact on ground and surface water quality including, but not limited to, pollution, temperature, oxygen levels, acidity, nutrients, silts, and pathogens;
- i) geotechnical conditions including, but not limited to, soil composition, profile, classification, agricultural suitability and capability, geologic process and terrain stability;
- j) hydrological or hydrogeological assessment, or both, including, but not limited to, infiltration, interception, groundwater and overland flow, as well as hydrologic processes including accretion and erosion;
- k) terrestrial and aquatic ecology including, but not limited to, biological diversity, impacts on flora and fauna, habitat size, complexity, fragmentation or isolation, change to suitability or capability, restoration, creation or enhancement;
- l) any impact on historical, cultural and archaeological buildings, sites or assets;
- m) the phasing and timing of the activity or development;
- n) hazardous conditions including, but not limited to, mud flow, debris torrents, erosion, land slip, rock falls, subsidence, avalanche, wildfire, flood, inundation (including appropriate construction elevations and setbacks or other hazard);
- o) compatibility with adjacent City owned land, rights of way, covenants and easements;
- p) local infrastructure and site servicing including, but not limited to, drainage, water, sewer or other utilities;
- q) community facilities and services including, but not limited to, schools, parks, recreation, emergency protective and health services; and,

- r) other impacts of the proposed activity or development considered important by the Director or Approving Officer.
- 13) The Director or Approving Officer, after receiving and reviewing a report under this Bylaw, may require a peer review report if the initial report fails to satisfy the requirements of this Bylaw, including by failing to satisfy a standard, guideline, policy or other matter set out in or incorporated by reference in this Bylaw. If a peer review report is required, the Director or Approving Officer will select one peer of the class of applicable professional from a list of peers nominated by the applicant and the original professional.

**FEES, TRANSFERS, REFUNDS, SECURITY, AND EXPIRATIONS**

- 14) Every Applicant must pay the City the application fees in accordance with Schedule A at the time of application.
- 15) After an application is submitted, and while under consideration by the City, the following must be submitted to the City before the application is assigned to a different Applicant:
- a) letter signed by current Applicant and each land Owners authorizing the change in Applicant and giving permission for the new Applicant to make use of any supporting reports, documents, fees, deposits, or securities submitted to the City;
  - b) letter signed by new Applicant, and, when considered relevant by the Director, new land Owner; and
  - c) new application form completed and signed by the new Applicant.
- 16) The City may authorize refunds in accordance with Schedule B.
- 17) The City may require security for:
- a) completion of landscaping required in a permit;
  - b) resolution of unsafe conditions resulting from contravention of a condition on a permit; or
  - c) restitution of damage to the natural environment resulting from a contravention of a condition on a permit.

The security shall be in the form of a Letter of Credit as specified in Schedule C, or the deposit of securities as cash or bank certified cheque in a form satisfactory to the City.

- 18) If submission of outstanding or required application materials, information or security by the Applicant has not occurred for a continuous 12 month period, the application is inactive and closed following written notification to the Applicant.

**DELEGATION OF COUNCIL POWERS**

- 19) For approval of Minor Development Permits, Council delegates to the City Manager the authority to issue a Minor Development Permit. The City Manager will consider the advice and recommendations of the Director and the Director of Municipal Operations (or in the case of the Director of Municipal

Operations, a person authorized by Council to act in the place of the Director, or the Director's Deputy) to approve and issue all Minor Development Permit applications. Applicants are entitled to have Council reconsider the matter, in which case sections 23 through 26 apply.

- 20) For approval of Tree Management Permits, Council designates the Director as the Approving Authority. Applicants are entitled to appeal the Director's decision to Council for a final decision on their application.
- 21) For approval of strata title conversions under the *Strata Property Act*, Council designates the Director as the Approving Authority. Applicants are entitled to appeal the Director's decision to Council for a final decision on their application.
- 22) For referral of liquor licence applications not involving a new license, for a lounge endorsement, for patron participation entertainment, for extension of hours greater than one hour, and/or relocation of a liquor license, Council delegates to the Director the authority to provide comments on the application.

### **RECONSIDERATION**

- 23) An Applicant may apply to Council for the reconsideration of an administrative decision made under this Bylaw by delivering to the Director or Approving Officer a written application for reconsideration within 30 days after the decision is communicated in writing to the applicant.
- 24) An application for reconsideration must set out the grounds upon which the applicant considers the decision inappropriate and what, if any, decision the applicant considers the Council ought to substitute, and must include a copy of any materials considered by the applicant to be relevant to the reconsideration by Council.
- 25) The Director or Approving Officer must place each application for reconsideration on the agenda of a regular meeting of Council held at least four weeks after delivery of the application for reconsideration, and must notify the Applicant and any other party who the Director or Approving Officer reasonably considers may be affected by the reconsideration, of the date of the meeting at which the reconsideration will occur.
- 26) At the meeting, Council may hear from the applicant and any other person interested in the matter under reconsideration who wishes to be heard, and may either confirm the decision or substitute its own decision.

### **PROCESS FOR COUNCIL APPROVED APPLICATIONS**

- 27) Every application referred to in Section 2(a) through (h) will be processed by staff and a report submitted to the Land Use and Planning Committee or Council which may include:
  - a) a copy of the proposed bylaw amendment, proposed permit, or proposed resolution;
  - b) a review and analysis of the proposal;
  - c) a recommended course of action to consider; and
  - d) any additional relevant information.

- 28) Despite Section 27, every application for an Official Community Plan amendment shall be forwarded with an initial application information report from staff to a Council meeting, prior to the advertisement of a Public Information Meeting for the application. Council may direct staff to proceed with consultation, in accordance with the Council Policy 512 on Official Community Plan Consultation, as amended or replaced by the City Council from time to time, or to refuse the application.
- 29) If a staff report is submitted the Land Use and Planning Committee, the Land Use and Planning Committee may allow the Applicant or their consultants an opportunity to speak in regard to their application.
- 30) Council may, upon receipt of the staff report regarding an application referred to in Section 2(d) through (g):
  - a) authorize the issuance of the proposed permit;
  - b) authorize the issuance of the proposed permit as amended by Council;
  - c) refuse to authorize the issuance of the proposed permit; or
  - d) refer the application back to staff for further analysis and information.
- 31) Council may, upon receipt of the staff report, regarding an application referred to in Section 2(a) through (d):
  - a) give 1<sup>st</sup> or both 1<sup>st</sup> and 2<sup>nd</sup> reading of the proposed bylaw;
  - b) instruct staff to revise the proposed bylaw for Council consideration;
  - c) refuse the application; or
  - d) refer the application back to staff for further analysis and information.
- 32) If Council gives 1<sup>st</sup> and 2<sup>nd</sup> reading of a proposed bylaw, Council will consider referral of the proposed bylaw to a Public Hearing, and:
  - a) Council may waive the Public Hearing if:
    - i. an official community plan is in effect for the area that is subject to the zoning bylaw; and
    - ii. the bylaw is consistent with the official community plan;
  - b) after the Public Hearing has been closed, Council will consider the proposed bylaw, and may:
    - i. give 3<sup>rd</sup> reading to the proposed bylaw; or
    - ii. give 3<sup>rd</sup> reading to the proposed bylaw and adopt it if it is consistent with the official community plan; or
    - iii. amend the proposed bylaw, and then give 3<sup>rd</sup> reading to the proposed bylaw; or
    - iv. defer or reject the proposed bylaw;
  - c) if Council has given 3<sup>rd</sup> reading to the draft bylaw, staff will:

- i. refer the Bylaw Amendment to the Ministry of Transportation if approval is required; and
  - ii. prepare written correspondence to the Applicant establishing any development prerequisites to be addressed prior to further Council consideration of the proposed bylaw, as applicable; and
- d) Council may consider adoption of a proposed Bylaw Amendment:
- i. after three readings have been given;
  - ii. after all applicable City requirements have been addressed, to the satisfaction of the City; and
  - iii. if a development permit is also required, after a development permit has been prepared and is ready for consideration.

### **GENERAL APPROVAL PROCEDURES**

- 33) Schedules G through T set out the general approval procedures for applications for the respective application type. The Director may permit minor differences from the general procedures based on the circumstances of a particular application, provided that compliance with all other bylaws and relevant legislation is maintained.
- 34) Applications involving a pre-application meeting shall follow the procedures and provide the requirements identified in Schedule D.
- 35) Applications involving a Public Information Meeting shall follow the general procedures identified in Schedule E.

### **DEVELOPMENT PROPOSAL SIGNAGE REQUIREMENTS**

- 36) Every application referred to Section 2(a) through (g) shall require development proposal signage to be posted on the subject property, in accordance with Schedule F and the following requirements:
  - a) It is the responsibility of the Applicant to ensure that signage is printed and installed in accordance with the requirements of this bylaw. Failure to provide documentation of the signage installation to the City will result in a postponement in the processing of the application;
  - b) Planning and Development Services staff will provide the Applicant with the required image for the signage, which will include a written description of the proposal and a map of the subject property, and a rendering of the proposal at the discretion of the Director;
  - c) The Applicant must post Development proposal signage that is a minimum of 1.22 metres x 2.44 metres (4.0 feet x 8.0 feet) in size and constructed of 1.3 centimetre (1/2 inch) plywood or other durable material;
  - d) If the Applicant mounts a sign on a building, it must be clearly viewable from the street, and the bottom edge shall be a minimum of 1.22 metres (4 feet) from the ground;



- e) Without limiting paragraph d), the Applicant must post the signage in a location clearly viewable from the street and:
    - i. no further than 6 metres (19.7 feet) from the property line abutting a street;
    - ii. if a property abuts two or more streets, excluding lanes, a sign shall be posted no further than 6 metres (19.7 feet) from each property line abutting a street, or alternatively, at a 45 degree angle from the intersection point of the 2 streets; and
    - iii. if placement of a required sign on a property is not feasible, the notice may be posted on an abutting road right of way, subject to approval by the City.
  - f) The Applicant must post the required signage no later than 14 days following submission of an application to the City, and must remove the signage within 10 days following completion of the Public Hearing or withdrawal or rejection of the application.
- 37) Despite Section 36, City-initiated map amendments involving multiple properties, and text amendments affecting multiple properties, are exempt from requirements to install development proposal signage.

#### **IRREGULARITY**

- 38) The failure of Council or a Committee to observe the provisions of this bylaw does not affect the validity of resolutions passed or bylaws enacted by Council, or other proceedings of Council.

#### **SEVERABILITY**

- 39) If any section, clause, sub-clause or phrase of this bylaw is for any reason held to be invalid by the decision of any Court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this bylaw.

RECEIVED FIRST READING on the  
RECEIVED SECOND READING on the  
RECEIVED THIRD READING on the  
ADOPTED on the

11<sup>th</sup> day of December, 2017  
11<sup>th</sup> day of December, 2017  
11<sup>th</sup> day of December, 2017  
15<sup>th</sup> day of January, 2018

  
\_\_\_\_\_  
MAYOR

  
\_\_\_\_\_  
DIRECTOR OF CORPORATE ADMINISTRATION

**Schedule A    Application Fees**

<b>Development Category</b>	<b>Application Fee</b>
OCP Amendment	\$5,100
Zoning Amendment	\$4,100
Combined OCP/Zoning Amendment	\$7,150
Additional Public Meeting/Hearing on applications revised by Applicant	\$1,020
Phased Development Agreement (including amendment)	\$5,100
Amendment of a Land Use Contract	\$2,040
Discharge of a Land Use Contract:	
1. With associated rezoning	1. \$1,020
2. With no associated rezoning	2. \$2,040
Development Variance Permit (or amendment or time extension)	\$2,000
Major Development Permit, with zoning amendment application	\$2,500 plus \$100/new dwelling unit to be created, to a maximum of \$5,000
Major Development Permit, without zoning amendment application	\$3,500 plus \$100/new dwelling unit to be created, to a maximum of \$10,000
Amendment or Time Extension for a Major Development Permit	\$2,540
Temporary Use Permit (including renewal and amendment)	\$2,040
Liquor Licence Referral (Requiring Public Hearing)	\$2,550
Liquor Licence Referral (Requiring Public Notification Only)	\$500
Request for Purchase of Municipal Right of Way	\$250
Development Permit (Minor)	\$1,500
Amendment or Time Extension for a Minor Development Permit	\$1,500
Subdivision (Fee-Simple or Bare Land Strata)	\$1,500 plus \$100/new lot
Air Space Parcel Subdivision	\$10,000
Lot Line Adjustment Subdivision (no new lots created)	\$1,020
Form "P" Approval for Phased Strata Development	\$205
Final Approval and/or revisions for Phased Strata Development (per phase)	\$205
Strata Title Conversion	\$1,000
Amendment to Preliminary Layout Approval (PLA)	\$1,020
Time Extension to Preliminary Layout Approval (PLA)	\$510
Final Approval for Fee-Simple or Bare Land Strata Subdivision, or Strata Plan Amendment	\$255
Bare Land Strata, Phased Strata and Form "E" Final Re-Approval	\$100
Tree Management Permit – Type 3	\$1,000
Tree Management Permit – Type 2	\$500
Board of Variance	\$550
Assignment of Application under Consideration (per Section 15)	\$500

## **Schedule B    Refundable Amounts**

1. Fees for applications that are withdrawn after file set-up but prior to preparation of information package and circulation are eligible for refund minus 10% for administration.
2. Fees for applications that are withdrawn after circulation is sent out but prior to scheduling of the Public Information Meeting, when applicable, are eligible for refund minus 20% for administration.
3. Fees for applications that are withdrawn after circulation is sent out, and after scheduling of the Public Information Meeting when applicable, or for subdivision applications prior to preparation of the PLA, are eligible for refund minus 30% for administration.
4. Fees for applications that include Official Community Plan amendments and are rejected by Council following the receipt of an Information Report at the Land Use and Planning Committee, are eligible for refund minus 30% for administration.
5. Fees for applications that are withdrawn:
  - i) after presentation to the Advisory Design Panel (ADP); or,
  - ii) after report preparation for Land Use and Planning Committee (LUPC) or City Manager;are eligible for refund minus 60% for administration.
6. Fees for subdivision applications are non-refundable after Preliminary Layout Approval (PLA) has been issued.
7. Application fees for bylaw amendment or liquor license referral are non-refundable after notification and scheduling of the Public Hearing.
8. Applications fees for permits and other applications requiring formal notification or Public Meeting (DP, DVP, TCP, LUC) are non-refundable after notification or scheduling of the Public Meeting.
9. For certainty, in all other cases, fees for applications are non-refundable.

Schedule C Letters of Credit Content

IRREVOCABLE LETTER OF CREDIT NO. \_\_\_\_\_ (LETTERHEAD OF FINANCIAL INSTITUTION)

EFFECTIVE DATE:

BENEFICIARY: THE CORPORATION OF THE CITY OF WHITE ROCK

15322 Buena Vista Avenue White Rock, B.C. V4B 1Y6

APPLICANT: Name & Address of Developer / Owner named on permit

PURPOSE: (Tree permit, Servicing Agreement, etc.)

PERMIT #: \_\_\_\_\_

SITE ADDRESS: \_\_\_\_\_

Dear Sirs:

We hereby irrevocably authorize you to make written demand and draw on us for the account of (name and address of Applicant) up to an aggregate amount of Canadian (in figures only) on the following terms:

1. Demand is to be made in writing to us at (address in Lower Mainland).
2. Partial demand and drawing may be made.
3. We will not enquire as to whether or not The Corporation of the City of White Rock has a right to made demand on this irrevocable Letter of Credit; and shall pay in accordance with the written demand within one (1) business day of receipt of the written demand.
4. Drawings hereunder must be made on or before \_\_\_\_\_ (expiry date) of this Letter of Credit. This Letter of Credit is Irrevocable up to the Expiry Date. **It is a condition of this letter of credit that it shall be deemed to be automatically extended without amendment from year to year from the present or any future expiration date hereof, unless at least 30 days prior to any such future expiry date, we notify you in writing by registered mail, that we elect not to consider this Letter of Credit to be renewable for any additional period.**
5. The amount of this Irrevocable Letter of Credit may be reduced from time to time only by the amount(s) demanded in writing by you and paid by us or by formal notice in writing given to us by you that you desire such reduction or are willing that it be made. This Irrevocable Letter of Credit must be returned to us for cancellation when it is no longer required by you or when it has been fully drawn, whatever first occurs.
6. This Irrevocable Letter of Credit may not be assigned or transferred in any manner.
7. Except so far as otherwise expressly stated this Letter of Credit is subject to the Uniform Customs and Practices for Documentary Credit, current at the time of issuance of this Letter of Credit and engages us in accordance with the terms thereof. Standby Letters of Credit are subject to International Standby Practices 98.

Authorized Signature for (Name of Financial Institution)

#### **Schedule D Pre-Application Meeting Process and Requirements**


- a) A pre-application meeting may be requested by owner/Applicant prior to preparing an application in order to understand the approval procedures in this Bylaw, applicable to the application, and to identify key issues.
- b) Owner/Applicant is responsible for contacting the applicable staff contact to schedule the pre-application meeting.
- c) Staff will determine if other staff members will attend the pre-application meeting.
- d) In advance of the pre-application meeting, owner/Applicant shall provide staff with the following information:
  - i. Owner/Applicant's name, including any representatives;
  - ii. Owner/Applicant's contact information, including any representatives;
  - iii. Subject site civic and legal address(es);
  - iv. Description of the proposal;
  - v. Preliminary site plan and/or subdivision plan.

### **Schedule E     Public Information Meeting Process**

- a) The meeting is to be conducted by City staff in a public venue, and all costs related to the meeting are to be assumed by the Applicant;
- b) The meeting is to be advertised by mail to all adjacent residents and property owners within 100 metres of the subject site, and through the local newspaper, sent after documentation that a Development Proposal Sign has been installed on the site has been provided to staff;
- c) The mail notification shall contain a fact sheet regarding the application prepared by Planning and Development Services staff and shall be mailed by the City no less than ten days prior to the meeting;
- d) A staff member from the Planning and Development Services Department will attend to conduct the meeting, including providing an introduction to the meeting, explaining the purpose of the meeting and the approval process, and outlining next steps and opportunities for public input;
- e) The format of the meeting shall be as an open house. Planning and Development Services staff will provide comment sheets and sign-in sheets for the meeting, which are to be returned to staff at the end of the meeting and distributed to the Applicant by staff within the next five business days following the meeting;
- f) The Applicant shall be in attendance to discuss the proposal. The Applicant will ensure that the following details of the proposal are available at the meeting as display boards:
  - i. site description;
  - ii. site plans showing statistics including existing and proposed zoning/density;
  - iii. proposed design (elevations, landscape treatment); and
  - iv. any other information deemed necessary by staff
- g) The Applicant is required to provide a summary report of the meeting to Planning and Development Services staff not less than two weeks after the public information meeting, and the summary report shall include:
  - v. summary of comments received including the number of written comments in favour of the proposal and the number of written comments opposed to the proposal; and
  - vi. discussion of how any issues or concerns identified from the meeting or comments sheets are to be addressed in the project.

**Schedule F Development Proposal Signage Template**

8' 0"



**DEVELOPMENT PROPOSAL XX-XXX**

OUTLINE MAP OF  
SUBJECT SITE &  
PROJECT RENDERING  
(OPTIONAL)

2' 0" x 2' 0"  
WIDE WHITE SQUARE  
(MINIMUM)

**DEVELOPER'S NAME  
TEXT OF DEVELOPER'S INTENT  
(SEE SIGN SAMPLE BELOW)**

DEVELOPER: ABC LAND DEVELOPMENT INC. 604-123-4567  
 FOR INFORMATION ON THE PUBLIC HEARING CONTACT: 604-541-9348  
 PLANNING & DEVELOPMENT SERVICES: 604-541-2136

4' 0"



**DEVELOPMENT PROPOSAL 18-001**

A change has been proposed for this site.  
 A Major Development Permit application has been submitted  
 to allow the construction of a multi-unit residential building.

Number of Units:	36	Parking Spaces:	50
Height:	3 storeys/10.7m	Lot Coverage:	43%

*(These numbers are approximate only and may change before final approval)*



**Location Map**  
14022 South Street Street

DEVELOPER: ABC LAND DEVELOPMENT INC. 604-123-4567  
 FOR INFORMATION ON THE PUBLIC HEARING CONTACT: 604-541-9348  
 PLANNING & DEVELOPMENT SERVICES: 604-541-2136



## **Schedule G Official Community Plan Bylaw Amendment Application Procedures**

- (a) Applicant may request a pre-application meeting with staff to review the proposal and gather early input on issues to inform application preparation.
- (b) All required Initial Application materials as indicated in the minimum submission requirements table below submitted by the owner/Applicant.
- (c) Staff review Initial Application and advise Applicant of any outstanding or incomplete submission requirements.
- (d) Staff may prepare an Information Report on Initial Application for Council. Council may forward the application to Public Information Meeting, or refuse the application.
- (e) Council passes a public consultation strategy resolution that sets out the consultation process for the development of the plan amendments, and the strategy will identify one or more opportunities Council considers appropriate for consultation with specified persons, organizations and authorities Council considers will be affected.
- (f) Applicant may make minor revisions to the application following receipt of Information Report by Land Use and Planning Committee (LUPC).
- (g) All required Complete Application materials as indicated in the minimum submission requirements table below shall be submitted by the owner/Applicant.
- (h) Staff prepare information package and distribute for circulation.
- (i) Owner/Applicant shall install a Public Notification Sign on the property, as outlined in Section 36 of the Planning Procedures Bylaw.
- (j) Applicant conducts Public Information Meeting according to requirements of Schedule "E" of the Planning Procedures Bylaw.
- (k) At any time during the preceding, staff may, depending on the application, prepare written correspondence to the Applicant based on initial comments from the referral and public feedback, advising the Applicant of revisions required to gain the support of the Director for recommendation of approval.
- (l) Staff prepares report and report package with recommendations, and draft bylaw if recommended for 1<sup>st</sup> and 2<sup>nd</sup> readings, and presents to LUPC.
- (m) LUPC recommendations proceed to Council, including consideration of 1<sup>st</sup> and 2<sup>nd</sup> readings of draft bylaw if recommended.
- (n) Public Hearing notification in accordance with Section 466 of the *Local Government Act*, including notice in newspapers, plus distribution mailed to adjacent property owners within 100 metres.
- (o) Public Hearing held in Council Chambers or an appropriate public venue (when applicable).
- (p) Bylaw proceeds to a subsequent Council meeting for consideration of 3<sup>rd</sup> reading and adoption.
- (q) Staff notifies Applicant of Council decision and include copies of approved bylaw when applicable.
- (r) Staff update OCP and Zoning Bylaw (if applicable) for consolidated amendments.

NOTE: Official Community Plan amendment applications may be processed concurrently with Zoning Bylaw amendment applications, Development Variance Permit applications, and/or Development Permit applications.

**Minimum Submission Requirements – Official Community Plan Amendment Application**

Initial Application	Complete Application
<ul style="list-style-type: none"> <li>• Completed Application Form</li> <li>• Application Fees</li> <li>• Title Search</li> <li>• Letter of Authorization (if applicable)</li> <li>• Survey (with topography and tree locations, sizes, and elevations)</li> <li>• Site Profile</li> <li>• Site Plan*, including the following statistics:               <ul style="list-style-type: none"> <li>○ Floor Area Ratio (Gross and Residential)</li> <li>○ Setbacks (buildings and encroachments)</li> <li>○ Height</li> <li>○ Lot Coverage</li> <li>○ Unit Count</li> <li>○ Gross Site Area</li> <li>○ Floor Areas (by use/common/amenity)</li> <li>○ Parking</li> <li>○ Details on any requested variances</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Tree Assessment Report*</li> <li>• Architectural Plans*</li> <li>• Parking Plan*</li> <li>• Landscape Plan*, including the following:               <ul style="list-style-type: none"> <li>○ Existing tree locations</li> <li>○ Proposed plant list using graphic keys</li> <li>○ Proposed grades</li> <li>○ Proposed garbage/recycling enclosures</li> <li>○ Details on proposed outdoor amenity</li> <li>○ Proposed paving and lighting details</li> </ul> </li> <li>• Colour renderings with adjacent buildings*</li> <li>• Photographs of Site and Surrounding Area*</li> <li>• Street Profile*</li> <li>• View Analysis*</li> <li>• Shadow Study*</li> <li>• Colour and Materials Board*</li> <li>• Design Rationale*</li> <li>• Development Permit Guidelines Response*</li> <li>• Precedent Photos*</li> <li>• Digital or physical 3D massing model*</li> <li>• Community Amenity Contribution Report*</li> <li>• Environmental Impact Assessment*</li> <li>• Traffic Study*</li> <li>• Parking Study*</li> <li>• Geotechnical Report*</li> </ul>
<p><i>Additional studies/information may be required based on specifics of an application *if applicable</i></p>	

## Schedule H    Zoning Bylaw Amendment Application Procedures

- (a) Applicant may request a pre-application meeting with staff to review the proposal and gather early input on issues to inform application preparation.
- (b) Complete application materials as indicated in the minimum submission requirements table below submitted by the owner/Applicant.
- (c) Staff review application and advise Applicant of any outstanding or incomplete submission requirements.
- (d) Staff prepare information package and distribute for circulation.
- (e) Owner/Applicant shall install a Public Notification Sign on the property, as outlined in Section 36 of the Planning Procedures Bylaw.
- (f) Applicant conducts Public Information Meeting according to requirements of Schedule "E" of the Planning Procedures Bylaw.
- (g) At any time during the preceding, staff may, depending on the application, prepare written correspondence to the Applicant based on initial comments from the referral and public feedback, advising the Applicant of revisions required to gain the support of the Director for recommendation of approval.
- (h) Staff prepares report and report package with recommendations, and draft bylaw if recommended for 1<sup>st</sup> and 2<sup>nd</sup> readings, and presents to LUPC.
- (i) LUPC recommendations proceed to Council, including consideration of 1<sup>st</sup> and 2<sup>nd</sup> readings of draft bylaw if recommended.
- (j) Public Hearing notification in accordance with Section 466 of the *Local Government Act*, including notice in newspapers, plus distribution mailed to adjacent property owners within 100 metres (should Public Hearing be waived, notice to adjacent property owners still required).
- (k) Public Hearing held in Council chambers or an appropriate public venue (when applicable).
- (l) Bylaw proceeds to a subsequent Council meeting for consideration of 3<sup>rd</sup> reading with deferral of adoption pending resolution of development prerequisites, when applicable.
- (m) Completion of the development prerequisites.
- (n) Zoning amendment presented to Council for adoption following completion of development prerequisites, when applicable.
- (o) Staff notify Applicants of Council decision and include copies of approved bylaw.
- (p) Staff update Zoning Bylaw for consolidated amendments.

## Minimum Submission Requirements – Zoning Bylaw Amendment Application

### Complete Application

- Completed Application Form
- Application Fees
- Title Search
- Letter of Authorization (if applicable)
- Survey (with topography and tree locations, sizes, and elevations)
- Site Profile
- Tree Assessment Report\*
- Site Plan\*, including the following statistics:
  - Floor Area Ratio (Gross and Residential)
  - Setbacks (buildings and encroachments)
  - Height
  - Lot Coverage
  - Unit Count
  - Gross Site Area
  - Floor Areas (by use/common/amenity)
  - Parking
  - Details on any requested variances
- Architectural Plans
- Parking Plan
- Landscape Plan, including the following:
  - Existing tree locations
  - Proposed plant list using graphic keys
  - Proposed grades
  - Proposed garbage/recycling enclosures
  - Details on proposed outdoor amenity
  - Proposed paving and lighting details
- Colour renderings with adjacent buildings
- Photographs of Site and Surrounding Area
- Street Profile\*
- View Analysis\*
- Shadow Study\*
- Colour and Materials Board\*
- Design Rationale\*
- Development Permit Guidelines Response\*
- Precedent Photos\*
- Digital or physical 3D massing model\*
- Community Amenity Contribution Report\*
- Environmental Impact Assessment\*
- Traffic Study\*
- Parking Study\*
- Geotechnical Report\*

*Additional studies/information may be required based on specifics of an application  
\*if applicable*

### **Schedule I      Phased Development Agreement Application Procedures**

- (a) Applicant may request a pre-application meeting with staff to review the proposal and gather early input on issues to inform application preparation.
- (b) Complete application materials as indicated in the minimum submission requirements table below submitted by the owner/Applicant.
- (c) Staff review the application and advise Applicant of any outstanding or incomplete submission requirements.
- (d) Staff may prepare Information Report on Initial Application for Land Use and Planning Committee (LUPC).
- (e) Staff prepare information package and distribute for circulation.
- (f) Owner/Applicant shall install a Public Notification Sign on the property, as outlined in Section 36 of the Planning Procedures Bylaw.
- (g) Applicant conducts Public Information Meeting according to requirements of Schedule "E" of the Planning Procedures Bylaw.
- (h) At any time during the preceding, staff may, depending on the application, prepare written correspondence to the Applicant based on initial comments from the referral and public feedback, advising the Applicant of revisions required to gain the support of the Director for recommendation of approval.
- (i) City Staff negotiate agreement terms and conditions, including amenities or cash in lieu of amenities.
- (j) Staff prepares report and report package with recommendations, and draft bylaw if recommended for 1<sup>st</sup> and 2<sup>nd</sup> readings, and presents to LUPC.
- (k) Applicant executes and delivers a copy of the proposed agreement, subject to bylaw.
- (l) LUPC recommendations proceed to Council, including consideration of 1<sup>st</sup> and 2<sup>nd</sup> readings of draft bylaw if recommended.
- (m) Public Hearing notification in accordance with Section 466 of the *Local Government Act*, including notice in newspapers, plus distribution mailed to adjacent property owners within 100 metres.
- (n) Public Hearing held in Council Chambers or an appropriate public venue.
- (o) Application proceeds a subsequent Council meeting for consideration of 3<sup>rd</sup> reading with deferral of adoption pending resolution of development prerequisites, when applicable.
- (p) Completion of the development prerequisites, when applicable.
- (q) Application proceeds to Council for adoption following completion of development prerequisites, when applicable.
- (r) Staff notify Applicant, Building Inspection and Municipal Operations staff of Council's decision and, if adopted, agreement copied to property file.
- (s) Staff register notice on land title.

## Minimum Submission Requirements – Phased Development Agreement Application

### Complete Application

- Completed Application Form
- Application Fees
- Title Search
- Letter of Authorization (if applicable)
- Survey (with topography and tree locations, sizes, and elevations)
- Site Profile
- Tree Assessment Report\*
- Site Plan\*, including the following statistics:
  - Floor Area Ratio (Gross and Residential)
  - Setbacks (buildings and encroachments)
  - Height
  - Lot Coverage
  - Unit Count
  - Gross Site Area
  - Floor Areas (by use/common/amenity)
  - Parking
  - Details on any requested variances
- Architectural Plans
- Parking Plan
- Landscape Plan, including the following:
  - Existing tree locations
  - Proposed plant list using graphic keys
  - Proposed grades
  - Proposed garbage/recycling enclosures
  - Details on proposed outdoor amenity
  - Proposed paving and lighting details
- Colour renderings with adjacent buildings
- Photographs of Site and Surrounding Area
- Street Profile\*
- View Analysis\*
- Shadow Study\*
- Colour and Materials Board\*
- Design Rationale\*
- Development Permit Guidelines Response\*
- Precedent Photos\*
- Digital or physical 3D massing model\*
- Environmental Impact Assessment\*
- Traffic Study\*
- Parking Study\*
- Geotechnical Report\*
- Plan showing phases of development
- Letter confirming proposed amenities or cash in lieu of amenities

*Additional studies/information may be required based on specifics of an application  
\*if applicable*

### **Schedule J Land Use Contract Application Procedures**

- (a) Applicant may request a pre-application meeting with staff to review the modification, variances, discharge or termination proposal and gather early input on issues to inform application preparation.
- (b) Complete application materials as indicated in the minimum submission requirements table below submitted by the owner/Applicant.
- (c) Staff review application and advise Applicant of any outstanding or incomplete submission requirements.
- (d) Staff prepare information package and distribute for circulation.
- (e) Owner/Applicant shall install a Public Notification Sign on the property, as outlined in Section 36 of the Planning Procedures Bylaw.
- (f) Applicant conducts Public Information Meeting according to requirements of Schedule "E" of the Planning Procedures Bylaw.
- (g) Staff prepares a report and report package with recommendations and draft bylaw, including information received from circulation and from Public Information Meeting, to the Land Use and Planning Committee (LUPC).
- (h) Application proceeds with LUPC recommendations to Council.
- (i) Adoption of any bylaw or resolution of Council shall be preceded by the necessary public hearing or public meeting, dependent upon the nature of the application and the requirements of the *Local Government Act* Section 546.
- (j) Amendment or discharge of land use contract forwarded for Council consideration for final adoption.
- (k) If approved, staff notify owner/Applicant of Council's decision, and bylaw or permit submitted to Land Title Office to either discharge or amend the Land Use Contract.

## Minimum Submission Requirements – Land Use Contract Application

### Complete Application

- Completed Application Form
- Application Fees
- Title Search
- Letter of Authorization (if applicable)
- Survey (with topography and tree locations, sizes, and elevations)
- Site Profile
- Tree Assessment Report\*
- Site Plan\*, including the following statistics:
  - Floor Area Ratio (Gross and Residential)
  - Setbacks (buildings and encroachments)
  - Height
  - Lot Coverage
  - Unit Count
  - Gross Site Area
  - Floor Areas (by use/common/amenity)
  - Parking
  - Details on any requested variances
- Architectural Plans
- Parking Plan
- Landscape Plan, including the following:
  - Existing tree locations
  - Proposed plant list using graphic keys
  - Proposed grades
  - Proposed garbage/recycling enclosures
  - Details on proposed outdoor amenity
  - Proposed paving and lighting details
- Colour renderings with adjacent buildings\*
- Photographs of Site and Surrounding Area
- Street Profile\*
- View Analysis\*
- Shadow Study\*
- Colour and Materials Board\*
- Design Rationale\*
- Development Permit Guidelines Response\*
- Precedent Photos\*
- Digital or physical 3D massing model\*
- Environmental Impact Assessment\*
- Traffic Study\*
- Parking Study\*
- Geotechnical Report\*

*Additional studies/information may be required based on specifics of an application  
\*if applicable*



### **Schedule K Development Variance Permit Application Procedures**

- a. Applicant may request a pre-application meeting with staff to review the proposal and gather early input on issues to inform application preparation.
- b. Complete application materials as indicated in the minimum submission requirements table below submitted by the owner/Applicant.
- c. Staff review application and advise Applicant of any outstanding or incomplete submission requirements.
- d. Staff prepare information package and distribute for circulation.
- e. Owner/Applicant is required to install a Public Notification Sign on the property, as outlined in Section 36 of the Planning Procedures Bylaw.
- f. Applicant conducts Public Information Meeting according to requirements of Schedule "E" of the Planning Procedures Bylaw.
- g. An application for a Development Variance Permit that consists solely of variances to the City's Sign Bylaw may be exempted from installing a Public Notification Sign and conducting a Public Information Meeting, at the discretion of the Director.
- h. At any time during the preceding, staff may, depending on the application, prepare written correspondence to the Applicant based on initial comments from the referral and public feedback, advising the Applicant of revisions required to gain the support of the Director for recommendation of approval.
- i. Staff prepare report and report package with recommendations and draft permit, and presents to the Land Use and Planning Committee (LUPC).
- j. Permit proceeds with LUPC recommendations for Council consideration and authorization to schedule Public Meeting.
- k. Staff prepare and submit notification to adjacent property owners within 100 metres of subject property plus advertisement in City section of local newspaper for scheduling of Public Meeting.
- l. Public Meeting held in Council Chambers or an appropriate public venue.
- m. Permit returns to Council for consideration with results of Public Meeting.
- n. Staff notify owner/Applicant, Building Inspection and Municipal Operations of Council decision. If approved, Notice of Development Variance Permit is registered with Land Title Office and permit copied to property file.

## Minimum Submission Requirements – Development Variance Permit Application

### Complete Application

- Completed Application Form
- Application Fees
- Title Search
- Letter of Authorization (if applicable)
- Survey (with topography and tree locations, sizes, and elevations)
- Site Profile
- Tree Assessment Report\*
- Site Plan\*, including the following statistics:
  - Floor Area Ratio (Gross and Residential)
  - Setbacks (buildings and encroachments)
  - Height
  - Lot Coverage
  - Unit Count
  - Gross Site Area
  - Floor Areas (by use/common/amenity)
  - Parking
  - Details on any requested variances
- Architectural Plans
- Parking Plan
- Landscape Plan, including the following:
  - Existing tree locations
  - Proposed plant list using graphic keys
  - Proposed grades
  - Proposed garbage/recycling enclosures
  - Details on proposed outdoor amenity
  - Proposed paving and lighting details
- Colour renderings with adjacent buildings\*
- Photographs of Site and Surrounding Area
- Street Profile\*
- View Analysis\*
- Shadow Study\*
- Colour and Materials Board\*
- Design Rationale\*
- Development Permit Guidelines Response\*
- Precedent Photos\*
- Digital or physical 3D massing model\*
- Environmental Impact Assessment\*
- Traffic Study\*
- Parking Study\*
- Geotechnical Report\*

*Additional studies/information may be required based on specifics of an application  
\*if applicable*

**Schedule L Major Development Permit Application Procedures  
(Including with Variance)**

- (a) Applicant may request a pre-application meeting with staff to review the proposal and gather early input on issues to inform application preparation.
- (b) Complete application materials as indicated in the minimum submission requirements table below submitted by the owner/Applicant.
- (c) Staff review application and advise Applicant of any outstanding or incomplete submission requirements.
- (d) Staff prepare information package and distribute for circulation.
- (e) Applicant is required to install a Public Notification Sign on the property, as outlined in Section 36 of the Planning Procedures Bylaw.
- (f) Applicant conducts Public Information Meeting according to requirements of Schedule "E" of the Planning Procedures Bylaw.
- (g) Application proceeds to the Advisory Design Panel (ADP) for consideration.
- (h) At any time during the preceding, staff may, depending on the application, prepare written correspondence to the Applicant based on initial comments from the referral and public feedback, advising the Applicant of revisions required to gain the support of the Director for recommendation of approval.
- (i) Staff prepare report and report package with recommendations and draft permit, and presents to the Land Use and Planning Committee (LUPC).
- (j) Permit proceeds with LUPC recommendations for Council consideration and, if applicable, authorization to schedule Public Meeting, when variances are required.
- (k) Staff prepare and submit notification to adjacent property owners within 100 metres of subject property plus advertisement in City section of local newspaper for scheduling of Public Meeting, if applicable.
- (l) Public Meeting held in Council Chambers or an appropriate public venue.
- (m) Permit returns to Council for consideration with results of Public Meeting, when variances are required.
- (n) Staff notify owner/Applicant, Building Inspection and Municipal Operations of Council decision. If approved, Notice of Development Permit is registered with Land Title Office and permit copied to property file.

NOTE: Major Development Permit applications with no proposed variances are not required to hold a Public Meeting (steps "k" to "l" above).

**Minimum Submission Requirements – Major Development Permit  
Application Procedures (Including with Variance)**

**Complete Application**

- Completed Application Form
- Application Fees
- Title Search
- Letter of Authorization (if applicable)
- Survey (with topography and tree locations, sizes, and elevations)
- Site Profile
- Tree Assessment Report
- Site Plan\*, including the following statistics:
  - Floor Area Ratio (Gross and Residential)
  - Setbacks (buildings and encroachments)
  - Height
  - Lot Coverage
  - Unit Count
  - Gross Site Area
  - Floor Areas (by use/common/amenity)
  - Parking
  - Details on any requested variances
- Architectural Plans
- Parking Plan
- Landscape Plan, including the following:
  - Existing tree locations
  - Proposed plant list using graphic keys
  - Proposed grades
  - Proposed garbage/recycling enclosures
  - Details on proposed outdoor amenity
  - Proposed paving and lighting details
- Colour renderings with adjacent buildings\*
- Photographs of Site and Surrounding Area
- Street Profile\*
- View Analysis\*
- Shadow Study\*
- Colour and Materials Board\*
- Design Rationale\*
- Development Permit Guidelines Response\*
- Precedent Photos\*
- Digital or physical 3D massing model\*
- Environmental Impact Assessment\*
- Traffic Study\*
- Parking Study\*
- Geotechnical Report\*

*Additional studies/information may be required based on specifics of an application  
\*if applicable*

### **Schedule M Temporary Use Permit Application Procedures**

- (a) Applicant may request a pre-application meeting with staff to review the proposal and gather early input on issues to inform application preparation.
- (b) Complete application materials as indicated in the minimum submission requirements table below submitted by the owner/Applicant.
- (c) Staff review application and advise Applicant of any outstanding or incomplete submission requirements.
- (d) Staff prepare information package and distribute for circulation.
- (e) Applicant is required to install a Public Notification Sign on the property, as outlined in Section 36 of the Planning Procedures Bylaw.
- (f) Applicant conducts Public Information Meeting according to requirements of Schedule "E" of the Planning Procedures Bylaw.
- (g) At any time during the preceding, staff may, depending on the application, prepare written correspondence to the Applicant based on initial comments from the referral and public feedback, advising the Applicant of revisions required to gain the support of the Director for recommendation of approval.
- (h) Staff prepares report and report package with recommendations and draft permit, including information received from circulation and from Public Information Meeting, and presents to the Land Use & Planning Committee (LUPC) for consideration.
- (i) Permit proceeds with LUPC recommendations for Council consideration and authorization to schedule Public Meeting.
- (j) Staff prepare and submit notification to adjacent property owners within 100 metres of subject property plus advertisement in City section of local newspaper for scheduling of Public Meeting.
- (k) Public Meeting held in Council Chambers or an appropriate public venue.
- (l) Permit submitted with LUPC recommendation and response to public notification for Council consideration.
- (m) Staff notify owner/Applicant of Council's decision and, if approved, notice of permit registered with Land Titles Office.

## Minimum Submission Requirements – Temporary Use Permit Application

### Complete Application

- Completed Application Form
- Application Fees
- Title Search
- Letter of Authorization (if applicable)
- Survey (with topography and tree locations, sizes, and elevations)
- Site Profile
- Tree Assessment Report\*
- Site Plan\*, including the following statistics:
  - Floor Area Ratio (Gross and Residential)
  - Setbacks (buildings and encroachments)
  - Height
  - Lot Coverage
  - Unit Count
  - Gross Site Area
  - Floor Areas (by use/common/amenity)
  - Parking
  - Details on any requested variances
- Architectural Plans\*
- Parking Plan\*
- Landscape Plan\*, including the following:
  - Existing tree locations
  - Proposed plant list using graphic keys
  - Proposed grades
  - Proposed garbage/recycling enclosures
  - Details on proposed outdoor amenity
  - Proposed paving and lighting details
- Colour renderings with adjacent buildings\*
- Photographs of Site and Surrounding Area
- Street Profile\*
- View Analysis\*
- Shadow Study\*
- Colour and Materials Board\*
- Design Rationale\*
- Development Permit Guidelines Response\*
- Precedent Photos\*
- Digital or physical 3D massing model\*
- Environmental Impact Assessment\*
- Traffic Study\*
- Parking Study\*
- Geotechnical Report\*

*Additional studies/information may be required based on specifics of an application  
\*if applicable*

## **Schedule N    Liquor License Resolution Request Application Procedures**

- (a) When a referral is received from the BC Liquor Control and Licensing Branch, staff contact the Applicants and advise of City application and fee requirements. Applications for a new license, for a lounge endorsement, for patron participation entertainment, for extension of hours greater than one hour, and/or relocation of a liquor license require a Public Hearing; all other applications require public input through written comment only and the authority to provide comments is delegated to the Director. Staff may elect to opt-out of providing comment for increases in capacity under 10 persons and for permanent patio additions under 15 square metres in size.
- (b) Applicant submits City's required application materials as indicated in the minimum submission requirements table below submitted by the owner/Applicant.
- (c) Staff prepare information package and distribute for circulation.
- (d) For application requiring public input only,
  - i) Staff prepare notification to property owners/tenants within 100 metres of the subject property informing them of the application, and of their opportunity to provide written comment to staff within a minimum two week period.
  - ii) Staff receive public input and prepare report and recommendations for Council for their consideration of the liquor license referral.
- (e) For application requiring a Public Hearing,
  - i) Staff prepare notification to property owners/tenants within 100 metres of the subject property informing them of the application.
  - ii) Staff receive public input and prepare report and recommendation for Council for authorization to proceed to Public Hearing.
  - iii) When authorized to proceed to Public Hearing, Public Hearing notification in accordance with Section 466 of the *Local Government Act*, including notice in newspapers, plus distribution mailed to adjacent property owners within 100 metres.
  - iv) Staff prepare Notice of Public Hearing for City page in local newspaper.
  - v) The Public Hearing is held in Council Chambers, or an appropriate public venue, prior to Council Meeting.
- (f) Copy of Council resolution submitted to the BC Liquor Control Board and Licensing Branch along with copies of all reports, comments, documentation and results of the Public Hearing.

**Minimum Submission Requirements – Liquor License Referral Request Application**

<b>Complete Application</b>
<ul style="list-style-type: none"><li>• Completed Application Form</li><li>• Application Fees</li><li>• Title Search</li><li>• Letter of Authorization (if applicable)</li><li>• Site Plan, including Floor Area, Seats, and Location of Patron Participation Entertainment areas*</li><li>• Context Plan showing current uses of adjacent properties*</li><li>• Parking Plan*</li></ul>
<p><i>Additional studies/information may be required based on specifics of an application</i> <i>*if applicable</i></p>



## **Schedule O Request for Purchase of Municipal Right-of-way Procedures**

- (a) Applicant may request a pre-application meeting with staff to review the proposal and gather early input on issues to inform application preparation.
- (b) Complete application materials as indicated in the minimum submission requirements table below submitted by the owner/Applicant.
- (c) Staff determine an appropriate price for the land that would be going to the property owner, and if a land exchange is proposed, a price for the land that is to be dedicated to the City. This would be based on an appraisal or by the square footage of the additional land based on the most recent available tax assessment of the owner's property.
- (d) If the municipal right of way requested for purchase is adjacent to multiple properties, staff will attempt to make contact with adjacent property owners to determine if they are interested in purchasing a portion of the right of way. In exceptional circumstances, such as where current policy does not support the sale of the right of way, or where the purchase of the right of way is an integral component of a comprehensive urban redevelopment project, staff may determine that it is not necessary to contact adjacent property owners.
- (e) Staff prepare a report and recommendation for Council regarding the requested purchase of the right of way. In accordance with the Community Charter, the disposition of municipal land is discussed in a closed meeting of Council. Council may direct staff to proceed with preparation of a road closure bylaw and notice of land disposition, or reject the application. If the application is rejected, notify owner/Applicant of Council's decision.
- (f) If Council directs staff to prepare a road closure bylaw and notice of land disposition, A notice of the (road closure and) land disposition under Section 26 of the Community Charter is posted and published, informing residents of the intention to close the road and sell the property. If the proposed price of the land is less than fair market value, a notice of assistance is also required under Section 24 of the Community Charter.
- (g) Following the required notice period, an agreement is drafted for the sale of the right of way, and if a land exchange is proposed for the purchase by the City of the applicant's land, to be approved by Council. Once Council approves of the agreement the agreement is signed by both parties.
- (h) The property owner makes an application for a lot line adjustment subdivision to incorporate the former municipal right of way with their adjacent property, and if a land exchange is proposed the application must include road dedication and road closure plans. Staff will determine how costs associated with the surveys will be shared or divided.
- (i) A Preliminary Layout Approval is issued with the condition that the road closure and dedication is approved. Staff obtain confirmation that the Province will not resume the portion of highway to be closed.
- (j) Staff prepare a road closure bylaw that also removes the road dedication from the parcel, and if a land exchange is proposed, a highway dedication bylaw for the property to be dedicated to the City. The bylaws go before Council for 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> readings.

- (k) A notice of the road closure under the Community Charter is posted and published. An opportunity for persons who are affected by the bylaw to make representations to council is provided at a Public Meeting. Council considers final adoption of the road closure bylaw.
- (l) A notice of land disposition under Section 26 of the Community Charter is posted and published, including a Section 24 notice of assistance if the price is less than fair market value.
- (m) Council, by resolution, approves the sale of the land.
- (n) The Approving Officer approves the lot line adjustment, or subdivision plan if required. The following documents are registered:
  - (i) Application to Deposit Bylaw/Road Closure Plan and Form Declaration attaching the City of White Rock road closure bylaw
  - (ii) Form 17 – Application for Title to Road
  - (iii) Form 17 – Cancellation of Right of Resumption
  - (iv) Form A – Transfer of ‘Parcel’ and Property Tax Transfer
  - (v) Application to Deposit Subdivision Plan
  - (vi) Extension of Mortgage (if applicable) (and removal of mortgage from dedication portion, if applicable).

**Minimum Submission Requirements – Purchase of Municipal Right of Way Application**

<b>Complete Application</b>
<ul style="list-style-type: none"> <li>• Completed Application Form</li> <li>• Application Fees</li> <li>• Title Search</li> <li>• Letter of Authorization (if applicable)</li> <li>• Site Profile</li> </ul>
<i>Additional studies/information may be required based on specifics of an application</i>

## **Schedule P    Minor Development Permit Application Procedures**

- (a) Applicant may request a pre-application meeting with staff to review the proposal and gather early input on issues to inform application preparation.
- (b) Complete application materials as indicated in the minimum submission requirements table below submitted by the owner/Applicant.
- (c) Staff review application and advise Applicant of any outstanding or incomplete submission requirements.
- (d) Staff prepare information package and distribute for circulation.
- (e) Application proceeds to the Advisory Design Panel for consideration, when applicable. Amendments to existing Development Permits may not be required to be reviewed by the Advisory Design Panel, at the discretion of the Director.
- (f) At any time during the preceding, staff may, depending on the application, prepare written correspondence to the Applicant based on initial comments from the referral and public feedback, advising the Applicant of revisions required to gain the support of the Director for recommendation of approval.
- (g) Staff prepare report and draft development permit, to be reviewed and recommended by Director and Director of Municipal Operations.
- (h) City Manager receives report and approves or rejects application.
- (i) Staff notify owner/Applicant of decision. Building Inspection and Municipal Operations notified of decision. If approved, Notice of Development Permit registered at Land Title Office, and permit copied to the property file.

## Minimum Submission Requirements – Minor Development Permit Application

### Complete Application

- Completed Application Form
- Application Fees
- Title Search
- Letter of Authorization (if applicable)
- Survey (with topography and tree locations, sizes, and elevations)
- Site Profile
- Tree Assessment Report
- Site Plan\*, including the following statistics:
  - Floor Area Ratio (Gross and Residential)
  - Setbacks (buildings and encroachments)
  - Height
  - Lot Coverage
  - Unit Count
  - Gross Site Area
  - Floor Areas (by use/common/amenity)
  - Parking
  - Details on any requested variances
- Architectural Plans\*
- Parking Plan\*
- Landscape Plan, including the following:
  - Existing tree locations
  - Proposed plant list using graphic keys
  - Proposed grades
  - Proposed garbage/recycling enclosures
  - Details on proposed outdoor amenity
  - Proposed paving and lighting details
- Colour renderings with adjacent buildings\*
- Photographs of Site and Surrounding Area
- Street Profile\*
- View Analysis\*
- Shadow Study\*
- Colour and Materials Board\*
- Design Rationale\*
- Streetscape Analysis\*
- Site Analysis\*
- Development Permit Guidelines Response\*
- Precedent Photos\*
- Colour and Materials Board\*
- Digital or physical 3D massing model\*
- Environmental Impact Assessment\*
- Traffic Study\*
- Parking Study\*
- Geotechnical Report\*

*Additional studies/information may be required based on specifics of an application*

*\*if applicable*

### **Schedule Q Subdivision Application Procedures**

- (a) Applicant may request a pre-application meeting with staff to review the proposal and gather early input on issues to inform application preparation.
- (b) Complete application materials as indicated in the minimum submission requirements table below submitted by the owner/Applicant.
- (c) Staff review application and advise Applicant of any outstanding or incomplete submission requirements.
- (d) Staff prepare information package and distribute for circulation.
- (e) Staff review returned comments and schedule consultation meeting with owner/Applicant, if necessary, to determine if revisions required.
- (f) The Approving Officer will either reject application in writing, with reason, or prepare and submit to the Applicant a Preliminary Layout Approval (PLA) as an "approval with conditions".
- (g) When PLA issued, owner/Applicant will then be required to address all outstanding requirements prior to submission for final approval, including submission of Engineering design review and approval prior to commencing construction.
- (h) When all PLA requirements completed, owner/Applicant submits written request for final approval with final approval fees along with all documents requiring signature of Mayor and City Clerk prior to registration.
- (i) Staff circulate request for final approval to applicable departments for written confirmation that all requirements have been addressed, and preparation of agreements when applicable.
- (j) Staff contact owner/Applicant to schedule appointment for submission of all payments (i.e. DCCs) plus deposit of securities, as well as signing of agreements.
- (k) Approving Officer will give final approval to plans and other documents requiring registration at Land Title Office.
- (l) The Applicant's Notary or Solicitor required to provide copies of all registered documents to Approving Officer within two weeks of registration.

## Minimum Submission Requirements – Subdivision Application

<b>Complete Application</b>
<ul style="list-style-type: none"><li>• Completed Application Form</li><li>• Application Fees</li><li>• Title Search</li><li>• Letter of Authorization (if applicable)</li><li>• Survey (with topography and tree locations, sizes, and elevations)</li><li>• Site Profile</li><li>• Proposed Subdivision Layout<sup>^</sup>, including the following information:<ul style="list-style-type: none"><li>○ Existing easements or rights-of-way</li><li>○ Details on any requested variances</li></ul></li><li>• Environmental Impact Assessment*</li><li>• Tree Assessment Report</li><li>• Traffic Study*</li><li>• Parking Study*</li><li>• Geotechnical Report*</li><li>• For an air space parcel subdivision;<ul style="list-style-type: none"><li>• drawings showing colour overlays of the proposed air space parcel boundaries at every relevant level of the development (floor plans and sections); and</li><li>• a report identifying the intended use of the proposed parcels, including a detailed list of the uses and facilities to be contained in each parcel.</li></ul></li></ul>
<p><i>Additional studies/information may be required based on specifics of an application</i></p> <p><i>*if applicable</i></p> <p><i><sup>^</sup>An air space application must depict at least one volumetric air space parcel, as well as a non-volumetric Remainder parcel tied to one of the primary building components/uses.</i></p>

## **Schedule R Tree Management Permit Application Procedures**

- (a) Complete application and fees submitted by the owner/Applicant following determination whether the permit request:
  - i) is to remove dead, diseased or hazardous trees;
  - ii) is to remove an “unwanted” tree;
  - iii) is within the building footprint “area of influence” where a building permit is requested or in the potential building footprint area on a lot proposed for subdivision, but where development permit is not required; or
  - iv) will require approval of a development permit prior to issue of a tree management permit.
- (b) Staff review application and advise Applicant of any outstanding or incomplete submission requirements, and advise Applicant that no tree management permits will be issued and no tree cutting is to take place until the building envelope is established through approval of a development permit for Type 2 trees, or building permit for Type 3 trees.
- (c) Staff prepare information package and distribute to Municipal Operations and Parks staff for review and comment. Staff coordinate between departments, and may commission independent arborists or geotechnical reports at the cost of the Applicant, when applicable.
- (d) As further outlined in the Tree Management Bylaw:
  - i) permits for dead, diseased or damaged trees are issued by staff following notification to Municipal Operations;
  - ii) permits for ‘unwanted’ trees, or for trees in the building footprint ‘area of influence’ where Building Permit is requested or in the potential building footprint area on a lot proposed for subdivision, but Development Permit is not required are issued by staff following notice to Municipal Operations; and
  - iii) permits in areas where a Development Permit is required may be issued by staff following approval and issue of the Development Permit.
- (e) Following the issue of tree management permits with conditions, Planning and Development Services Staff advise Municipal Operations and Building Inspection staff and copy permit to the property file.

**Schedule S Board of Variance Application Procedures**

- (a) Complete application materials as indicated in the minimum submission requirements table below submitted by the owner/Applicant.
- (b) Staff review application and advise Applicant of any outstanding or incomplete submission requirements.
- (c) Staff prepare information package and distribute for circulation.
- (d) Staff prepare and submit notification to adjacent property owners and tenants in accordance with requirements of Section 541 of the *Local Government Act*.
- (e) Staff prepare report and application submitted to Board of Variance at next regularly scheduled Board meeting for consideration.
- (f) Owner/Applicant and Building Inspection notified of Board decision and decision copied to the property file.

**Minimum Submission Requirements – Board of Variance Application**

<b>Complete Application</b>
<ul style="list-style-type: none"><li>• Completed Application Form</li><li>• Application Fees</li><li>• Title Search</li><li>• Letter of Authorization (if applicable)</li><li>• Survey (with topography and tree locations, sizes, and elevations)</li><li>• Drawings Illustrating the Requested Variance, including a Site Plan, elevations, and floor plans if applicable</li></ul>
<i>Additional studies/information may be required based on specifics of an application</i>



### Schedule T Strata Title Conversion

- (a) Complete application materials as indicated in the minimum submission requirements table below submitted by the owner/Applicant.
- (b) Staff review application and advise Applicant of any outstanding or incomplete submission requirements.
- (c) Staff prepare information package and distribute for circulation.
- (d) Staff send letter to all tenants advising of the application for conversion.
- (e) Staff summarize any comments received from other departments and agencies along with other representations into a technical report provided to the Director.
- (f) The Director considers approval of the strata title conversion proposal and any conditions that must be complied with prior to execution of the strata plans.
- (g) Owner/Applicant and Building Department notified of Director decision and decision copied to the property file.

### Minimum Submission Requirements – Strata Title Conversion

<b>Complete Application</b>
<ul style="list-style-type: none"> <li>• Completed Application Form</li> <li>• Application Fees</li> <li>• Title Search</li> <li>• Letter of Authorization (if applicable)</li> <li>• Demonstration of Substantial Compliance with the Current Zoning Bylaw</li> <li>• A Rental Vacancy Report</li> <li>• Plans for the Relocation of Persons Occupying a Residential Building on the Subject Property</li> <li>• Architectural Plans, including a Site Plan, elevations, and floor plans</li> <li>• Building Report providing BC Building Code review regarding:               <ul style="list-style-type: none"> <li>• Fire separation;</li> <li>• Soundproofing;</li> <li>• Structural integrity;</li> <li>• Mechanical review;</li> <li>• The building's state of repair and general workmanship;</li> <li>• Life expectancy of the building;</li> <li>• Projected major increases in maintenance costs due to the condition of the building;</li> <li>• The condition of the roof and the exterior and interior surfaces and details of the building; and</li> <li>• Any work that would be required to bring the building into compliance with the current BC Building Code.</li> </ul> </li> <li>• Plan of Strata Subdivision (for submission when all conditions are resolved)</li> </ul>
<p style="margin: 0;"><i>Additional studies/information may be required based on specifics of an application</i></p>

## Schedule U Submission Requirements Description

“Colour and Materials Board” means an illustration or sample board that includes the colour and finish of the exterior materials to be used in the proposed project.

“Colour renderings with adjacent buildings” means an elevation drawing of the proposed development that is illustrated according to the proposed colour and materials of the development and adjacent buildings are displayed in colour on the same drawing either photographically or drawn at the same scale as the proposed development.

“Design Rationale” means a document describing the proposed development in terms of its relationship to City policies, good planning and design principles, and contribution to the character of the surrounding area.

“Development Permit Guidelines Response” means a table that outlines how the proposed development responds to the applicable Development Permit Guidelines. The template for this document is to be provided to the applicant by staff.

“Digital or physical 3D massing model” means a three dimensional illustration or model of the proposed development, in colour, that also includes, at minimum, the massing of buildings on adjacent parcels, which are not required to be in colour.

“Environmental Impact Assessment” means a report documenting a proposed development’s potential impact on the surrounding environment (e.g. Phase I Environmental Site Assessment where a site has previously been used for potentially contaminating activities, a Riparian Areas Regulation (RAR) Assessment Report where a proposed development is within a riparian assessment area, or a biological site inventory in accordance with the Ministry of Environment’s “*Develop With Care: Environmental Guidelines for Urban and Rural Land Development In British Columbia*” (2014) document where a proposed development is within or in close proximity to an important wildlife habitat).

“Geotechnical Report” means a report by a professional engineer or geoscientist with a specialization in geotechnical engineering in accordance with the current edition of the “Guidelines for Legislated Landslide Assessments for Proposed Residential Development in British Columbia.”

“Parking Plan” means a drawing illustrating the proposed off-street parking spaces including dimensions of the parking space and drive aisles. If parking spaces for persons with disabilities or small car spaces are proposed, they need to be clearly marked in the plan. A synopsis of the number of parking spaces must be included, and any variances from the zoning bylaw identified.

“Parking Study” means a report from a registered professional engineer that recommends a reduced number of parking spaces for a proposed development or a shared on-site parking for two or more uses within a proposed development. The report will analyze the proposed amount of parking in relation to the parking demand generated by proposed development and provide detail on any recommended transportation demand management measures.

“Street Profile” means a two-dimensional elevation drawing of the proposed development and the adjacent buildings on properties on either side of the proposed development. Subject properties on a corner or through lot must provide a street profile for all frontages.

“View Analysis” means a document that demonstrates the view impact of the proposed development on surrounding buildings, which may include plan diagrams illustrating the angles of view from adjacent buildings under current conditions and with the proposed development, and may include renderings of the buildings impact on the streetscape from the pedestrian level. The level of detail required shall be discussed with staff.

“Shadow Study” means a set of illustrations that demonstrate the shadow impact from the proposed development, including illustrations for the Vernal Equinox (March), Summer Solstice (June), Autumnal Equinox (September) and Winter Solstice (December) at 10:00am, 12:00pm, 2:00pm and 4:00pm.

“Precedent Photos” means images or illustrations from other projects that have inspired the proposed development.

“Traffic Study” means a report that outlines the impacts on existing and future traffic conditions resulting from the proposed developments, as well as on-site parking, loading, turning movements, and related matters, in accordance with the specifications provided by the City’s Engineering and Municipal Operations department.

“Tree Assessment Report” means a report prepared by an arborist in accordance with White Rock Tree Management Bylaw, 2008 No. 1831, as amended or replaced.

**From:** Redacted S. 22  
**To:** Carl Isaak; Carl Johannsen  
**Subject:** Re: 15081 Marine Drive Development Variance Permit Information  
**Date:** Friday, August 31, 2018 11:33:34 AM

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**Thanks Carl ! I have requested Mr Yuri to go through the contents of your mail and get back to me . In this process, if any other advise is required, I will request you to please assist.**

**Sincerely,**

**Redacted S. 22**

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**From:** Carl Isaak <CIsaak@whiterockcity.ca>  
**Sent:** August 31, 2018 10:36 AM  
**To:** Redacted S. 22 yuri@wgarchitectureinc.com  
**Cc:** Carl Johannsen  
**Subject:** RE: 15081 Marine Drive Development Variance Permit Information

Hello s. 22 and Yuri,

Below I've listed the minimum requirements we would need in order to process your variance application – the items which are struck through are not required for this stage however would be requirements for a Development Permit (form and character of the building) application. Please note that whether any variance to the parking or loading requirements of the zoning bylaw would be processed as a Development Variance Permit (and a single Development Variance Permit could vary parking, lot coverage, and other siting variances). You should be aware as well that after a Development Variance Permit is issued, if construction related to the permit is not substantially started within two years after the date it was issued.

While we are aware that you do not intend to develop the property and the building design may therefore change based on a purchasers intentions, we will need enough detail in the concept plans to confirm whether the variance(s) you are proposing is feasible. As noted by Carl Johannsen below, you may proceed without a Development Permit application provided the conceptual DVP drawings by an architect provide enough information for staff, Council and the public to review and understand that scale and basic look of a proposed new building.

- Completed Application Form
- Application Fees
- Title Search
- Letter of Authorization (if applicable)
- Survey (with topography and tree locations, sizes, and elevations)
- Site Profile
- Tree Assessment Report\* (\*if the survey indicates there are any trees of protected size on or adjacent to the property)
- Site Plan\*, including the following statistics (in order to confirm conformity with Zoning Bylaw):
  - Floor Area Ratio (Gross, Commercial and Residential – may be estimated as we do not expect detailed interior plans to be prepared)
  - Setbacks (buildings and encroachments)

- Height
- Lot Coverage
- Unit Count
- Gross Site Area
- Floor Areas (by use/common/amenity)
- Parking
- Details on any requested variances
- Architectural Plans
- Parking Plan (must include diagrams shown turning movements for vehicles in and out of the lane using an AutoTURN analysis)
- Landscape Plan, including the following: (may be part of the architectural plans)
  - Existing tree locations
  - Proposed plant list using graphic keys
  - Proposed grades
  - Proposed garbage/recycling enclosures
  - Details on proposed outdoor amenity
  - Proposed paving and lighting details
  - Colour renderings with adjacent buildings\*
  - Photographs of Site and Surrounding Area
  - Street Profile\* showing scale of proposed building with adjacent buildings
  - View Analysis\*
  - Shadow Study\*
  - Colour and Materials Board\*
  - Design Rationale\*
  - Development Permit Guidelines Response\*
  - Precedent Photos\*
  - Digital or physical 3D massing model\*
  - Environmental Impact Assessment\*
  - Traffic Study\*
- Parking Study\* (a written rationale must be provided for why a reduction in parking spaces and/or loading spaces is appropriate and will not negatively impact businesses and residents in the area)
- Geotechnical Report\*

If you have any questions on the above, please let us know.

Sincerely,

Carl

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**From:** Redacted S. 22

**Sent:** Monday, August 27, 2018 1:29 PM

**To:** Carl Johannsen

**Subject:** Re: 15081 Marine Drive Development Variance Permit Information

Thanks Carl!

**s. 22**

Sent from my iPhone

On Aug 27, 2018, at 11:53 AM, Carl Johannsen <[CJohannsen@whiterockcity.ca](mailto:CJohannsen@whiterockcity.ca)> wrote:

Hi **s. 22**

Apologies for the late reply; I will review the questions below and respond shortly,

Carl

---

**From:** Redacted S. 22

**Sent:** Thursday, August 16, 2018 1:44 PM

**To:** Carl Johannsen

**Cc:** [yuri@wgarchitectureinc.com](mailto:yuri@wgarchitectureinc.com)

**Subject:** Re: 15081 Marine Drive Development Variance Permit Information

Hi Carl !

I am forwarding herewith an e mail received from Mr Yuri of WG Architecture in response to your mail that you had sent me dated Aug 03, 2018.

Based on our discussions that I had with you in your office and various mails that followed there after, what I could assimilate was that, since, I myself don't intend developing the property, I just need **Parking Variance** from the City of WR so that the same could be shown to the prospective buyer, and, that will help him in taking a decision with regard to buying my property. In future, when, the property is to be redeveloped, Proper DVP( Development Variance Permit ) and a Development Plan will be submitted to the City of WR. In order to get the Parking Variance, only a **Conceptual Plan** at this stage should be good enough and I don't need to go through any more details that are reflected in Form C- Development Variance Permits and Temporary Use Permits !

Before proceeding any further, Mr Yuri has raised some questions with regard to Schedule K of the By law 2234 and needs clarification. Since , you have sent me two attachments in your mail dated Aug 03, Mr Yuri after having gone through them ,is not sure, as to what exactly is the requirement of the City from Architectural point of view ? If you could please clarify the same, I shall be thankful.

With Warmest Regards,

Sincerely,

**s. 22**

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**From:** yuri <[yuri@wgarchitectureinc.com](mailto:yuri@wgarchitectureinc.com)>

**Sent:** August 16, 2018 12:39 PM

**To:** Redacted S. 22

**Subject:** Re: 15081 Marine Drive Development Variance Permit Information

Hi **s. 22**

There is an attachment in Carl's email. This attachment includes Bylaw 2234 of the

City of White Rock.

Please read Schedule K "Development Variance Permit" on page 27 and ask Carl which of the requirements of this schedule should be addressed in your application.  
Best Regards,

--

Yuri Afanasiev  
Director of Design  
WG Architecture  
[www.wgarchitecture.ca](http://www.wgarchitecture.ca)  
#904 - 470 Granville Street  
Vancouver, BC V6C 1V5  
Tel: 604-331-2378

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On Aug 15, 2018, at 5:20 PM, **Redacted S. 22**

wrote:

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**From:** Carl Johannsen <[CJohannsen@whiterockcity.ca](mailto:CJohannsen@whiterockcity.ca)>

**Sent:** August 3, 2018 4:12 PM

**To:** **Redacted S. 22**

**Subject:** RE: 15081 Marine Drive Development Variance Permit Information

Hi **s. 22**

This email serves as a general 'road-map', for yourself or a prospective purchaser, if there is an interest to redevelop the property under the existing CR-3 zone to either a new stand-alone restaurant (which is a change in use and requires existing Zoning Bylaw provisions to apply) or a new restaurant with apartment units above, and if that redevelopment approach requires variances (ie. parking) to the Zoning Bylaw, which in turn requires a Development Variance Permit (DVP) application to be submitted for staff review and consideration to approve or deny by Council.

Re: the redevelopment possibilities for your property, I have attached a PDF that shows the various options we previously discussed and what you have described below, only as it relates to parking and related variances. Note that while the conceptual options in the PDF generally follow the parameters/requirements of the CR-3 zone, an architect will need to confirm if the options shown in the PDF are possible regarding the CR-3 density, building height and other applicable requirements.

Based on my basic concepts, at the CR-3 max. density of 1.75 FAR (~3400 sf), you would likely get a similar-sized restaurant as you have today on the

ground floor storey (around 1400 sf), plus 2 storeys of residential above (each storey measuring around 1000 sf in size). In my estimation, this could yield 2 two-bedroom apartments, or 2 450 sf studios and 1 two-bedroom apartment in 2 storeys of residential space. I imagine the 2 two-bedroom apartment scenario, with 1 apartment on each residential storey, is more likely (which would require 3 residential parking spaces).

Unfortunately one other item was revealed through developing these concepts, namely that due to the lot coverage of 75% maximum in the CR-3 zone, one or more of the options in the PDF may need a lot coverage variance as well, to allow for the 3<sup>rd</sup> storey to be cantilevered over the parking deck (ie. to set it back from the 2 storey), which could push the lot coverage over 75 percent.

**In summary, the attached pdf shows the following likely parking variances required, according to redevelopment Options.** Note that while leasing a commercial parking space on Martin Street or elsewhere does not eliminate the need for a parking variance, it can be used as a solid rationale for staff supporting a commercial parking variance. The key points of each Option are summarized below:

**Option 1:** New 32 seat restaurant (ie. a 'food primary' use that serves food and liquor; parking requirement of one space per 16 seats) and one residential unit above (considered a multi-tenant residential use and apartment by virtue of being a unit above a restaurant commercial use, therefore required parking of 1.5 spaces per unit), and with three on-site parking spaces available off Marine Lane, on a parking deck that comes in level or slightly below Marine Lane:

Parking variances required:

- Residential - none for one unit ( $1.5 \times 1 = 1.5$ ; 2 required parking spaces that can be accommodated on site)
- Commercial – variance for 1 parking space (2 parking spaces required, one of which can be accommodated on site, combined with the 2 residential parking spaces)
- Commercial Loading - variance for 1 loading space

Lot Coverage variance potentially required:

- For lot coverage above 75% maximum, if necessary

**Option 2:** New 32 seat restaurant (ie. a 'food primary' use that serves food and liquor) and two or three residential units above (considered a multi-tenant residential use and apartment by virtue of being a unit above a restaurant commercial use, therefore required parking of 1.5 spaces per unit), and with three on-site parking spaces available off Marine Lane, on a parking deck that comes in level or slightly below Marine Lane:

Parking variances required:

- Residential - 2 units - none ( $1.5 \times 2 = 3$ ; 3 parking spaces required, 3 parking spaces that can be accommodated on site)
  - 3 units – variance for 2 parking spaces ( $1.5 \times 3 = 4.5$ ; 5 parking spaces required; only 3 parking spaces can be accommodated on site)



- Commercial – variance for 2 parking spaces (2 parking spaces required; none of which can be accommodated on-site if there is more than one residential unit)
- Commercial Loading - variance for 1 loading space

Lot Coverage variance required:

- For lot coverage above 75% maximum (the third storey cantilevered above the parking deck will result in a lot coverage higher than 75%)

**Option 3:** New 32 seat restaurant (ie. a 'food primary' use that serves food and liquor) and two or three residential units above (considered a multi-tenant residential use and apartment by virtue of being a unit above a restaurant commercial use, therefore required parking 1.5 spaces per unit), and with three on-site parking spaces available off Marine Lane, on a parking deck that is inclined up from Marine Lane:

Parking variances required:

- Residential - 2 units - none ( $1.5 \times 2 = 3$ ; 3 parking spaces required, 3 parking spaces that can be accommodated on site)
  - 3 units – variance for 2 parking spaces ( $1.5 \times 3 = 4.5$ ; 5 parking spaces required; only 3 parking spaces can be accommodated on site)
- Commercial – variance for 2 parking space (2 parking spaces required; none of which can be accommodated on-site if there is more than one residential unit)
- Commercial Loading - variance for 1 loading space

Lot Coverage variance potentially required:

- For lot coverage above 75% maximum, if necessary

**Re: your questions below, I have the following responses:**

1. This is workable according to Option 1, but will still require a variance application for 2 commercial parking spaces, even if they are leased off-site. Note that while leasing a commercial parking space on Martin Street or elsewhere does not eliminate the need for a parking variance, it can be used as a solid rationale for staff supporting a commercial parking variance.
2. See Options 2 and 3, which will give you a good indication of required parking spaces (5 total parking spaces for two residential units plus restaurant; 7 total parking spaces for three residential units plus restaurant).
3. We are open to you renting out more parking spaces, but unfortunately that does not eliminate the need for a parking variance, as these spaces are only being rented and are not owned by you. As noted above, leasing more spaces can be used as a rationale for supporting a parking variance and can be also used as a condition for the business license for a new restaurant.
4. You will require at least a conceptual plan (not a detailed plan), developed by an architect, to apply for a DVP (the application requirements and process for a DVP are attached as well, see page 27 of Bylaw 2234 Planning Procedures). The reason for this is that

staff will need to confirm that the redevelopment approach that you are seeking clarity on is allowable under the zoning (ie. density/FAR, building height, lot coverage, setbacks etc. in addition to parking), Council will need to see and understand the potential redevelopment concept to be able to make an informed decision regarding the proposed DVP, and your neighbours/public/residents will need to know what is being proposed in terms of height, density etc. , as there is a Public Information Meeting requirement for a DVP application. To be clear a conceptual plan/drawings are not detailed architectural drawings; a local architect, like Ankemann Associates (<http://aaai.bc.ca/>) in Crescent Beach for example, has done this sort of conceptual work before and may be able to help you on this (as would other architects). While you can also apply for a combined DVP and a Development Permit (DP), which requires detailed architectural drawings, I am OK with a DVP application without a DP, **provided** the conceptual DVP drawings by an architect provide enough information for staff, Council and the public to review and understand that scale and basic look of a proposed new building. At this stage a geotechnical/structural engineering review will be unnecessary, and an architect will also be able to give you some general advice about what components of a more detailed architectural design will review by a Professional Engineer. A conceptual plan will also be reviewed at a high level by staff, including Engineering, who will identify potential servicing, access, frontage and geotechnical/lane shoring requirements, which then can be communicated to an architect doing a detailed design for a DP application at a later stage (which will be required prior to proceeding to a Building Permit, but again not necessary for considering a DVP application).

5. Unfortunately the cash-in-lieu option for parking is no longer available, as the previous Bylaw allowing this has been repealed. This being said, staff are reviewing the parking cash-in-lieu approach City-wide and there may be report coming to Council in the new term regarding this issue. As a staff member I am unable to grant this sort of provision, and only the entire Council can make decisions in this regard.
6. As noted above, a conceptual plan should not cost the amount you have described below; conceptual plans are more basic and less labour intensive – a quick discussion with an architect should give you an idea of how to proceed and at what cost.

Due to the small size and unique nature of your property, staff are willing support a commercial parking and loading variance, and if necessary a lot coverage variance, subject to commercial parking spaces being leased off-site (ie. Martin Street, plus others as required in Montecito for example) and the provision of three on-site parking spaces, accessible from Marine Lane and confirmed as feasible by our City Engineering department.

If you have any more questions or would like to discuss further, please give me a call or we can meet. I will also delegate this project to one of my very capable staff, who can help you along in this process.

Regards,

Carl

<15081 Marine Drive Parking Scenarios.pdf><Bylaw 2234 - Planning Procedures.pdf>

**From:** Redacted S. 22  
**To:** Carl Isaak  
**Subject:** Re: 15081 Marine Drive Development Variance Permit Information  
**Date:** Saturday, September 01, 2018 12:15:50 PM

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## Your mail is acknowledged Carl !

**s. 22**

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**From:** Carl Isaak <CIsaak@whiterockcity.ca>  
**Sent:** August 31, 2018 11:20 AM  
**To:** Redacted S. 22 yuri@wgarchitectureinc.com  
**Cc:** Carl Johannsen  
**Subject:** RE: 15081 Marine Drive Development Variance Permit Information

My apologies, I missed an edit to the email below.

\*Please note that any variance to the parking or loading requirements of the zoning bylaw would be processed as a Development Variance Permit (and a single Development Variance Permit could vary parking, lot coverage, and other siting variances). You should be aware as well that after a Development Variance Permit is issued, if construction related to the permit is not substantially started within two years after the date it was issued, **the permit lapses**.

Thank you,  
Carl

---

**From:** Carl Isaak  
**Sent:** Friday, August 31, 2018 10:36 AM  
**To:** Redacted S. 22 'yuri@wgarchitectureinc.com'  
<yuri@wgarchitectureinc.com>  
**Cc:** Carl Johannsen <CJohannsen@whiterockcity.ca>  
**Subject:** RE: 15081 Marine Drive Development Variance Permit Information

Hello **s. 22** and Yuri,

Below I've listed the minimum requirements we would need in order to process your variance application – the items which are struck through are not required for this stage however would be requirements for a Development Permit (form and character of the building) application. **Please note that whether any variance to the parking or loading requirements of the zoning bylaw would be processed as a Development Variance Permit (and a single Development Variance Permit could vary parking, lot coverage, and other siting variances). You should be aware as well that after a Development Variance Permit is issued, if construction related to the permit is not substantially started within two years after the date it was issued.**

While we are aware that you do not intend to develop the property and the building design may therefore change based on a purchasers intentions, we will need enough detail in the concept plans to confirm whether the variance(s) you are proposing is feasible. As noted by Carl Johannsen below, you may proceed without a Development Permit application provided the conceptual DVP drawings by an architect provide enough information for staff, Council and the public to review and understand that scale and basic look of a proposed new building.

- Completed Application Form
- Application Fees
- Title Search

- Letter of Authorization (if applicable)
- Survey (with topography and tree locations, sizes, and elevations)
- Site Profile
- Tree Assessment Report\* (\*if the survey indicates there are any trees of protected size on or adjacent to the property)
- Site Plan\*, including the following statistics (in order to confirm conformity with Zoning Bylaw):
  - Floor Area Ratio (Gross, Commercial and Residential – may be estimated as we do not expect detailed interior plans to be prepared)
  - Setbacks (buildings and encroachments)
  - Height
  - Lot Coverage
  - Unit Count
  - Gross Site Area
  - Floor Areas (by use/common/amenity)
  - Parking
  - Details on any requested variances
- Architectural Plans
- Parking Plan (must include diagrams shown turning movements for vehicles in and out of the lane using an AutoTURN analysis)
- Landscape Plan, including the following: (may be part of the architectural plans)
  - ~~○ Existing tree locations~~
  - ~~○ Proposed plant list using graphic keys~~
  - Proposed grades
  - Proposed garbage/recycling enclosures
  - ~~○ Details on proposed outdoor amenity~~
  - ~~○ Proposed paving and lighting details~~
  - Colour renderings with adjacent buildings\*
  - Photographs of Site and Surrounding Area
  - Street Profile\* showing scale of proposed building with adjacent buildings
  - View Analysis\*
  - Shadow Study\*
  - Colour and Materials Board\*
  - Design Rationale\*
  - Development Permit Guidelines Response\*
  - Precedent Photos\*
  - Digital or physical 3D massing model\*
  - Environmental Impact Assessment\*
  - Traffic Study\*
  - Parking Study\* (a written rationale must be provided for why a reduction in parking spaces and/or loading spaces is appropriate and will not negatively impact businesses and residents in the area)
  - Geotechnical Report\*

If you have any questions on the above, please let us know.

Sincerely,

Carl

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**From:** Redacted S. 22

**Sent:** Monday, August 27, 2018 1:29 PM

**To:** Carl Johannsen

**Subject:** Re: 15081 Marine Drive Development Variance Permit Information

Thanks Carl!

**s. 22**

Sent from my iPhone

On Aug 27, 2018, at 11:53 AM, Carl Johannsen <[CJohannsen@whiterockcity.ca](mailto:CJohannsen@whiterockcity.ca)> wrote:

Hi **s. 22**

Apologies for the late reply; I will review the questions below and respond shortly,  
Carl

---

**From:** Redacted S. 22

**Sent:** Thursday, August 16, 2018 1:44 PM

**To:** Carl Johannsen

**Cc:** [yuri@wgarchitectureinc.com](mailto:yuri@wgarchitectureinc.com)

**Subject:** Re: 15081 Marine Drive Development Variance Permit Information

Hi Carl !

I am forwarding herewith an e mail received from Mr Yuri of WG Architecture in response to your mail that you had sent me dated Aug 03, 2018.

Based on our discussions that I had with you in your office and various mails that followed there after, what I could assimilate was that, since, I myself don't intend developing the property, I just need **Parking Variance** from the City of WR so that the same could be shown to the prospective buyer, and, that will help him in taking a decision with regard to buying my property. In future, when, the property is to be redeveloped, Proper DVP( Development Variance Permit ) and a Development Plan will be submitted to the City of WR. In order to get the Parking Variance, only a **Conceptual Plan** at this stage should be good enough and I don't need to go through any more details that are reflected in Form C- Development Variance Permits and Temporary Use Permits !

Before proceeding any further, Mr Yuri has raised some questions with regard to Schedule K of the By law 2234 and needs clarification. Since , you have sent me two attachments in your mail dated Aug 03, Mr Yuri after having gone through them ,is not sure, as to what exactly is the requirement of the City from Architectural point of view ? If you could please clarify the same, I shall be thankful.

With Warmest Regards,

Sincerely,

**s. 22**

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**From:** yuri <[yuri@wgarchitectureinc.com](mailto:yuri@wgarchitectureinc.com)>

**Sent:** August 16, 2018 12:39 PM

**To:** Redacted S. 22

**Subject:** Re: 15081 Marine Drive Development Variance Permit Information

Hi s. 22

There is an attachment in Carl's email. This attachment includes Bylaw 2234 of the City of White Rock.

Please read Schedule K "Development Variance Permit" on page 27 and ask Carl which of the requirements of this schedule should be addressed in your application.

Best Regards,

--

Yuri Afanasiev

Director of Design

WG Architecture

[www.wgarchitecture.ca](http://www.wgarchitecture.ca)

#904 - 470 Granville Street

Vancouver, BC V6C 1V5

Tel: 604-331-2378

Disclaimer:

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Recipient should check this email and any attachments for the presence of viruses. The sender and sender companies accept no liability for any damage caused by transmission of viruses transmitted by this email.

On Aug 15, 2018, at 5:20 PM, Redacted S. 22

wrote:

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**From:** Carl Johannsen <[CJohannsen@whiterockcity.ca](mailto:CJohannsen@whiterockcity.ca)>

**Sent:** August 3, 2018 4:12 PM

**To:** Redacted S. 22

**Subject:** RE: 15081 Marine Drive Development Variance Permit Information

Hi s. 22

This email serves as a general 'road-map', for yourself or a prospective purchaser, if there is an interest to redevelop the property under the existing CR-3 zone to either a new stand-alone restaurant (which is a change in use and requires existing Zoning Bylaw provisions to apply) or a new restaurant with apartment units above, and if that redevelopment approach requires variances (ie. parking) to the Zoning Bylaw, which in turn requires a Development Variance Permit (DVP) application to be submitted for staff review and consideration to approve or deny by Council.

Re: the redevelopment possibilities for your property, I have attached a PDF that shows the various options we previously discussed and what you have

described below, only as it relates to parking and related variances. Note that while the conceptual options in the PDF generally follow the parameters/requirements of the CR-3 zone, an architect will need to confirm if the options shown in the PDF are possible regarding the CR-3 density, building height and other applicable requirements.

Based on my basic concepts, at the CR-3 max. density of 1.75 FAR (~3400 sf), you would likely get a similar-sized restaurant as you have today on the ground floor storey (around 1400 sf), plus 2 storeys of residential above (each storey measuring around 1000 sf in size). In my estimation, this could yield 2 two-bedroom apartments, or 2 450 sf studios and 1 two-bedroom apartment in 2 storeys of residential space. I imagine the 2 two-bedroom apartment scenario, with 1 apartment on each residential storey, is more likely (which would require 3 residential parking spaces).

Unfortunately one other item was revealed through developing these concepts, namely that due to the lot coverage of 75% maximum in the CR-3 zone, one or more of the options in the PDF may need a lot coverage variance as well, to allow for the 3<sup>rd</sup> storey to be cantilevered over the parking deck (ie. to set it back from the 2 storey), which could push the lot coverage over 75 percent.

**In summary, the attached pdf shows the following likely parking variances required, according to redevelopment Options.** Note that while leasing a commercial parking space on Martin Street or elsewhere does not eliminate the need for a parking variance, it can be used as a solid rationale for staff supporting a commercial parking variance. The key points of each Option are summarized below:

**Option 1:** New 32 seat restaurant (ie. a 'food primary' use that serves food and liquor; parking requirement of one space per 16 seats) and one residential unit above (considered a multi-tenant residential use and apartment by virtue of being a unit above a restaurant commercial use, therefore required parking of 1.5 spaces per unit), and with three on-site parking spaces available off Marine Lane, on a parking deck that comes in level or slightly below Marine Lane:

Parking variances required:

- Residential - none for one unit ( $1.5 \times 1 = 1.5$ ; 2 required parking spaces that can be accommodated on site)
- Commercial – variance for 1 parking space (2 parking spaces required, one of which can be accommodated on site, combined with the 2 residential parking spaces)
- Commercial Loading - variance for 1 loading space

Lot Coverage variance potentially required:

- For lot coverage above 75% maximum, if necessary

**Option 2:** New 32 seat restaurant (ie. a 'food primary' use that serves food and liquor) and two or three residential units above (considered a multi-tenant residential use and apartment by virtue of being a unit above a restaurant commercial use, therefore required parking of 1.5 spaces per unit), and with three on-site parking spaces available off Marine Lane, on a



parking deck that comes in level or slightly below Marine Lane:

Parking variances required:

- Residential - 2 units - none ( $1.5 \times 2 = 3$ ; 3 parking spaces required, 3 parking spaces that can be accommodated on site)
  - 3 units – variance for 2 parking spaces ( $1.5 \times 3 = 4.5$ ; 5 parking spaces required; only 3 parking spaces can be accommodated on site)
- Commercial – variance for 2 parking spaces (2 parking spaces required; none of which can be accommodated on-site if there is more than one residential unit)
- Commercial Loading - variance for 1 loading space

Lot Coverage variance required:

- For lot coverage above 75% maximum (the third storey cantilevered above the parking deck will result in a lot coverage higher than 75%)

**Option 3:** New 32 seat restaurant (ie. a 'food primary' use that serves food and liquor) and two or three residential units above (considered a multi-tenant residential use and apartment by virtue of being a unit above a restaurant commercial use, therefore required parking 1.5 spaces per unit), and with three on-site parking spaces available off Marine Lane, on a parking deck that is inclined up from Marine Lane:

Parking variances required:

- Residential - 2 units - none ( $1.5 \times 2 = 3$ ; 3 parking spaces required, 3 parking spaces that can be accommodated on site)
  - 3 units – variance for 2 parking spaces ( $1.5 \times 3 = 4.5$ ; 5 parking spaces required; only 3 parking spaces can be accommodated on site)
- Commercial – variance for 2 parking space (2 parking spaces required; none of which can be accommodated on-site if there is more than one residential unit)
- Commercial Loading - variance for 1 loading space

Lot Coverage variance potentially required:

- For lot coverage above 75% maximum, if necessary

**Re: your questions below, I have the following responses:**

1. This is workable according to Option 1, but will still require a variance application for 2 commercial parking spaces, even if they are leased off-site. Note that while leasing a commercial parking space on Martin Street or elsewhere does not eliminate the need for a parking variance, it can be used as a solid rationale for staff supporting a commercial parking variance.
2. See Options 2 and 3, which will give you a good indication of required parking spaces (5 total parking spaces for two residential units plus restaurant; 7 total parking spaces for three residential units plus restaurant).
3. We are open to you renting out more parking spaces, but unfortunately that does not eliminate the need for a parking variance, as these spaces are only being rented and are not owned

by you. As noted above, leasing more spaces can be used as a rationale for supporting a parking variance and can be also used as a condition for the business license for a new restaurant.

4. You will require at least a conceptual plan (not a detailed plan), developed by an architect, to apply for a DVP (the application requirements and process for a DVP are attached as well, see page 27 of Bylaw 2234 Planning Procedures). The reason for this is that staff will need to confirm that the redevelopment approach that you are seeking clarity on is allowable under the zoning (ie. density/FAR, building height, lot coverage, setbacks etc. in addition to parking), Council will need to see and understand the potential redevelopment concept to be able to make an informed decision regarding the proposed DVP, and your neighbours/public/residents will need to know what is being proposed in terms of height, density etc. , as there is a Public Information Meeting requirement for a DVP application. To be clear a conceptual plan/drawings are not detailed architectural drawings; a local architect, like Ankemann Associates (<http://aaai.bc.ca/>) in Crescent Beach for example, has done this sort of conceptual work before and may be able to help you on this (as would other architects). While you can also apply for a combined DVP and a Development Permit (DP), which requires detailed architectural drawings, I am OK with a DVP application without a DP, **provided** the conceptual DVP drawings by an architect provide enough information for staff, Council and the public to review and understand that scale and basic look of a proposed new building. At this stage a geotechnical/structural engineering review will be unnecessary, and an architect will also be able to give you some general advice about what components of a more detailed architectural design will review by a Professional Engineer. A conceptual plan will also be reviewed at a high level by staff, including Engineering, who will identify potential servicing, access, frontage and geotechnical/lane shoring requirements, which then can be communicated to an architect doing a detailed design for a DP application at a later stage (which will be required prior to proceeding to a Building Permit, but again not necessary for considering a DVP application).
5. Unfortunately the cash-in-lieu option for parking is no longer available, as the previous Bylaw allowing this has been repealed. This being said, staff are reviewing the parking cash-in-lieu approach City-wide and there may be report coming to Council in the new term regarding this issue. As a staff member I am unable to grant this sort of provision, and only the entire Council can make decisions in this regard.
6. As noted above, a conceptual plan should not cost the amount you have described below; conceptual plans are more basic and less labour intensive – a quick discussion with an architect should give

you an idea of how to proceed and at what cost.

Due to the small size and unique nature of your property, staff are willing support a commercial parking and loading variance, and if necessary a lot coverage variance, subject to commercial parking spaces being leased off-site (ie. Martin Street, plus others as required in Montecito for example) and the provision of three on-site parking spaces, accessible from Marine Lane and confirmed as feasible by our City Engineering department.

If you have any more questions or would like to discuss further, please give me a call or we can meet. I will also delegate this project to one of my very capable staff, who can help you along in this process.

Regards,

Carl

<15081 Marine Drive Parking Scenarios.pdf><Bylaw 2234 - Planning Procedures.pdf>

**From:** Redacted S. 22  
**To:** [Carl Isaak](mailto:Carl.Isaak@whiterockcity.ca)  
**Subject:** Re: 15081 Marine Drive Development Variance Permit Information  
**Date:** Tuesday, September 04, 2018 10:57:24 PM  
**Attachments:** [image001.png](#)  
[image001.png](#)

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Thanks Carl for your reply!

Sincerely,

**Redacted S. 22**

Sent from my iPhone

On Sep 4, 2018, at 1:11 PM, Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)> wrote:

Hello **Redacted S. 22**

Typically I would require that all trees also be shown on the topographic survey, as noted below, and that a tree assessment report be submitted with the application. Instead, I have had my arboricultural technician visit the property and confirmed that the ash tree on the neighbouring property to the west is near the property line and would likely be required to be removed if your property is developed. This information would be included in our report to Council for your Development Variance Permit. Based on this, you could submit the topographic survey as it is to meet the "Survey" requirement, and you will not be required to have a tree assessment report submitted at this time. All of the other requirements noted below still apply.

Sincerely,

Carl

---

**From:** Redacted S. 22

**Sent:** Sunday, September 02, 2018 11:58 AM

**To:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>

**Subject:** Re: 15081 Marine Drive Development Variance Permit Information



Dear Carl,

I have minutely reviewed the requirements mentioned in your mail dated 31 Aug 2018, that, I need to fulfill in order to obtain the DVP. I am writing this mail to inquire whether a topographical plan, gotten made few years ago by me (enclosed in this mail) , will ease out some of the requirements that you have already listed in your mail. If the topographical plan will suffice, it will help me greatly in negotiating with the architectural costs. If you could kindly advice, I will be thankful.

I look forward to hearing from you.

Sincerely,

s. 22

---

**From:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>

**Sent:** August 31, 2018 10:36 AM

**To:** Redacted S. 22 [yuri@wgarchitectureinc.com](mailto:yuri@wgarchitectureinc.com)

**Cc:** Carl Johannsen

**Subject:** RE: 15081 Marine Drive Development Variance Permit Information

Hello **s. 22** and Yuri,

Below I've listed the minimum requirements we would need in order to process your variance application – the items which are struck through are not required for this stage however would be requirements for a Development Permit (form and character of the building) application. Please note that whether any variance to the parking or loading requirements of the zoning bylaw would be processed as a Development Variance Permit (and a single Development Variance Permit could vary parking, lot coverage, and other siting variances). You should be aware as well that after a Development Variance Permit is issued, if construction related to the permit is not substantially started within two years after the date it was issued.

While we are aware that you do not intend to develop the property and the building design may therefore change based on a purchasers intentions, we will need enough detail in the concept plans to confirm whether the variance(s) you are proposing is feasible. As noted by Carl Johannsen below, you may proceed without a Development Permit application provided the conceptual DVP drawings by an architect provide enough information for staff, Council and the public to review and understand that scale and basic look of a proposed new building.

- Completed Application Form
- Application Fees
- Title Search
- Letter of Authorization (if applicable)
- Survey (with topography and tree locations, sizes, and elevations)
- Site Profile
- Tree Assessment Report\* (\*if the survey indicates there are any trees of protected size on or adjacent to the property)
- Site Plan\*, including the following statistics (in order to confirm conformity with Zoning Bylaw):
  - Floor Area Ratio (Gross, Commercial and Residential – may be estimated as we do not expect detailed interior plans to be prepared)
  - Setbacks (buildings and encroachments)
  - Height
  - Lot Coverage
  - Unit Count
  - Gross Site Area
  - Floor Areas (by use/common/amenity)
  - Parking
  - Details on any requested variances
- Architectural Plans
- Parking Plan (must include diagrams shown turning movements for vehicles in and out of the lane using an AutoTURN analysis)
- Landscape Plan, including the following: (may be part of the architectural plans)
  - Existing tree locations

- ~~○ Proposed plant list using graphic keys~~
- Proposed grades
- Proposed garbage/recycling enclosures
- ~~○ Details on proposed outdoor amenity~~
- ~~○ Proposed paving and lighting details~~
- ~~Colour renderings with adjacent buildings\*~~
- Photographs of Site and Surrounding Area
- Street Profile\* showing scale of proposed building with adjacent buildings
- ~~View Analysis\*~~
- ~~Shadow Study\*~~
- ~~Colour and Materials Board\*~~
- ~~Design Rationale\*~~
- ~~Development Permit Guidelines Response\*~~
- ~~Precedent Photos\*~~
- ~~Digital or physical 3D massing model\*~~
- ~~Environmental Impact Assessment\*~~
- ~~Traffic Study\*~~
- Parking Study\* (a written rationale must be provided for why a reduction in parking spaces and/or loading spaces is appropriate and will not negatively impact businesses and residents in the area)
- ~~Geotechnical Report\*~~

If you have any questions on the above, please let us know.

Sincerely,

Carl

**From:** Redacted S. 22  
**To:** [Carl Johannsen](#)  
**Cc:** [Carl Isaak](#)  
**Subject:** Fwd: Hi!  
**Date:** Saturday, September 22, 2018 12:13:02 PM

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Sent from my iPhone

Begin forwarded message:

**From:** Redacted S. 22  
**Date:** September 22, 2018 at 11:25:28 AM PDT  
**To:** Redacted S. 22  
**Subject:** RE: Hi!

Hi s. 22

I have considered all the information you kindly provided and unfortunately I do not have the time, resources or expertise to help you with the DVP package. My expertise is mostly in hospital design and construction. I did speak with a colleague who has her own firm and is more familiar with these types of projects, and was advised that the process that the City is describing can be very involved and onerous, which could be very expensive for you; in the tens of thousands of dollars. Even after completing and having an approved DVP, any potential buyer may have to resubmit the same type of package if they wish to make any changes to your solution/design. I also made contact another colleague who lives in the area however he did not express interest. I am very sorry that I cannot help you and I wish you luck.

Regards  
s. 22

-----Original Message-----

**From:** Redacted S. 22  
**Sent:** Friday, September 14, 2018 1:15 PM  
**To:** Redacted S. 22  
**Subject:** Hi!

Hi s. 22 My name is Redacted S. 22 I am friends with Redacted S. 22. I have a small property at 15081 Marine Drive, White Rock, in which, I run an Indian Restaurant, Little India. I have been trying to sell the property, but, By law CR-3 is restricting its redevelopment ( parking and loading requirements) and that discourages buyers to buy the property. On approaching WR City, I have been asked to apply for the variance. In order to do that, architects services are required. The city of WR has provided me a list of things that an architect needs to perform. Could I send you the City of W R e mail that



specifies Do's and Don't's ? After going through the mail, if you could please let me know whether you will be willing to do the job, how much it will cost and time frame required to complete it?

Thanks,

**Redacted S. 22**

Sent from my iPhone

**From:** [Carl Johannsen](#)  
**To:** [Carl Isaak](#)  
**Subject:** FW: CR-3 Zone and Your Property at 15081 Marine Drive  
**Date:** Thursday, October 04, 2018 4:30:18 PM  
**Attachments:** [Oct 4, 2018 Letter to Redacted S. 22 .pdf](#)

---

Hi Carl,  
FYI  
Carl

---

**From:** Carl Johannsen  
**Sent:** Thursday, October 04, 2018 12:40 PM  
**To:** Redacted S. 22  
**Subject:** RE: CR-3 Zone and Your Property at 15081 Marine Drive  
Hi s. 22

Please see letter attached; original to follow by mail,  
Regards,  
Carl

---

**From:** Carl Johannsen  
**Sent:** Thursday, October 04, 2018 10:13 AM  
**To:** Redacted S. 22  
**Subject:** RE: CR-3 Zone and Your Property at 15081 Marine Drive  
Hi s. 22

Parking and loading requirements still apply; the number of parking and loading stalls will be determined by the size of proposed development (ie. restaurant seats, number of apartment units).  
Carl

---

**From:** Redacted S. 22  
**Sent:** Thursday, October 04, 2018 9:58 AM  
**To:** Carl Johannsen  
**Subject:** Re: CR-3 Zone and Your Property at 15081 Marine Drive

Dear Carl,

Thanks for your quick response ! Since section 6.18.2 does not apply ,  
please confirm that the Parking and loading requirements also don't  
apply to my property?

Sincerely,

**s. 22**

---

**From:** Carl Johannsen <[CJohannsen@whiterockcity.ca](mailto:CJohannsen@whiterockcity.ca)>  
**Sent:** October 4, 2018 8:49 AM  
**To:** Redacted S. 22  
**Subject:** RE: CR-3 Zone and Your Property at 15081 Marine Drive  
Hi s. 22

As I have said before, Section 6.18.2 **does not apply** to your property, **unless** you intend to subdivide it into smaller parcels.

Carl

---

**From:** Redacted S. 22  
**Sent:** Wednesday, October 03, 2018 9:12 PM

**To:** Carl Johannsen

**Subject:** Re: CR-3 Zone and Your Property at 15081 Marine Drive

Dear Carl,

Thanks for your mail. I need you to please clarify para 2 of your mail under reference that has been underlined in RED by me!

Sincerely,

**s. 22**

---

**From:** Carl Johannsen <[CJohannsen@whiterockcity.ca](mailto:CJohannsen@whiterockcity.ca)>

**Sent:** October 3, 2018 12:20 PM

**To:** Redacted S. 22

**Subject:** re: CR-3 Zone and Your Property at 15081 Marine Drive

Hello **s. 22**

Following up from our meeting on September 28, 2018, this email confirms that Section 6.18.2 'Lot Size' in the CR-3 West Beach Business Area Commercial/Residential Zone does not prevent redevelopment opportunities on your CR-3 zoned property at 15081 Marine Drive.

Section 6.18.2 only applies to the potential subdivision of your property into smaller parcels, which if proposed would not be possible due to the lot size and dimension provisions in Section 6.18.2.

Beyond potential subdivision into smaller parcels, Section 6.18.2 does not affect your existing building or a prevent a new building being developed, within the parameters of the other Sections in the CR-3 zone, on your property in any way.

I also note that a review of the CR-3 Zone, to make it consistent with the Official Community Plan (OCP) and the 'Waterfront Village' land use designation which applies to your property and includes a maximum density of 2.0 Floor Area Ratio (FAR) and maximum building height of 4 storeys, and to update other requirements, such as off-street parking and loading, is planned to be undertaken in 2019 as a part of the Zoning Bylaw Update, subject to Council's direction.

I will follow up with a letter to you, noting the same above for your records.

If you have any questions or would like to discuss further, please give me a call at 604.541.2142.

Regards,

Carl

Carl Johannsen

Director, Planning and Development Services

City of White Rock

October 4, 2018

**Redacted S. 22**

15081 Marine Drive  
White Rock, BC  
V4B 1C5

**Redacted S. 22**

Dear

**Re: 15081 Marine Drive and CR-3 Zone**

Following up from our meeting on September 28, 2018, this letter confirms that Section 6.18.2 'Lot Size' in the CR-3 West Beach Business Area Commercial/Residential Zone does not apply to your property at 15081 Marine Drive, despite its current CR-3 zoning, size and dimensions. In turn, and subject to Council approval of applicable Permits, Section 6.18.2 in the CR-3 Zone does not prevent redevelopment of your property at its current size and dimensions.

Section 6.18.2 only applies if you or a future property owner wishes to subdivide 15081 Marine Drive into smaller parcels; Section 6.18.2 sets out the minimum lot size and dimensions for parcels following subdivision.

I also note that a review of the CR-3 Zone, to make it consistent with the Official Community Plan (OCP) and the 'Waterfront Village' land use designation which applies to 15081 Marine Drive and includes a maximum density of 2.0 Floor Area Ratio (FAR) and maximum building height of 4 storeys, and to update other requirements, such as off-street parking and loading, is planned to be undertaken in 2019 as a part of the Zoning Bylaw Update, subject to Council's direction.

If you have any questions or wish to discuss further, please give me a call at 604.541.2142.

Sincerely,



Carl Johannsen, MCIP, RPP

Director, Planning and Development Services  
City of White Rock

**From:** [Carl Johannsen](#)  
**To:** [Carl Isaak](#)  
**Subject:** FW: CR-3 Zone and Your Property at 15081 Marine Drive  
**Date:** Thursday, October 04, 2018 4:34:41 PM

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FYI; previous to letter being sent

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**From:** Redacted S. 22  
**Sent:** Thursday, October 04, 2018 11:42 AM  
**To:** Carl Johannsen  
**Subject:** Re: CR-3 Zone and Your Property at 15081 Marine Drive

Hi Carl,

Could you please quote section or para of CR-3 by law which mentions that 6.18.2 pertains only for subdivision purposes. After having gone through the contents of this by law, to the best of my knowledge, there is no such mention of this language ! The entire exercise of taking up the ambiguity of this by law was to get a reprieve on parking and loading requirements which, time and again has been over looked by the City of WR.

I am failing to comprehend as to why am I being forced to go through something that can not be justified on any counts and is impossible to provide ? It is most painful and unfortunate. Asking me to get DVP amounts to thousands of dollars of expenditure and wait for councils decision that could go either way too is a unjustified demand.

Why cannot City be magnanimous by acknowledging the inherent lacunae in this by law and allow me or the prospective buyer to build ? Could you please once again take up the issue with the concerned authority and request him/them to look into the justified demand that I as a property owner have.

Sincerely,

**s. 22**

---

**From:** Carl Johannsen <[CJohannsen@whiterockcity.ca](mailto:CJohannsen@whiterockcity.ca)>  
**Sent:** October 4, 2018 10:12 AM  
**To:** Redacted S. 22  
**Subject:** RE: CR-3 Zone and Your Property at 15081 Marine Drive

Hi **s. 22**

Parking and loading requirements still apply; the number of parking and loading stalls will be determined by the size of proposed development (ie. restaurant seats, number of apartment units).

Carl

---

**From:** Redacted S. 22

**Sent:** Thursday, October 04, 2018 9:58 AM

**To:** Carl Johannsen

**Subject:** Re: CR-3 Zone and Your Property at 15081 Marine Drive

Dear Carl,

Thanks for your quick response ! Since section 6.18.2 does not apply , please confirm that the Parking and loading requirements also don't apply to my property?

Sincerely,

**s. 22**

---

**From:** Carl Johannsen <[CJohannsen@whiterockcity.ca](mailto:CJohannsen@whiterockcity.ca)>

**Sent:** October 4, 2018 8:49 AM

**To:** Redacted S. 22

**Subject:** RE: CR-3 Zone and Your Property at 15081 Marine Drive

Hi **s. 22**

As I have said before, Section 6.18.2 **does not apply** to your property, unless you intend to subdivide it into smaller parcels.

Carl

---

**From:** Redacted S. 22 ]

**Sent:** Wednesday, October 03, 2018 9:12 PM

**To:** Carl Johannsen

**Subject:** Re: CR-3 Zone and Your Property at 15081 Marine Drive

Dear Carl,

Thanks for your mail. I need you to please clarify para 2 of your mail under reference that has been underlined in **RED** by me!

Sincerely,

**s. 22**

---

**From:** Carl Johannsen <[CJohannsen@whiterockcity.ca](mailto:CJohannsen@whiterockcity.ca)>

**Sent:** October 3, 2018 12:20 PM

**To:** Redacted S. 22

**Subject:** re: CR-3 Zone and Your Property at 15081 Marine Drive

Hello **s. 22**

Following up from our meeting on September 28, 2018, this email confirms that Section 6.18.2 'Lot Size' in the CR-3 West Beach Business Area Commercial/Residential Zone does not prevent redevelopment opportunities on your CR-3 zoned property at 15081 Marine Drive.

Section 6.18.2 only applies to the potential subdivision of your property into smaller parcels, which if proposed would not be possible due to the lot size and dimension provisions in Section 6.18.2.

Beyond potential subdivision into smaller parcels, Section 6.18.2 does not affect your existing building or a prevent a new building being developed, within the parameters of the other Sections in

the CR-3 zone, on your property in any way.

I also note that a review of the CR-3 Zone, to make it consistent with the Official Community Plan (OCP) and the 'Waterfront Village' land use designation which applies to your property and includes a maximum density of 2.0 Floor Area Ratio (FAR) and maximum building height of 4 storeys, and to update other requirements, such as off-street parking and loading, is planned to be undertaken in 2019 as a part of the Zoning Bylaw Update, subject to Council's direction.

I will follow up with a letter to you, noting the same above for your records.

If you have any questions or would like to discuss further, please give me a call at 604.541.2142.

Regards,

Carl

Carl Johannsen

Director, Planning and Development Services

City of White Rock

Re: Undecided voter at 15081 Marine Drive, White Rock!

Helen Fathers <HFathers@whiterockcity.ca>

Tue 11/6/2018 12:23 PM

To: **Redacted S. 22** Carl Johansen <CJohansen@whiterockcity.ca>

Hi **s. 22**

I am thinking we could meet with the planning department to discuss?

Councillor Fathers  
City of White Rock

On Nov 6, 2018, at 10:24 AM, **Redacted S. 22** wrote:

Dear Helen!

Once again Heartiest Congratulations on becoming White Rocks new Council member. Yesterday, I believe was Council's first meeting! While, you must have discussed various important issues pertaining to White Rock's well being, just wondering, if , the contentious CR-3 by law was discussed ? Or, will this topic be included in the agenda of Council's next meeting?

Thanking you!

Sincerely,

**s. 22**

Sent from my iPhone

On Oct 21, 2018, at 11:57 PM, Helen Fathers <[HFathers@whiterockcity.ca](mailto:HFathers@whiterockcity.ca)> wrote:

Hello **s. 22**

Thank you so much, after Nov 5 we need to discuss your concerns. Ok .

Councillor Fathers  
City of White Rock

On Oct 20, 2018, at 9:35 PM, **Redacted S. 22** wrote:

Dear Helen Fathers!



Congratulations on winning the civic elections with a thumping margin!

**s. 22**

Little India

Fw: CR-3 Zone and Your Property at 15081 Marine Drive

**Redacted S. 22**

Tue 11/6/2018 1:11 PM

To: Helen Fathers <HFathers@whiterockcity.ca>

1 attachments (52 KB)

Oct 4, 2018 Letter to **Redacted S. 22**.pdf;

Dear Helen !

Thanks for your mail !

I am forwarding herewith my correspondence with Carl Johannsen, in which, he has categorically mentioned that CR- 3 By law has to be reviewed to make it consistent with the OCP, and, an update has to be brought in the year 2019, subject to councils direction and besides that, he can not do anything.

I am willing to meet you any time to discuss this matter. However, as shall be evident from Carl's various mails, the possible amendment to this by law can be brought only by bringing a motion in the City council meeting.

Sincerely,

**s. 22**

---

**From:** Carl Johannsen <CJohannsen@whiterockcity.ca>

**Sent:** October 4, 2018 12:39 PM

**To:** **Redacted S. 22**

**Subject:** RE: CR-3 Zone and Your Property at 15081 Marine Drive

Hi **s. 22**

Please see letter attached; original to follow by mail,

Regards,

Carl

---

**From:** Carl Johannsen  
**Sent:** Thursday, October 04, 2018 10:13 AM  
**To:** Redacted S. 22  
**Subject:** RE: CR-3 Zone and Your Property at 15081 Marine Drive

Hi s. 22

Parking and loading requirements still apply; the number of parking and loading stalls will be determined by the size of proposed development (ie. restaurant seats, number of apartment units).

Carl

---

**From:** Redacted S. 22  
**Sent:** Thursday, October 04, 2018 9:58 AM  
**To:** Carl Johannsen  
**Subject:** Re: CR-3 Zone and Your Property at 15081 Marine Drive

Dear Carl,

Thanks for your quick response ! Since section 6.18.2 does not apply , please confirm that the Parking and loading requirements also don't apply to my property?

Sincerely,

s. 22

---

**From:** Carl Johannsen <[CJohannsen@whiterockcity.ca](mailto:CJohannsen@whiterockcity.ca)>  
**Sent:** October 4, 2018 8:49 AM  
**To:** Redacted S. 22  
**Subject:** RE: CR-3 Zone and Your Property at 15081 Marine Drive

Hi s. 22

As I have said before, Section 6.18.2 **does not apply** to your property, unless you intend to subdivide it into smaller parcels.

Carl

---

**From:** Redacted S. 22  
**Sent:** Wednesday, October 03, 2018 9:12 PM

**To:** Carl Johannsen  
**Subject:** Re: CR-3 Zone and Your Property at 15081 Marine Drive

Dear Carl,  
Thanks for your mail. I need you to please clarify para 2 of your mail under reference that has been underlined in **RED** by me!

Sincerely,

**s. 22**

---

**From:** Carl Johannsen <[CJohannsen@whiterockcity.ca](mailto:CJohannsen@whiterockcity.ca)>  
**Sent:** October 3, 2018 12:20 PM  
**To:** **Redacted S. 22**  
**Subject:** re: CR-3 Zone and Your Property at 15081 Marine Drive

Hello **s. 22**

Following up from our meeting on September 28, 2018, this email confirms that Section 6.18.2 'Lot Size' in the CR-3 West Beach Business Area Commercial/Residential Zone does not prevent redevelopment opportunities on your CR-3 zoned property at 15081 Marine Drive.

Section 6.18.2 only applies to the potential subdivision of your property into smaller parcels, which if proposed would not be possible due to the lot size and dimension provisions in Section 6.18.2. Beyond potential subdivision into smaller parcels, Section 6.18.2 does not affect your existing building or a prevent a new building being developed, within the parameters of the other Sections in the CR-3 zone, on your property in any way.

I also note that a review of the CR-3 Zone, to make it consistent with the Official Community Plan (OCP) and the 'Waterfront Village' land use designation which applies to your property and includes a maximum density of 2.0 Floor Area Ratio (FAR) and maximum building height of 4 storeys, and to update other requirements, such as off-street parking and loading, is planned to be undertaken in 2019 as a part of the Zoning Bylaw Update, subject to Council's direction.

I will follow up with a letter to you, noting the same above for your records.

If you have any questions or would like to discuss further, please give me a call at 604.541.2142.

Regards,

Carl

Carl Johannsen  
Director, Planning and Development Services  
City of White Rock

Re: CR-3 By law !

**Redacted S. 22**

Thu 11/15/2018 12:33 PM

To: David Chesney <DChesney@whiterockcity.ca>

---

From: **Redacted S. 22**

Sent: November 15, 2018 12:27 PM

To: dchesney@whiterockcity.ca; hfathers@whiterockcity.ca; ejohanson@whiterockcity.ca; skristjanson@whiterockcity.ca; ctrevlyan@whiterockcity.ca; amanning@whiterockcity.ca

Subject: CR-3 By law !

**Dear Councillor!**

**With due regards, Being a responsible constituent of White Rock, I will like to submit that, the By laws have been created to ease out the day to day functioning of the city and its inhabitants. CR-3 By law that has been created is ambiguous and has not been given due diligence while being formulated. After studying the salient features of this By law followed by my two meetings with EX Mayor Wayne Baldwin and Director Planning Carl Johannsen and thereafter, numerous mails written to City of white rock planning department, following observations have been made which necessitate that this by law needs to be revised and amended by the City of White Rock :**

**Most of the lots on Marine Drive don't fall under the purview of this by law as, Section 6.18.2 of the by law clearly states that the law will be applicable to those lots, whose, width is 50 feet and depth is 115 feet. Majority of the lots are barely 2000 sq feet. The notion of consolidating**

**the neighboring properties for easing out these parking and loading requirements too is unreasonable, for, firstly, are the neighboring properties for sale and is it monetarily viable ? And, even if, both these scenarios are fine, still, parking and loading conditions can't be met.**

**The geographical layout of the ground on West Beach, where, this by law pertains to, is not supportive. The ground is not conducive to enforce this by law as, it is flat from the front and then gets sudden elevation at the back alley. The back alley is too narrow in width to encompass the manoeuvrability and loading conditions enshrined in this by law.**

**Frontal access by any automobile to the buildings is not feasible , as pedestrian walking space is infringed , thus, compromises the safety. Hence, underground parking cannot be created. Therefore, as per sub para 4.14.1, providing 1 parking space for every 16 seats to its clients is unjustified as, the majority of lots don't have the capacity to create parking spaces. It is also unwarranted on the part of City of WR to ask property owners with commercial outlets on the ground floor to provide parking to its clients, when the city has ample parking outlets and a 4 level parking building is being constructed behind Boat house restaurant.**

**In light of the facts mentioned above, it is requested that instead of asking property owners to get the Development Variance that is financial drain, frustrating and its positive outcome is still not guaranteed, Council**

**should please revise and amend the By law at the earliest possible. I am enclosing herewith a formal letter dated Oct 4, 2018 of Director Planning, Carl Johannsen that clearly states that a review of this by law, to make it consistent with OCP is planned to be undertaken as part of the Zoning by law update, subject to Council's direction.**

**Yours sincerely,**

**Redacted S. 22**

**15081 Marine Drive**

**White Rock, BC**

**V4B 2G4**

**Redacted S. 22**

CR- 3 By Law !

**Redacted S. 22**

Thu 2018-11-15 12:10 PM

To: Darryl Walker <DWalker@whiterockcity.ca>

1 attachments (52 KB)

Oct 4, 2018 Letter to **Redacted S. 22** By Carl Johanneson !.pdf;

**Dear Mayor Darryl Walker,**

**With due regards, being a responsible constituent of White Rock, I will like to submit that, the By laws have been created to ease out the day to day functioning of the city and its inhabitants. CR-3 By law that has been created is ambiguous and has not been given due diligence while being formulated. After studying the salient features of this By law followed by my two meetings with EX Mayor Wayne Baldwin and Director Planning Carl Johannesen and thereafter, numerous mails written to City of white rock planning department, following observations have been made which necessitate that this by law needs to be revised and amended by the City of White Rock :**

**Most of the lots on Marine Drive don't fall under the purview of this by law as, Section 6.18.2 of the by law clearly states that the law will be applicable to those lots, whose, width is 50 feet and depth is 115 feet. Majority of the lots are barely 2000 sq feet. The notion of consolidating the neighboring properties for easing out these parking and loading requirements too is unreasonable, for, firstly, are the neighboring**



**properties for sale and is it monetarily viable ?  
And, even if, both these scenarios are fine, still,  
parking and loading conditions can't be met.**

**The geographical layout of the ground on West Beach, where, this by law pertains to, is not supportive. The ground is not conducive to enforce this by law as, it is flat from the front and then gets sudden elevation at the back alley. The back alley is too narrow in width to encompass the manoeuvrability and loading conditions enshrined in this by law.**

**Frontal access by any automobile to the buildings is not feasible , as pedestrian walking space is infringed , thus, compromises the safety. Hence, underground parking cannot be created. Therefore, as per sub para 4.14.1, providing 1 parking space for every 16 seats to its clients is unjustified as, the majority of lots don't have the capacity to create parking spaces. It is also unwarranted on the part of City of WR to ask property owners with commercial outlets on the ground floor to provide parking to its clients, when the city has ample parking outlets and a 4 level parking building is being constructed behind Boat house restaurant.**

**In light of the facts mentioned above, it is requested that instead of asking property owners to get the Development Variance that is financial drain, frustrating and its positive outcome is still not guaranteed, Council should please revise and amend the By law at the earliest possible. I am enclosing herewith a formal letter dated Oct 4, 2018 of Director Planning, Carl Johannsen that**

**clearly states that a review of this by law, to make it consistent with OCP is planned to be undertaken as part of the Zoning by law update, subject to Council's direction.**

**Yours sincerely,**

**Redacted S. 22**

**15081 Marine Drive**

**White Rock, BC**

**V4B 2G4**

**Redacted S. 22**

Re: CR-3 By law !

**Redacted S. 22**

Sat 11/17/2018 5:39 PM

To: Helen Fathers <HFathers@whiterockcity.ca>

Thanks Helen for the information!

Regards,

**s. 22**

Sent from my iPhone

On Nov 17, 2018, at 11:56 AM, Helen Fathers <[HFathers@whiterockcity.ca](mailto:HFathers@whiterockcity.ca)> wrote:

Hello **s. 22**

Yes you have to apply to be a delegation. I have cc'd Tracey on email .

Councillor Helen Fathers  
City of White Rock

On Nov 17, 2018, at 10:50 AM, **Redacted S. 22** wrote:

**Dear Helen,**

**Thanks for your reply ! Yes, if this matter gets solved by my attending the council meeting, I will like to. However, since, I have never attended any council meeting before, I am not aware of the process involved in doing so ? Do I have to give a formal application at City of WR to come as a delegation or I will be served an invitation by the City ? Am I allowed to bring my realtor along ? If someone could kindly clarify all this, I will be obliged.**

**Many Thanks once again !**

**Sincerely,**

**s. 22**

**From:** Helen Fathers <[HFathers@whiterockcity.ca](mailto:HFathers@whiterockcity.ca)>  
**Sent:** November 16, 2018 7:46 PM  
**To:** Anthony Manning  
**Cc:** Redacted S. 22 dchesney@whiterockcity; Erika Johanson; Scott Kristjanson; Christopher Trevelyan; Tracey Arthur  
**Subject:** Re: CR-3 By law !

Hello **s. 22**

Thanks for the email , I have cc'd Tracey Arthur in this email for perhaps a delegation before all of Council on December 10th meeting .

Many thanks,

Councillor Helen Fathers  
City of White Rock

On Nov 16, 2018, at 5:38 PM, Anthony Manning  
<[AManning@whiterockcity.ca](mailto:AManning@whiterockcity.ca)> wrote:

Dear **Redacted S. 22**

Thank you for your bringing forward your concern.

I remember we spoke about this when I met with you, along with Mayor Walker and Councillor Trevelyan, during the campaign. I will discuss this further with Mr. Johannesen. May I also ask if you would consider formally approaching Council as a delegation at our 10th December meeting?

Councillor Anthony Manning  
City of White Rock  
(778) 867-7742

---

**From:** Redacted S. 22  
**Sent:** Thursday, November 15, 2018 12:27  
**To:** dchesney@whiterockcity; Helen Fathers; Erika Johanson; Scott Kristjanson; Christopher Trevelyan; Anthony Manning  
**Subject:** CR-3 By law !

**Dear Councillor!**

**With due regards, Being a responsible constituent of White Rock, I will like to submit that, the**

**By laws have been created to ease out the day to day functioning of the city and its inhabitants. CR-3 By law that has been created is ambiguous and has not been given due diligence while being formulated. After studying the salient features of this By law followed by my two meetings with EX Mayor Wayne Baldwin and Director Planning Carl Johannsen and thereafter, numerous mails written to City of white rock planning department, following observations have been made which necessitate that this by law needs to be revised and amended by the City of White Rock :**

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**unreasonable, for, firstly, are the neighboring properties for sale and is it monetarily viable ? And, even if, both these scenarios are fine, still, parking and loading conditions can't be met.**

**The geographical layout of the ground on West Beach, where, this by law pertains to, is not supportive. The ground is not conducive to enforce this by law as, it is flat from the front and then gets sudden elevation at the back alley. The back alley is too narrow in width to encompass the manoeuvrability and loading conditions enshrined in this by law.**

**Frontal access by any automobile to the buildings is not feasible , as pedestrian walking space is infringed , thus, compromises the safety. Hence, underground parking cannot be created. Therefore, as per sub para 4.14.1, providing 1 parking space for every 16 seats to its clients is unjustified as, the majority of lots don't have the capacity to create parking spaces. It is also unwarranted on the part of City of**

**WR to ask property owners with commercial outlets on the ground floor to provide parking to its clients, when the city has ample parking outlets and a 4 level parking building is being constructed behind Boat house restaurant.**

**In light of the facts mentioned above, it is requested that instead of asking property owners to get the Development Variance that is financial drain, frustrating and its positive outcome is still not guaranteed, Council should please revise and amend the By law at the earliest possible. I am enclosing herewith a formal letter dated Oct 4, 2018 of Director Planning, Carl Johannsen that clearly states that a review of this by law, to make it consistent with OCP is planned to be undertaken as part of the Zoning by law update, subject to Council's direction.**

**Yours sincerely,**

**Redacted S. 22  
15081 Marine Drive  
White Rock, BC  
V4B 2G4  
Redacted S. 22**

**Re: Just for your knowledge !**

Helen Fathers <HFathers@whiterockcity.ca>

Wed 11/21/2018 6:07 PM

To: **Redacted S. 22**

Awesome, great !

Councillor Helen Fathers  
City of White Rock

On Nov 21, 2018, at 2:34 PM, **Redacted S. 22** wrote:

Sent from my iPhone

Begin forwarded message:

**Subject: Re: Just for your knowledge!**

Hi Helen!

As per your advise, I have submitted my application to the city clerk office for coming as a delegation on Dec 10 2018 council meeting to put across my views on CR-3 By Law!

Thanks for your support!

Sincerely,

**s. 22**

Sent from my iPhone



Re: Delegation with regard to CR-3 By Law!

**Redacted S. 22**

Wed 12/5/2018 3:38 PM

To: Helen Fathers <HFathers@whiterockcity.ca>

I got the confirmation just now from clerks office! Thanks for your support!

See you on 10th.

Kind regards,

**s. 22**

Sent from my iPhone

On Dec 5, 2018, at 1:29 PM, **Redacted S. 22** wrote:

Thanks Helen! But, I am yet to hear an official confirmation from the City clerk office!

Kind Regards,

**s. 22**

Sent from my iPhone

On Dec 5, 2018, at 12:54 PM, Helen Fathers <[HFathers@whiterockcity.ca](mailto:HFathers@whiterockcity.ca)> wrote:

Yes you are on Dec 10

Councillor Helen Fathers  
City of White Rock

On Dec 5, 2018, at 12:27 PM, **Redacted S. 22** wrote:

Sent from my iPhone

Begin forwarded message:

**From:** **Redacted S. 22**  
**Date:** December 5, 2018 at 12:27:30 PM PST  
**To:** "[clerksoffice@whiterockcity.ca](mailto:clerksoffice@whiterockcity.ca)"  
<[clerksoffice@whiterockcity.ca](mailto:clerksoffice@whiterockcity.ca)>  
**Subject: Re: Delegation with regard to CR-3 By Law!**

Hi Tracy!

I had submitted my application on Nov 20th 2018 in your office to come as a delegation on Dec 10 2018. I also visited your office yesterday and met Debbie and Stephanie to find out the status of my request. I was told that I will be informed today.

Since, it involves scheduling opening and closing of my restaurant on Dec10, could you please provide an update on my delegation request?

Thanks,

**Redacted S. 22**

Sent from my iPhone

On Dec 4, 2018, at 12:35 PM, **Redacted S. 22**

**Redacted S. 22**

wrote:

<IMG\_5918.jpg>

Sent from my iPhone

## Re: Delegation with regard to CR-3 By Law!

Anthony Manning <AManning@whiterockcity.ca>

Thu 2018-12-06 07:44

To: **Redacted S. 22**

Excellent, **Redacted S. 22**

I look forward to hearing your presentation on Monday night.

---

**From:** **Redacted S. 22**

**Sent:** December 5, 2018 6:46:19 PM

**To:** Anthony Manning

**Subject:** Re: Delegation with regard to CR-3 By Law!

Thanks Councilor Manning for your support! I got the confirmation from city clerk office to come as delegation on 10th Dec!

Sincerely,

**s. 22**

Sent from my iPhone

On Dec 5, 2018, at 12:33 PM, **Redacted S. 22** wrote:

Dear Councillor Anthony!  
Forwarding you my mail to Tracy for your perusal !

Sincerely,  
**Redacted S. 22**

Sent from my iPhone

Begin forwarded message:

**From:** **Redacted S. 22**

**Date:** December 5, 2018 at 12:30:48 PM PST

**To:** [AManning@whiterockcity.ca](mailto:AManning@whiterockcity.ca)

**Subject:** Fwd: Delegation with regard to CR-3 By Law!

Sent from my iPhone

**Subject: Fwd: Delegation with regard to CR-3 By Law!**

Sent from my iPhone

Begin forwarded message:

**From:** Redacted S. 22  
**Date:** December 5, 2018 at 12:27:30 PM PST  
**To:** "[clerksoffice@whiterockcity.ca](mailto:clerksoffice@whiterockcity.ca)"  
<[clerksoffice@whiterockcity.ca](mailto:clerksoffice@whiterockcity.ca)>  
**Subject:** Re: Delegation with regard to CR-3 By Law!

Hi Tracy!

I had submitted my application on Nov 20th 2018 in your office to come as a delegation on Dec 10 2018. I also visited your office yesterday and met Debbie and Stephanie to find out the status of my request. I was told that I will be informed today. Since, it involves scheduling opening and closing of my restaurant on Dec10, could you please provide an update on my delegation request?

Thanks,

Redacted S. 22

Sent from my iPhone

On Dec 4, 2018, at 12:35 PM,

Redacted S. 22

wrote:

<IMG\_5918.jpg>

Sent from my iPhone

Re: Delegation with regard to CR-3 By Law!

**Redacted S. 22**

Thu 12/6/2018 6:46 PM

To: Clerk's Office <ClerksOffice@whiterockcity.ca>

Thanks for the information Stephanie!

Sincerely,

**Redacted S. 22**

Sent from my iPhone

> On Dec 6, 2018, at 6:25 PM, Clerk's Office <ClerksOffice@whiterockcity.ca> wrote:

>

> Hi **s. 22**

>

> I am writing to let you know that the agenda for Monday has been published and is available online here:

>

> <https://www.whiterockcity.ca/AgendaCenter/ViewFile/Agenda/12102018-647>

>

> You are listed as item 4.1.2 at the top of the agenda.

>

> Thanks very much, and if you have any questions please don't hesitate to give us a call at 604 541 2212.

>

> Sincerely,

> Stephanie

>

> -----Original Message-----

> From: **Redacted S. 22**

> Sent: Wednesday, December 5, 2018 3:37 PM

> To: Clerk's Office <ClerksOffice@whiterockcity.ca>

> Subject: Re: Delegation with regard to CR-3 By Law!

>

> Thank you very much Stephanie!

>

> Sincerely,

> **Redacted S. 22**

>

> Sent from my iPhone

>

>> On Dec 5, 2018, at 3:14 PM, Clerk's Office <ClerksOffice@whiterockcity.ca> wrote:

>>

>> Hi **s. 22**

>>

>> Our apologies for the delay, staff are currently working on the materials for Monday, and we wanted to reach out when everything was confirmed.

>>

>> Good news - your request to appear as a delegation has been approved.

>>

>> As noted on the delegation form, the Regular Council meeting will commence at 7:00 p.m., and speakers will have five minutes to deliver their remarks and there is a timer at the presenter's desk to help guide you with that.

>>

>> If you have any further questions regarding the process, please don't hesitate to give us a call at 604 541 2129. Thank you very much **Redacted S. 22**, and we will see you on Monday.

>>

>> Sincerely,

>>

>> STEPHANIE LAM, CMC

>> Deputy Corporate Officer, City of White Rock

>> 15322 Buena Vista Avenue, White Rock, BC V4B 1Y6

>> Tel: 604.541.2129 | [www.whiterockcity.ca](http://www.whiterockcity.ca)

>>

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>>

>>

>> -----Original Message-----

>> From: **Redacted S. 22**

>> Sent: Wednesday, December 5, 2018 12:28 PM

>> To: Clerk's Office <ClerksOffice@whiterockcity.ca>

>> Subject: Re: Delegation with regard to CR-3 By Law!

>>

>> Hi Tracy!

>> I had submitted my application on Nov 20th 2018 in your office to come as a delegation on Dec 10 2018. I also visited your office yesterday and met Debbie and Stephanie to find out the status of my request. I was told that I will be informed today.

>> Since, it involves scheduling opening and closing of my restaurant on Dec10, could you please provide an update on my delegation request?

>>

>> Thanks,

>>

>> **Redacted S. 22**

>>

>>

>>

>> Sent from my iPhone

>>

>>> On Dec 4, 2018, at 12:35 PM, **Redacted S. 22** wrote:

>>>

>>>

>>>

>>> <IMG\_5918.jpg>

>>>

>>>

>>> Sent from my iPhone



Fw: BIG THANKS!

**Redacted S. 22**

Tue 2018-12-11 6:17 PM

To: Darryl Walker <DWalker@whiterockcity.ca>

Dear Mayor Walker!

My sincerest thanks to you for supporting my endeavor to find an amicable solution to the problem that my property has been confronted with regard to CR-3 by law.

Hopefully, based on the staff report that most likely Planning Department will provide to you and the council in the days to come, this difficult scenario can be taken forward to its logical conclusion.

Wishing you and your family Merry Christmas and Happy Holidays !

Sincerely,

**Redacted S. 22**

Fw: BIG THANKS!

**Redacted S. 22**

Tue 2018-12-11 6:21 PM

To: Erika Johanson <EJohanson@whiterockcity.ca>

Dear Councillor!

My sincerest thanks to you for supporting my endeavor to find an amicable solution to the problem that my property has been confronted with regard to CR-3 by law.

Hopefully, based on the staff report that most likely Planning Department will provide to the council in the days to come, this difficult scenario can be taken forward to its logical conclusion.

Wishing you and your family Merry Christmas and Happy Holidays !

Sincerely,

**Redacted S. 22**

Fw: BIG THANKS!

**Redacted S. 22**

Tue 2018-12-11 6:12 PM

To: Scott Kristjanson <SKristjanson@whiterockcity.ca>

Dear Councillor!

My sincerest thanks to you for supporting my endeavor to find an amicable solution to the problem that my property has been confronted with regard to CR-3 by law.

Hopefully, based on the staff report that most likely Planning Department will provide to the council in the days to come, this difficult scenario can be taken forward to its logical conclusion.

Wishing you and your family Merry Christmas and Happy Holidays !

Sincerely,

**Redacted S. 22**

Re: BIG THANKS!

**Redacted S. 22**

Wed 2018-12-12 20:20

To: Anthony Manning <AManning@whiterockcity.ca>

Thanks Councilor Manning for your wishes!

Sincerely,

**Redacted S. 22**

Sent from my iPhone

On Dec 12, 2018, at 7:17 PM, Anthony Manning <[AManning@whiterockcity.ca](mailto:AManning@whiterockcity.ca)> wrote:

Dear **Redacted S. 22**

You're most welcome. I am very sorry for all that you and your family have had to endure.

We will work with staff to ensure this issue can finally be put to rest.

Merry Christmas and Happy New Year to you all as well!

---

**From:** **Redacted S. 22**

**Sent:** December 11, 2018 6:07:16 PM

**To:** Anthony Manning

**Subject:** Fw: BIG THANKS!

Dear Councillor Manning!

My sincerest thanks to you for supporting my endeavor to find an amicable solution to the problem that my property has been confronted with regard to CR-3 by law.

Hopefully, based on the staff report that most likely Planning Department will provide to the council in the days to come, this difficult scenario can be taken forward to its logical conclusion. If possible, kindly keep me informed !

Wishing you and your family Merry Christmas and Happy Holidays !

Sincerely,

**s. 22**



Re: BIG THANKS!

**Redacted S. 22**

Wed 12/12/2018 6:07 PM

To: Helen Fathers <HFathers@whiterockcity.ca>

Sorry Helen for the spelling mistake in addressing you in my previous mail to you!

Sent from my iPhone

On Dec 12, 2018, at 1:28 PM, **Redacted S. 22** wrote:

Thanks Chris! I shall await you sending me the staff report please!

Sincerely,  
**s. 22**

Sent from my iPhone

On Dec 12, 2018, at 8:01 AM, Helen Fathers <[HFathers@whiterockcity.ca](mailto:HFathers@whiterockcity.ca)> wrote:

Hi **s. 22**

You are welcome, let's hope we can find a working solution.

All the best,

Councillor Helen Fathers  
City of White Rock

On Dec 11, 2018, at 6:04 PM, **Redacted S. 22**  
wrote:

Dear Councillor Helen!

My sincerest thanks to you for supporting my endeavor to find an amicable solution to the problem that my property has been confronted with regard to CR-3 by law.

Hopefully, based on the staff report that most likely Planning Department will provide to the

council in the days to come, this difficult scenario can be taken forward to its logical conclusion. If possible, kindly keep me informed !

Regards to your family !

Sincerely,  
**Redacted S. 22**

Re: Happy New Year !

Anthony Manning <AManning@whiterockcity.ca>

Tue 2019-01-01 11:44

To: **Redacted S. 22**

Thank you, **Redacted S. 22**

I also wish the same for you and your loved ones.

I'm looking forward to working with you again in 2019.

---

**From:** **Redacted S. 22**

**Sent:** January 1, 2019 10:35:25 AM

**To:** Anthony Manning

**Subject:** Re: Happy New Year !

---

Dear Councillor Manning !

Wishing you and your family a Very Happy and Prosperous New Year!

**Redacted S. 22** and Family !



**Re: Happy New Year !**

Darryl Walker <DWalker@whiterockcity.ca>

Wed 2019-01-02 11:17 AM

To: **Redacted S. 22**

Thanks **S. 22** and all the best to your family  
Darryl

Get [Outlook for iOS](#)

---

**From:** **Redacted S. 22**

**Sent:** Wednesday, January 2, 2019 10:55 AM

**To:** Darryl Walker

**Subject:** Happy New Year !

Dear Mayor Walker !

Wishing you and your family a Very Happy New Year !

**Redacted S. 22** and family

**RE: Update on CR-3 Staff Report !**

Carl Johannsen <CJohannsen@whiterockcity.ca>

Wed 2/13/2019 11:56 AM

To: Helen Fathers <HFathers@whiterockcity.ca>; **Redacted S. 22**

Hello Councillor Fathers and **s. 22**

Thx for your email; previously I noted to **s. 22** that Feb 25 or March 11 for a report to Council on your property.

The report line-up is extensive, but I am working to hopefully March 11 or April 8 at the latest.

Cheers

Carl

---

**From:** Helen Fathers

**Sent:** Saturday, February 09, 2019 10:57 AM

**To:** **Redacted S. 22**; Carl Johannsen

**Subject:** Re: Update on CR-3 Staff Report !

Hi **s. 22**

I know we are working through the motion, we have just defined our priorities for this term. I will cc Carl on this email to see if he has any time frames he can share.

Councillor Helen Fathers  
City of White Rock

On Feb 9, 2019, at 10:51 AM, **Redacted S. 22** wrote:

Dear Helen,

Jan 10 council meeting has concluded that a staff report will be presented to the council members for further n/a with regard to CR-3 By law!

It has been 2 months now and I am yet to hear any news about it from City . Will it be possible for you to please let me know as to when this report is going to be tabled in front of city council members ? **Redacted S. 22** and it depends on the outcome of this report.

I shall await your reply please !

Thanking You,

Sincerely,

**Redacted S. 22**

Re: Agenda Monday

**Redacted S. 22**

Fri 3/8/2019 12:04 PM

To: Helen Fathers <HFathers@whiterockcity.ca>

Thanks Helen for the information! **Redacted S. 22** and my sincerest request to you is to please ensure that the objectionable contents of the bylaw are undone, so that, I could **Redacted S. 22**.

If possible, please keep me posted!

Thanks once again!

Sincerely,  
**s. 22**

Sent from my iPhone

- > On Mar 8, 2019, at 11:41 AM, Helen Fathers <HFathers@whiterockcity.ca> wrote:
- >
- > Your item is in the Land Use agenda Monday
- >
- > Councillor Helen Fathers
- > City of White Rock
- >

**From:** [Carl Isaak](#)  
**To:** **Redacted S. 22**  
**Subject:** Report regarding your delegation to Council - 15081 Marine Drive  
**Date:** Monday, March 11, 2019 8:56:00 AM  
**Attachments:** [image001.jpg](#)

---

Good morning **Redacted S. 22**,

Per our phone conversation, you may view the corporate report related to your December 10, 2018 delegation to Council at the following link:

<https://www.whiterockcity.ca/AgendaCenter/ViewFile/Agenda/03112019-673>.

The report starts at page 165 of the PDF.

As discussed, the Land Use and Planning Committee meeting begins at 5:00pm tonight in Council Chambers, and your item is the second report on the agenda.

Sincerely,

**CARL ISAAK, MCIP, RPP**

**Manager of Planning, City of White Rock**

15322 Buena Vista Avenue, White Rock, BC V4B 1Y6

Tel: 604.541.2293 | Fax: 604.541.2153 | [www.whiterockcity.ca](http://www.whiterockcity.ca)



Re: Staff Report CR-3 By Law !

**Redacted S. 22**

Wed 2019-03-13 13:24

To: Anthony Manning <AManning@whiterockcity.ca>

Thanks Mr Anthony for your kind reply!

Sincerely,

**s. 22**

Sent from my iPhone

On Mar 13, 2019, at 9:25 AM, Anthony Manning <[AManning@whiterockcity.ca](mailto:AManning@whiterockcity.ca)> wrote:

Good morning, **Redacted S. 22**

It will run concurrently with the OCP review, which will be starting shortly. No timeline has been given, but it will last a number of months.

---

**From:** **Redacted S. 22**

**Sent:** March 12, 2019 2:41:44 PM

**To:** Anthony Manning

**Subject:** Re: Staff Report CR-3 By Law !

Dear Mr Anthony,

Thank you very kindly for your mail , apprising me of councils decision for staff initiating a Zoning bylaw review on CR-3 and CR-4 zones!

Has any time frame been given to finalize this Review?

Sincerely,

**Redacted S. 22**

Sent from my iPhone

On Mar 11, 2019, at 11:39 PM, Anthony Manning <[AManning@whiterockcity.ca](mailto:AManning@whiterockcity.ca)> wrote:

Good evening, **Redacted S. 22**

Apologies for the late hour, Council just adjourned.

Council unanimously recommended that staff initiate a Zoning Bylaw Review of CR-3 and CR-4 zones in conjunction with the OCP Review, Waterfront

Enhancement Strategy, Marine Drive Task Force and the Parking Task Force.  
There is no further action for you to take at this time.

Your agent was in attendance at the meeting.

Good night to you, and best wishes for **Redacted S. 22** .

Yours sincerely,

Councillor Anthony Manning  
City of White Rock  
(778) 867-7742

---

**From:** **Redacted S. 22**  
**Sent:** Monday, March 11, 2019 20:12  
**To:** Anthony Manning  
**Subject:** Re: Staff Report CR-3 By Law !

Hello Mr Anthony!

Thanks for your prompt reply! After the council meeting, if you could please inform me the outcome of today's meeting on CR-3 By law, I will be grateful.

Once again Thanks!

Sincerely,

**s. 22**

Sent from my iPhone

On Mar 11, 2019, at 4:21 PM, Anthony Manning <[AManning@whiterockcity.ca](mailto:AManning@whiterockcity.ca)> wrote:

Hello, Mr. Baksi.

I'm sorry I'm only replying now. I just received your email and am already in Council. I'm sure there will be a good discussion on this tonight. See you later.

Councillor Anthony Manning  
City of White Rock  
(778) 867-7742

---

**From:** **Redacted S. 22**  
**Sent:** Monday, March 11, 2019 13:59  
**To:** Anthony Manning  
**Subject:** Fw: Staff Report CR-3 By Law !

Dear Councillor Manning,

The much awaited Staff Report on CR-3 By law has been forwarded to me by Mr Carl Issak today morning. I have gone through this report hurriedly, as, It is being tabled today in front of the council for their perusal and further guidance. The following observations have been made by me that I will request you to please go through :

1. None of the properties according to my knowledge, existing under CR-3 By law have or have the Capacity to provide “On Site parking requirements” enshrined in Sub Par 4.14.1. The Report claims on page 169 that, “some of the properties have onsite parking facility “!
2. While the Staff Report recognises the parking access challenges (Page 170), it also highlights that there is a 5 Meter increase in Elevation, an average slope of 24 % from the front lot line on Marine Drive up to the rear lot line at the lane. Hence, this slope limits the options for parking on the site for customers.
3. Page 171 of the Report highlights that the owner( self ) desires to have 32 seats restaurant if redevelopment is executed at some point of time, whereas, this was just a point of discussion and an idea or food for thought during one of the mails dated July 29, 2018, for possibly getting a “Reprieve “ from DVP. My existing seating capacity is 50.
4. Page 172 of the Report also stipulates providing 2 parking stalls for every floor on top of the Commercial outlet at the bottom, whereas, Mr Carl’s mail dated Aug 03, 2018



to me desired 1.5 stalls for every floor. This report demands 2 stalls every floor?

5. The Report on page 172 also recommends that possibility of leasing more spaces from the City to meet the Off street parking requirement may be an option. This aspect/idea too was discussed earlier with Director Planning in one of my mails dated Aug 03, 2018. This option if exercised, is a Recurring Financial Drain to the property owner and secondly, there is always a possibility of Misuse of these designated parking places by public. Although, such, parking spaces have a Reserved Stall sign, people still abuse the system.
6. “ Payment in Lieu “ option being discussed on page 172 is once again a Financial harassment to the property owner and probably, keeping in view that, this option was scrapped by the council.
7. Zoning By law update of CR-3 and CR-4 zones in the OCP Waterfront Village land use designate recommended in the Report should be **Time Framed** and should not be delayed till Dec 2019 or later , as mentioned in the Report.
8. Some of the Options provided with regard to my property at 15081 Marine Drive on Page 174 have already been discussed by me and Director Planning and were also put up to Council on Dec 10, 2018 delegation meeting. These options, firstly impose **Financial crunch and Time Consuming** to execute and as emphasized earlier, the outcome of the exercises is not guaranteed in property owners favor.

I feel, " Justice delayed means Justice Denied !  
Council is requested to please look into the  
problem in its right perspective and undo the  
injustice asap that is meted out by the  
objectionable contents of this by law.

Sincerely,

**Redacted S. 22**

Fwd: Hello !

**Redacted S. 22**

Fri 4/5/2019 5:11 PM

To: Helen Fathers <HFathers@whiterockcity.ca>

Sent from my iPhone

Begin forwarded message:

**From:** **Redacted S. 22**

**Date:** April 5, 2019 at 12:10:31 PM PDT

**To:** Darryl Walker <[DWalker@whiterockcity.ca](mailto:DWalker@whiterockcity.ca)>

**Subject:** **Re: Hello !**

Dear Mayor Darrel Walker ,

Consequent upon my Delegation meeting on Dec 10, 2018, council had unanimously agreed to ask for a staff report on CR-3 By law. While, it was a welcome and positive move on behalf of the council to set things in the right direction, No Time frame was stipulated and it took 3 months for the Planning Department to table it in front of the council.

Staff Report presented on March 05, 2019 , while accepting the inherent lacunae in the by law, for the first time, accepted in totality that keeping in view the geographical layout of the land, it is impossible to provide or create customer parking enshrined in Para 4.14.1 of the By law. In other words, it is a flawed by law with regard to parking regulations.

Although, zoning by law update has been recommended and agreed upon by the council, it is most unfortunate and frustrating once again that NO TIME FRAME has been earmarked for achieving that. Property owners like me who have been trying to sell the property for the last over 4 years and retire gracefully can't do so, as the prospective buyers insist on crystal clear directions of the BY law. Planning Department still insists on obtaining DVP, whereas, Para 6.18.2 clearly states that the BY law is not even applicable to the property. It is most regrettable to note that instead of giving immediate reprieve to the property owner, Council is justifying the planning departments DVP demand!

It is to once again reiterate that **Redacted S. 22** that can't be addressed to, unless, we sell the property. Your kind cooperation in the matter is solicited. You and the entire council has to please convene a meeting and undo the injustice that is being meted out. A sheer political will needs to be exhibited and I have no doubt in my mind that existing council will leave no stone unturned in doing so.

Hoping to hear from you !

With kind regards,

**Redacted S. 22**



Re: Hello !

**Redacted S. 22**

Wed 2019-05-22 12:18 PM

To: Darryl Walker <DWalker@whiterockcity.ca>

Dear Mayor Walker !

It looks like that extremely busy schedule has not provided you time to reply to my earlier mails. Will it be possible to please accord me 15 minutes of your valuable time to have a personal meeting with you in your office ? As you know, **Redacted S. 22** and I solicit your intervention for seeking solution to CR-3 by law irregularity, **Redacted S. 22**

Hoping to hear from you !

Thanking you,

Sincerely,

**Redacted S. 22**

---

**From:** **Redacted S. 22**

**Sent:** May 7, 2019 12:30 PM

**To:** Darryl Walker

**Subject:** Re: Hello !

Dear Mayor Walker,

Reply to my letter dated April 05 is still awaited ! If you recall, during your first visit to my restaurant along with Chris Trevelyan and Anthony Manning, you had categorically rejected some of the contents of CR-3 By Law and had advised me to refrain from spending money on applying for DVP. You had promised to look into this irregularity on war footing on assuming office of the Mayor. It has been 6 months now and except for a staff report ( March 05, 2019 ) that has clearly accepted the inherent lacunae of providing parking space for customers as enshrined in para 4.14.1 of the by law, nothing seems to be moving ahead. Zoning by law review although has been cleared by the council, I fail to comprehend as to why **No Time Frame** has been given to

complete the process ? How long more shall I have to wait ? **Redacted S. 22**  
unless,  
we sell the property. **Redacted S. 22**

**The most frustrating aspect of this process is that CR-3 By law does not even apply to my property.** Someone in the planning department has made an error while formulating the contents of this by law and now is adamant on property owner to apply for DVP. This should not be accepted by you and the council Sir! You should out rightly provide reprieve to the property owner as, fault lies with the by law.

Hoping to hear from you! In case, you want to meet me and discuss this matter any further, please advise.

With fondest regards,

Sincerely,

**Redacted S. 22**

---

**From:** **Redacted S. 22**

**Sent:** April 5, 2019 12:10 PM

**To:** Darryl Walker

**Subject:** Re: Hello !

Dear Mayor Darrel Walker ,

Consequent upon my Delegation meeting on Dec 10, 2018, council had unanimously agreed to ask for a staff report on CR-3 By law. While, it was a welcome and positive move on behalf of the council to set things in the right direction, No Time frame was stipulated and it took 3 months for the Planning Department to table it in front of the council.

Staff Report presented on March 05, 2019 , while accepting the inherent lacunae in the by law, for the first time, accepted in totality that keeping in view the geographical layout of the land, it is impossible to provide or create customer parking enshrined in Para 4.14.1 of the By law. In other words, it is a flawed by law with regard to parking regulations.

Although, zoning by law update has been recommended and agreed upon by the council, it is most unfortunate and frustrating once again that **NO TIME FRAME** has been earmarked for achieving that. Property owners like me who have been trying to sell the property for the last over 4 years and retire gracefully can't do so, as the prospective buyers insist on crystal clear directions of the BY law. Planning Department still insists on obtaining DVP, whereas, Para 6.18.2 clearly states that the BY law is not even applicable to the property. It is most regrettable to note that instead of giving immediate reprieve to the property owner, Council is justifying the planning departments DVP demand!

It is to once again reiterate that **Redacted S. 22** unless, we sell the property. Your kind cooperation in the matter is solicited. You and the entire council has to please convene a meeting and undo the injustice that is being meted out. A sheer political will needs to be exhibited and I have no doubt in my mind that existing council will leave no stone unturned in doing so.

Hoping to hear from you !

With kind regards,

**Redacted S. 22**

---

Dear Director Mr. Johansson, Re. 15053 and 15081 Marine Drive..White Rock.

Thank you for granting us the opportunity to meet with you even though you have a busy schedule. We appreciate your time.

The issues that we bring before you are urgent and very important to us ,and we believe to the City as well. So, please give this matter your best consideration and undivided attention. Anyone who cares to observe what is going on along Marine Dr. today, can see a very sad scene. Businesses are doing badly, in fact many are shuttered and dying,and no one is really interested in investing to rebuild. Why?...because when they discover how difficult, time consuming and expensive it is to deal with the City and it's by-laws, they simply walk away. They prefer rather to do business elsewhere that is not so punitive.

This, actually, is not a good sign. In fact, it is indeed a very bad sign. The future of Marine Dr. and the waterfront is at great stake. Material improvements to Memorial Park and the pier are not sufficient to save the area as a whole.

People love to interact, buy, sell, shop, eat and live on the waterfront in a vibrant setting. This is what urban gentrification is all about. We have had offers to purchase, and then back out when they are confronted with a difficult set of By-laws they would prefer not to deal with. Truly, it's very frustrating to face uncertainties with what investors really want. We realize the waterfront is a sensitive area, what with view blockage issues to residences at the rear. But they are solvable. Take the 15055 Marine Dr. building as an example. It's a good 3 storey mixed use structure that was approved by the City some years ago. It happily co-exist with it's neighbours to the rear. Why can't the City use this building as a good model when crafting revisions to the By-laws? It'll save everyone the heartache and frustrations of dealing with un applicable By-laws governing small lots (30x70 footers) in the area. Parking and loading is another issue. Surely anyone can see there is no way spaces can be provided on small lots like ours for commercial, except for 3 spaces for 3 residential units as per the 15055 building...1 space for each unit. Yet, when you look at section 4 of the By-law, it's asking for the moon. How ridiculous is this? It boggles the mind. Sure, the City may have provisions to allow for variances to it's requirements. But that's adding another layer of bureaucratic process to the system with uncertainties of approval and that's what investors do not like. It's making things more complicated,...not simpler. Then there is the issue of density. 15055 has a density of 3 Floor Space Ratio...as can be seen from the attached set of plans. This is the correct ratio since the building is not too bulky and it respects its neighbours and contributes positively to the built environment. Proper design guidelines and policies can also be developed to ensure quality control and urban design goals...not cumbersome but simple and easy to understand.

Therefore, we have noted with consternation, how the present set of By-laws as per CR-3 and policies have contributed to Marine Drive's decline. Many of the lots now contain



older buildings that are not interested to upgrade or redevelop. Who wants to spend the money, effort or energy to improve their property when it's so difficult, expensive, time-consuming and uncertain, to deal with the City?

The million dollar question to be asked here is....can and will the City make things simpler, more straight forward and practical to create the incentive for positive change? We are sure it can...but it takes willingness and dedication to the cause, not to mention the vision to move in the correct direction. Bureaucratic delays should be avoided if results are important. A sense of urgency is needed to move matters at a faster clip. City Council must also recognize the folly of allowing the waterfront to decline and vegetate at this rate. It's imperative that the Planning Dept. and City Council work in tandem to address and reverse the sad state of affairs as it exists today. One may ask....what is the urgency? Well, [REDACTED]

**Redacted S. 22**

[REDACTED], while **Redacted S. 22** [REDACTED] In the meantime, what can the Planning Dept. do to help us allay the fears of prospective investors? We would like the Director of Planning to provide each of us with a "comfort" letter that speaks to the coming changes to the BY-laws, the target **dates for implementation** and what's possible to be built now and in the near future. Hopefully this would give some hope to prospective investors that there is light at the end of the tunnel. As the Director, you have the influence to shepherd the whole process to it's final conclusion and minimize delays.

Once again, thank you for your time and your understanding.....

**Redacted S. 22**

*June 13 2019,*

15053, Marine Drive, WR

**Redacted S. 22**

15081 Marine Drive, WR

c.c. City Councillors of White Rock.

June 21, 2019

Redacted S. 22

15081 Marine Drive  
White Rock, BC  
V4B 1C5

Redacted S. 22

Dear Mr. [Redacted]

**Re: 15081 Marine Drive and CR-3 Zone Review**

This letter confirms that the City of White Rock is currently reviewing the City's Zoning Bylaw specifically the CR-3 Zone (West Beach Business Area Commercial/Residential Zone) that applies to your property and other commercial properties along Marine Drive.

In March 2019 White Rock City Council directed staff to undertake a Zoning Bylaw review, involving:

- reviewing the CR-3 zone to consider updating it to be consistent with the Official Community Plan (OCP) and the 'Waterfront Village' land use designation, which applies to 15081 Marine Drive and includes a maximum density of 2.0 Floor Area Ratio (FAR) and a maximum building height of 4 storeys (applying to where the building fronts Marine Drive). Currently the maximum FAR in the CR-3 zone is 1.75 FAR, and maximum building height is 3 storeys;
- reviewing specific sections of the CR-3 zone, including:
  - the lot size, lot coverage and setbacks sections of the CR-3 zone, in the interest of potentially updating these sections to better respond to the unique characteristics (narrow width and steep grade) of your property and adjacent properties, and encouraging viable redevelopment options that do not necessarily require assembly with adjacent properties;
  - off-street parking and loading requirements. Noting the difficulty of reasonably placing commercial parking on your property (and adjacent commercial properties) without property assembly, staff will evaluate if on-site loading is required for properties of a certain size, and if commercial parking space requirements can be reduced/accommodated off-site (by lease or purchase). Residential parking requirements may also be reviewed.

Staff anticipate presenting recommended CR-3 zone updates to City Council in late 2019, with the intent of potentially having these updates adopted by Council in late 2019/early 2020. Please be aware that any CR-3 zone updates require approval by City Council in order to come into effect for your property.

Staff are also open to reviewing redevelopment applications for your property in the meantime. However, please be aware that any development applications require approval by City Council, whether for a rezoning application (ie. changing the existing zone) or Development Variance Permit, and for the required Development Permit (building form and character) for any new development on your property.

Regards,

  
Carl Johannsen, MCIP, RPP  
Director, Planning and Development Services  
Planning and Development Services  
P: 604.541.2136 | F: 604.541.2153

**City of White Rock**  
15322 Buena Vista Avenue, White Rock BC, Canada V4B 1Y6

**WHITE ROCK**  
*My City by the Sea!*

[www.whiterockcity.ca](http://www.whiterockcity.ca)

Re: Hello!

Scott Kristjanson <SKristjanson@whiterockcity.ca>

Wed 2019-08-07 7:28 PM

To: **Redacted S. 22**

Sorry **S. 22** but I have made little headway on this issue so far.

**Councillor Scott Kristjanson**

City of White Rock

15322 Buena Vista Avenue

White Rock, BC V4B 1Y6 Canada

(778) 867-7742

[www.whiterockcity.ca](http://www.whiterockcity.ca)

---

From: **Redacted S. 22**

Sent: August 7, 2019 12:39 PM

To: Scott Kristjanson <SKristjanson@whiterockcity.ca>

Subject: Re: Hello!

*CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.*

Hello Scott !

It has been almost a month now since, our last correspondence with each other. Surely, you must have had a chance with other fellow Councillors for their views and possible solution to the challenges pertaining to Parking restrictions on CR-3 BY Law. It has been 14 month now, since, the matter has been pending in the City and an positive outcome giving reprieve to the property owners is the need of the hour. Having fully known that the By Law is onerous, It is not being comprehended as to why, this sensitive matter is shelved / not given due importance? This slackness on the part of City is **Redacted S. 22**. Why can't the Council be judicious in their approach by accepting the inherent shortcoming in the By law and undo this injustice, meted out to me and my family in their council meeting ? Understandably, the by law is under revision with possible changes, but, it is time consuming exercise and a human life is made to suffer for no reason what so ever.

Democracy Direct candidates fought the municipal elections with a promise to its electorates that Bureaucratic hurdles will be shun away with, Isn't it ? The new council took over in Nov 2018 and it is Aug 2019, Nine months time, and still, besides promises, there is no end in sight of this episode.

Could you please once again take up this matter with the council and request them to undo the wrong doing and set an example for bringing justice to one and all.

Hoping to hear from you!

Sincerely,

**Redacted S. 22**

---

**From:** Scott Kristjanson <SKristjanson@whiterockcity.ca>

**Sent:** July 15, 2019 12:54 PM

**To:** **Redacted S. 22**

**Subject:** Re: Hello!

I will update you once I have talked to them. I hope **Redacted S. 22** and that we can help resolve this somehow. Having this delayed does not help your family nor the city.

I will let you know what I find out.

Take care and all the best to you and your wife,

Councillor Scott Kristjanson

City of White Rock

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**From:** **Redacted S. 22**

**Sent:** Monday, July 15, 2019 10:47:35 AM

**To:** Scott Kristjanson

**Subject:** Re: Hello!

*CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.*

Thanks for your response Scott! After having a dialogue with the fellow councillors, please do inform me. Keeping in view **Redacted S. 22**, an expeditious action is solicited please!

Sincerely,  
**Redacted S. 22**

Sent from my iPhone

On Jul 15, 2019, at 7:38 AM, Scott Kristjanson <[SKristjanson@whiterockcity.ca](mailto:SKristjanson@whiterockcity.ca)> wrote:

Thank you for your email, and I sympathize with you that this process is taking a very long time indeed. I will speak with my fellow Councillors about this.

**Councillor Scott Kristjanson**

City of White Rock  
15322 Buena Vista Avenue  
White Rock, BC V4B 1Y6 Canada  
(778) 867-7742

[www.whiterockcity.ca](http://www.whiterockcity.ca)

---

**From:** **Redacted S. 22**  
**Sent:** July 13, 2019 11:54 AM  
**To:** Scott Kristjanson  
**Subject:** Hello!

*CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.*

Dear Councilor Scott !

Although, I have not had the honor of interacting with you personally, but, surely, we know each other,as, I have been forwarding my mails to the city council and in Dec 2018,had a chance to come as a delegation !

My property at 15081 Marine Drive has been unjustifiably targeted by impractical demands enshrined in CR-3 By law. There is no gain saying the fact that the by law with regard to parking regulations is onerous and property owners like me are unnecessarily made to

suffer. The by law does not even apply to most of the properties, as, the size and dimensions mentioned in para 6.18.2 clearly stand in mute testimony to prove that.

I have been trying to sell the property for the last 4 years , but, the prospective buyers retract the offers that they have been giving on the premise, that, Cr-3 By law is ambiguous and does not give them surety, if, they want to redevelop the property at some stage.

I have had few meetings with Director Planning , Carl Johannsen. He has conveyed his inability to render much help, as, the onus of bringing changes to the By law lies on the Council ! Although, he has provided, Letter of Comfort to me stating that the by law is under revision , but, this does not satisfy the buyers, who do not want to risk their money ,as, there is no guarantee as to when and in what shape, the by law will be amended ?

May I request you to please speak to your fellow Councilors and to the Mayor and request them to extend leniency and magnanimity by out rightly relaxing the impractical parking stipulations, thus, infusing trust in buyers mind that the property can be redeveloped !

Thank you very much .

Sincerely,

**Redacted S. 22**

Re: Thanks for your visit in Little India Restaurant !

**Redacted S. 22**

Tue 2019-09-03 5:55 PM

To: Scott Kristjanson <SKristjanson@whiterockcity.ca>

*CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.*

Hi Scott, Thanks for your prompt reply. After, having a dialogue with Carl Isaak, please update me.

**s. 22**

Sent from my iPhone

On Sep 3, 2019, at 11:22 AM, Scott Kristjanson <[SKristjanson@whiterockcity.ca](mailto:SKristjanson@whiterockcity.ca)> wrote:

Hi **s. 22**

Thanks for the chat last night and for this additional info. I will touch base with Carl to see when this can come before Council.

Thanks,  
Scott

Councillor Scott Kristjanson  
City of White Rock

---

**From:** **Redacted S. 22**

**Sent:** Tuesday, September 3, 2019 10:40:13 AM

**To:** Scott Kristjanson <[SKristjanson@whiterockcity.ca](mailto:SKristjanson@whiterockcity.ca)>

**Subject:** Thanks for your visit in Little India Restaurant !

*CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.*

Hello Scott !

While thanking you for your visit to my restaurant last evening, as discussed, I am forwarding you the mail of Carl Johannsen to Marcel, my Realtor for your perusal and further n/a please. As you are fully aware, this sensitive matter has been delayed beyond proportions. Now, that the recommendations have been compiled by Carl Johannsen and have been communicated to Carl Isaak, could you please ask Carl to put them up to Council so that, much awaited justice is meted out to one and all.

Thanking you,  
Sincerely,  
**Redacted S. 22**

**From:** Carl Johannsen  
<[CJohannsen@whiterockcity.ca](mailto:CJohannsen@whiterockcity.ca)>  
**Date:** August 21, 2019 at 4:41:01 PM PDT  
**To:** Marcel LeBlanc  
<[marcelremax@gmail.com](mailto:marcelremax@gmail.com)>  
**Subject:** re: Marine Drive Properties (Little India and Giraffe)

Hi Marcel,

Just to let you know that I am moving on to another job opportunity; this being said, I have completed some initial recommendations re: proposed changes to parking and zoning regulations for small lot properties along Marine Drive (such as **Redacted S. 22**), that could help to facilitate the redevelopment of these properties without requiring property assembly.

I've passed these recommendations on to Carl Isaak, who is now the Acting Director of Planning and Development Services. If you'd like to know when Carl may bring those recommendations forward to Land Use and Planning Committee/Council, please give him a call. As with any change to the Zoning Bylaw there will need to be additional consultation undertaken, including with **Redacted S. 22** prior to finalized recommendations being brought forward to Council.

Please feel free to update your clients, and let them know that I have kept them in mind,

Cheers

Carl



Re: Thanks for your visit in Little India Restaurant !

**Redacted S. 22**

Fri 2019-09-06 8:39 AM

To: Scott Kristjanson <SKristjanson@whiterockcity.ca>

*CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.*

Thanks for your reply Scott ! Please get things resolved ASAP as, they have always been delayed quite a bit.

On getting response from Carl, if possible, intimate me please.

**s. 22**

Sent from my iPhone

On Sep 6, 2019, at 12:24 AM, Scott Kristjanson <[SKristjanson@whiterockcity.ca](mailto:SKristjanson@whiterockcity.ca)> wrote:

Hi **s. 22**

My apologies for the delay. I just sent out the request for more information, and CC'd Council to remind them that your zoning issue is still unresolved. I will update you once I have heard back from Carl.

**Councillor Scott Kristjanson**

City of White Rock  
15322 Buena Vista Avenue  
White Rock, BC V4B 1Y6 Canada  
(778) 867-7742

[www.whiterockcity.ca](http://www.whiterockcity.ca)

---

**From:** Redacted S. 22

**Sent:** September 3, 2019 10:40 AM

**To:** Scott Kristjanson <[SKristjanson@whiterockcity.ca](mailto:SKristjanson@whiterockcity.ca)>

**Subject:** Thanks for your visit in Little India Restaurant !

*CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.*

Hello Scott !

While thanking you for your visit to my restaurant last evening, as discussed, I am forwarding you the mail of Carl

Johannsen to Marcel, my Realtor for your perusal and further n/a please. As you are fully aware, this sensitive matter has been delayed beyond proportions. Now, that the recommendations have been compiled by Carl Johannsen and have been communicated to Carl Isaak, could you please ask Carl to put them up to Council so that, much awaited justice is meted out to one and all

Thanking you,

Sincerely,

**Redacted S. 22**

**From:** Carl Johannsen  
<[CJohannsen@whiterockcity.ca](mailto:CJohannsen@whiterockcity.ca)>  
**Date:** August 21, 2019 at 4:41:01 PM PDT  
**To:** Marcel LeBlanc  
<[marcelremax@gmail.com](mailto:marcelremax@gmail.com)>  
**Subject:** re: Marine Drive Properties (Little India and Giraffe)

Hi Marcel,

Just to let you know that I am moving on to another job opportunity; this being said, I have completed some initial recommendations re: proposed changes to parking and zoning regulations for small lot properties along Marine Drive (such as **Redacted S. 22** that could help to facilitate the redevelopment of these properties without requiring property assembly.

I've passed these recommendations on to Carl Isaak, who is now the Acting Director of Planning and Development Services. If you'd like to know when Carl may bring those recommendations forward to Land Use and Planning Committee/Council, please give him a call. As with any change to the Zoning Bylaw there will need to be additional consultation undertaken, including with **Redacted S. 22** prior to finalized recommendations being brought forward to Council.

Please feel free to update your clients, and let them know that I have kept them in mind,

Cheers

Carl



Fwd: Update on meeting Carl Isaak dated Sep 12. 2019 !

**Redacted S. 22**

Tue 2019-09-24 7:48 PM

To: Scott Kristjanson <SKristjanson@whiterockcity.ca>

*CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.*

Sent from my iPhone

Begin forwarded message:

**Subject: Update on meeting Carl Isaak dated Sep 12. 2019 !**

Hi Scott,

Self and **s. 22** met Carl in his office on Sep 12 and he did not elaborate much on the recommendations made by Carl J, however, he did mention that to meet the parking and loading challenges that are stipulated right now in the Cr-3 By law, off street parking is one of the recommendations.

Carl also mentioned that he intends tabling these recommendations to the council by Dec end 2019 to which, I requested him that since, he has every thing lined up, he shouldn't delay it any further and put up the findings to the council by Oct this year.

I requested him to provide us a copy of the recommendations that Carl J has made so that we can go through them and make any suggestions for any improvement and expediting the process. He refused to cooperate on this stating that as and when ,these recommendations will be in the public domain, we will have access to them.

Meeting ended on a note and request to him to please put up the recommendations to the council at the earliest that should be Early

Oct this year! Carl promised to look into it.

This ordeal has been going on for the last 1 year and it can be brought to its logical conclusion only if Council gives time frame to the planning department to put across the findings to the council. The entire matter has been discussed thread bear time and again and only sticking point that needs to be taken care of is parking and loading restrictions. The recommendations are already there with Carl Isaak. He should not delay any further in order to defuse the volatile situation. Please speak to your fellow Councillors and impress upon them to cooperate and undo the wrong doing.

Sincerely,

**s. 22**

Re: Hello and Good Morning !

**Redacted S. 22**

Sun 2019-09-29 8:59 AM

To: Scott Kristjanson <SKristjanson@whiterockcity.ca>

*CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.*

Hello Scott!

I shall be grateful if you could please get the process expedited. Having said that, you and the council need to give specific date and time to Carl Isaak to put up the recommendations before council! It will be delayed further unless, you do that. Planning department needs to realize that **Redacted S. 22** because of the casual attitude they have adopted to solve the matter.

Will you please keep me informed after you have a feedback from Carl I or the Council?

I shall be grateful!

Thanks,

**s. 22**

Sent from my iPhone

On Sep 28, 2019, at 10:50 PM, Scott Kristjanson <[SKristjanson@whiterockcity.ca](mailto:SKristjanson@whiterockcity.ca)> wrote:

Hi **s. 22**

Thank you for your email. I would be very happy to raise that question with Mr. Isaac. It has been far too long and this should have been resolved months ago.

**Councillor Scott Kristjanson**

City of White Rock

15322 Buena Vista Avenue

White Rock, BC V4B 1Y6 Canada

(778) 867-7742

[www.whiterockcity.ca](http://www.whiterockcity.ca)

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**From:** **Redacted S. 22**

**Sent:** September 28, 2019 5:10 PM

**To:** Scott Kristjanson <[SKristjanson@whiterockcity.ca](mailto:SKristjanson@whiterockcity.ca)>

**Subject:** Fwd: Hello and Good Evening !

*CAUTION This email originated from outside of the organization Do not click links or open attachments unless you recognize the sender and know the content is safe*

Sent from my iPhone

**Subject: Re: Hello and Good Evening !**

Hi Scott! Land use and planning committee is on the agenda on Sep 30th council meeting , I believe. Could you and other Councillors please ensure that Carl I puts up the recommendations of Carl J in front of the council? It has been over one year Scott and despite the fact, that the entire council knows fully well , the onerous Cr 3 by law, desired results have not been achieved as yet. There has been verbal assurances from all the council members, but, on ground, very little has been achieved. I fail to understand the reasoning behind this delay ?

Thanks,

**s. 22**

Land use and planning committee agenda Oct 07, 2019 !

## Redacted S. 22

Fri 2019-10-04 12:38 PM

To: Scott Kristjanson <SKristjanson@whiterockcity.ca>

*CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.*

Good Morning Scott!

Carl Isaak sent me mail informing that the much awaited recommendations for amendment to CR-3 By law shall be tabled in front of the Council on Oct 07 for discussion and further necessary guidance. I have hurriedly gone through the recommendations and for the time being have the following to submit :

Parking reserve fund incorporated in the report is phenomenal.

1. \$ 30,000 for increasing FAR from 1.75 to 2.00 ( Should be done away with ). The OCP had this recommendation but, it never suggested that there should be penalty for any increase.
2. \$ 20,000 or \$ 40,000 per stall exemption ( 48 seat restaurant means 3 parking stalls and that means \$60,000 @ \$20,000 per stall ). Imagine, if it is \$ 40,000 per stall ?
3. Visitor parking stall fund is yet to be decided ? Lot frontage can not incorporate more than 3 parking stalls. Existing practice of buying Yearly off street parking pass from City for visitors should be introduced.

If you total up the above figures, it will surpass more than \$1,00,000 . This is huge burden on Property owner. Council should reconsider these penalties please, especially FAR increase penalty .

I will request you to please have a dialogue with fellow councilors and apprise them of our concerns.

Thanks for your cooperation !

**s. 22**



Re: Land use and planning committee agenda Oct 07, 2019 !

**Redacted S. 22**

Sat 10/5/2019 12:45 PM

To: Helen Fathers <HFathers@whiterockcity.ca>

*CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.*

Unfortunately, I have to work Helen! Before Council approves, if you could kindly look into various recommendations minutely, I will be grateful!

As has been mentioned in my previous mail, penalties or getting funds in the name of parking maintenance etc if at all have to be there, they should be bare minimum. Proposed rates are extremely high.

In fact, property owner should not be taxed at all for, if there is a capacity to provide a particular feature enshrined in by law and property owner is unwilling to do so, YES, by all means, City has the Right to penalize the property owner. But, in these smaller lots of Marine Drive, they do not have the capacity to provide more than 3 parking stalls.

Sincerely,

**s. 22**

Sent from my iPhone

On Oct 5, 2019, at 12:32 PM, Helen Fathers <[HFathers@whiterockcity.ca](mailto:HFathers@whiterockcity.ca)> wrote:

Will you be at meeting  
Helen

Get [Outlook for iOS](#)

---

**From:** Redacted S. 22

**Sent:** Saturday, October 5, 2019 10:57:08 AM

**To:** Helen Fathers <[HFathers@whiterockcity.ca](mailto:HFathers@whiterockcity.ca)>

**Subject:** Fw: Land use and planning committee agenda Oct 07, 2019 !

*CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.*

---

Good Morning Helen!

Carl Isaak has sent me mail informing that the much awaited recommendations for amendment to CR 3 By law shall be tabled in front of the Council on Oct 07 for discussion and further necessary guidance. I have hurriedly gone through the recommendations and for the time being have the following to submit :

Parking reserve fund incorporated in the report is phenomenal.

1. \$ 30,000 for increasing FAR from 1.75 to 2.00 ( Should be done away with ). The OCP had this recommendation but, it never suggested that there should be penalty for any increase.
2. \$ 20,000 or \$ 40,000 per stall exemption ( 48 seat restaurant means 3 parking stalls and that means \$60,000 @ \$20,000 per stall ). Imagine, if it is \$ 40,000 per stall ?
3. According to the recommendations, Visitor parking stall fund is yet to be decided ? Lot frontage of majority of the lots can not incorporate more than 3 parking stalls. Existing practice of buying Yearly off street parking pass from City for visitors should be introduced instead of putting financial burden on property owners.

If you total up the above figures, it will surpass more than \$1,00,000 . This is huge burden on Property owner. Council should reconsider these penalties please, especially FAR increase penalty .

I will request you to please have a dialogue with fellow councilors and apprise them of our concerns.

Thanks for your cooperation !

**s. 22**

## FW: CR 3 Zoning Bylaw and Report

Christopher Trevelyan <ctrevelyan@telus.net>

Sun 2019-10-06 11:42 AM

To: Christopher Trevelyan <CTrevelyan@whiterockcity.ca>

*CAUTION This email originated from outside of the organization Do not click links or open attachments unless you recognize the sender and know the content is safe*

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**From:** Redacted S. 22

**Sent:** October 6, 2019 10:28 AM

**To:** Christopher Trevelyan

**Subject:** Fw: CR-3 Zoning Bylaw and Report

Hi Chris, letter to Carl Isaak reflecting my assessment about the recommendations are forwarded to you for your perusal and kind consideration please . Carl, as has been mentioned in my reply to him is recommending very severe penalty to the property owners. Council needs to take a lenient view of all this .

Sincerely,

**s. 22**

---

**From:** Redacted S. 22

**Sent:** October 6, 2019 10:22 AM

**To:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>

**Subject:** Re: CR-3 Zoning Bylaw and Report

Good Morning Carl!

Thanks for being supportive and sympathetic to the constraints of small lots in your recommendations by creating a new sub zone called CR-3A.

However, following observations are made with a request that introduction of heavy penalties to do away with the existing commercial parking stipulation and payment in lieu of increase of FAR from 1.75 to FAR 2.00 are going to have considerable financial impact on Property owners.

Besides this, there will be additional penalty for providing visitor parking , the amount for which is yet to be decided ?

I will suggest the following for your consideration please :

1. Maximum payment of **\$ 20,000 per space** should be charged instead of **\$ 40,000** recommended by you.
2. FAR increase penalty should be done away with.
3. As regards Visitor parking, Property owner should be asked to buy **Yearly parking pass** from the city, as has been practiced right now by neighboring properties.

Your recommendations will easily put financial pressure of approximately **over 1,50,000 dollars** on the property owner which to my assessment is too harsh.

Sincerely,

**Redacted S. 22**

---

**From:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>

**Sent:** October 4, 2019 8:44 AM

**To:** **Redacted S. 22**

**Subject:** RE: CR-3 Zoning Bylaw and Report

Hello **Redacted S. 22**,

This email is to confirm that the report related to the CR-3 zoning bylaw is on the Land Use and Planning Committee agenda for October 7, 2019. You can view the report on our website at the following link, beginning at page 7: [https://www.whiterockcity.ca/AgendaCenter/ViewFile/Agenda/\\_10072019-782](https://www.whiterockcity.ca/AgendaCenter/ViewFile/Agenda/_10072019-782). If you have questions regarding the report or draft CR-3A bylaw, please let me know.

It may also be of interest to you that the draft Waterfront Enhancement Strategy is on the same agenda, as it relates to improving the Marine Drive commercial areas generally.

The meeting on October 7 is scheduled to begin at 6:00pm and is open to the public.

Sincerely,  
Carl

---

**From:** Carl Isaak

**Sent:** Monday, September 30, 2019 9:02 AM

**To:** **Redacted S. 22**

**Subject:** CR-3 Zoning Bylaw and Report

Good morning **Redacted S. 22**,

Thank you both for the congratulatory emails. In response to your question on timing, I can confirm that a corporate report has been prepared and is currently under review. The earliest the report could be on a Land Use and Planning Committee agenda would be October 7. Once the agendas for October 7<sup>th</sup> are published to our website I will email to let you know if the report is part of that agenda.

Sincerely,

**CARL ISAAK, MCIP, RPP**

**Director, Planning and Development Services, City of White Rock**

15322 Buena Vista Avenue, White Rock, BC V4B 1Y6

Tel 604 541 2293 | Fax 604 541 2153 | [www.whiterockcity.ca](http://www.whiterockcity.ca)



Fw: CR-3 Zoning Bylaw and Report

**Redacted S. 22**

Sun 2019-10-06 10:39 AM

To: Darryl Walker <DWalker@whiterockcity.ca>

*CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.*

Dear Mayor Darrel Walker,

I am forwarding you my response to the recommendations that Mr Carl Isaak sent to me for your kind consideration please. It will not be appropriate to put extreme financial burden on property owners Sir !

Sincerely,

**Redacted S. 22**

---

**From:** Redacted S. 22

**Sent:** October 6, 2019 10:22 AM

**To:** Carl Isaak <CIsaak@whiterockcity.ca>

**Subject:** Re: CR-3 Zoning Bylaw and Report

Good Morning Carl!

Thanks for being supportive and sympathetic to the constraints of small lots in your recommendations by creating a new sub zone called CR-3A.

However, following observations are made with a request that introduction of heavy penalties to do away with the existing commercial parking stipulation and payment in lieu of increase of FAR from 1.75 to FAR 2.00 are going to have considerable financial impact on Property owners.

Besides this, there will be additional penalty for providing visitor parking , the amount for which is yet to be decided ?

I will suggest the following for your consideration please :

1. Maximum payment of **\$ 20,000 per space** should be charged instead of **\$ 40,000** recommended by you.
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3. As regards Visitor parking, Property owner should be asked to buy **Yearly parking pass** from the city, as has been practiced right now by neighboring properties.

Your recommendations will easily put financial pressure of approximately **over 1,50,000 dollars** on the property owner which to my assessment is too harsh.

Sincerely,

**Redacted S. 22**

---

**From:** Carl Isaak <CIsaak@whiterockcity.ca>  
**Sent:** October 4, 2019 8:44 AM  
**To:** **Redacted S. 22**  
**Subject:** RE: CR-3 Zoning Bylaw and Report

Hello **Redacted S. 22**,

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It may also be of interest to you that the draft Waterfront Enhancement Strategy is on the same agenda, as it relates to improving the Marine Drive commercial areas generally.

The meeting on October 7 is scheduled to begin at 6:00pm and is open to the public.

Sincerely,  
Carl

---

**From:** Carl Isaak  
**Sent:** Monday, September 30, 2019 9:02 AM  
**To:** **Redacted S. 22**  
**Subject:** CR-3 Zoning Bylaw and Report

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Thank you both for the congratulatory emails. In response to your question on timing, I can confirm that a corporate report has been prepared and is currently under review. The earliest the report could be on a Land Use and Planning Committee agenda would be October 7. Once the agendas for October 7<sup>th</sup> are published to our website I will email to let you know if the report is part of that agenda.

Sincerely,

**CARL ISAAK, MCIP, RPP**

**Director, Planning and Development Services, City of White Rock**

15322 Buena Vista Avenue, White Rock, BC V4B 1Y6

Tel 604 541 2293 | Fax 604 541 2153 | [www.whiterockcity.ca](http://www.whiterockcity.ca)





Fw: CR-3 Zoning Bylaw and Report

**Redacted S. 22**

Sun 10/6/2019 10:31 AM

To: Helen Fathers <HFathers@whiterockcity.ca>; Dave **Redacted S. 22**

*CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.*

Letter to Carl Isaak reflecting my assessment about the recommendations are forwarded to you for your perusal and kind consideration please . Carl, as has been mentioned in my reply to him is recommending very severe penalty to the property owners. Council needs to take a lenient view of all this .

Sincerely,

**s. 22**

---

**From:** **Redacted S. 22**

**Sent:** October 6, 2019 10:22 AM

**To:** Carl Isaak <CIsaak@whiterockcity.ca>

**Subject:** Re: CR-3 Zoning Bylaw and Report

Good Morning Carl!

Thanks for being supportive and sympathetic to the constraints of small lots in your recommendations by creating a new sub zone called CR-3A.

However, following observations are made with a request that introduction of heavy penalties to do away with the existing commercial parking stipulation and payment in lieu of increase of FAR from 1.75 to FAR 2.00 are going to have considerable financial impact on Property owners.

Besides this, there will be additional penalty for providing visitor parking , the amount for which is yet to be decided ?

I will suggest the following for your consideration please :

1. Maximum payment of **\$ 20,000 per space** should be charged instead of **\$ 40,000** recommended by you.
2. FAR increase penalty should be done away with.
3. As regards Visitor parking, Property owner should be asked to buy **Yearly parking pass** from the city, as has been practiced right now by neighboring properties.

Your recommendations will easily put financial pressure of approximately **over 1,50,000 dollars** on the property owner which to my assessment is too harsh.

Sincerely,

**Redacted S. 22**

---

**From:** Carl Isaak <CIsaak@whiterockcity.ca>  
**Sent:** October 4, 2019 8:44 AM  
**To:** **Redacted S. 22**  
**Subject:** RE: CR-3 Zoning Bylaw and Report

Hello **Redacted S. 22**

This email is to confirm that the report related to the CR-3 zoning bylaw is on the Land Use and Planning Committee agenda for October 7, 2019. You can view the report on our website at the following link, beginning at page 7: [https://www.whiterockcity.ca/AgendaCenter/ViewFile/Agenda/\\_10072019-782](https://www.whiterockcity.ca/AgendaCenter/ViewFile/Agenda/_10072019-782). If you have questions regarding the report or draft CR-3A bylaw, please let me know.

It may also be of interest to you that the draft Waterfront Enhancement Strategy is on the same agenda, as it relates to improving the Marine Drive commercial areas generally.

The meeting on October 7 is scheduled to begin at 6:00pm and is open to the public.

Sincerely,  
Carl

---

**From:** Carl Isaak  
**Sent:** Monday, September 30, 2019 9:02 AM  
**To:** **Redacted S. 22**  
**Subject:** CR-3 Zoning Bylaw and Report

Good morning **Redacted S. 22**

Thank you both for the congratulatory emails. In response to your question on timing, I can confirm that a corporate report has been prepared and is currently under review. The earliest the report could be on a Land Use and Planning Committee agenda would be October 7. Once the agendas for October 7<sup>th</sup> are published to our website I will email to let you know if the report is part of that agenda.

Sincerely,

**CARL ISAAK, MCIP, RPP**

**Director, Planning and Development Services, City of White Rock**

15322 Buena Vista Avenue, White Rock, BC V4B 1Y6

Tel 604 541 2293 | Fax 604 541 2153 | [www.whiterockcity.ca](http://www.whiterockcity.ca)



Fw: CR-3 Zoning Bylaw and Report

**Redacted S. 22**

Sun 2019-10-06 10:30 AM

To: Scott Kristjanson <SKristjanson@whiterockcity.ca>; Anthony Manning <AManning@whiterockcity.ca>

*CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.*

Letter to Carl Isaak reflecting my assessment about the recommendations are forwarded to you for your perusal and kind consideration please . Carl, as has been mentioned in my reply to him is recommending very severe penalty to the property owners. Council needs to take a lenient view of all this .

Sincerely,

**s. 22**

---

**From:** Redacted S. 22

**Sent:** October 6, 2019 10:22 AM

**To:** Carl Isaak <CIsaak@whiterockcity.ca>

**Subject:** Re: CR-3 Zoning Bylaw and Report

Good Morning Carl!

Thanks for being supportive and sympathetic to the constraints of small lots in your recommendations by creating a new sub zone called CR-3A.

However, following observations are made with a request that introduction of heavy penalties to do away with the existing commercial parking stipulation and payment in lieu of increase of FAR from 1.75 to FAR 2.00 are going to have considerable financial impact on Property owners.

Besides this, there will be additional penalty for providing visitor parking , the amount for which is yet to be decided ?

I will suggest the following for your consideration please :

1. Maximum payment of **\$ 20,000 per space** should be charged instead of **\$ 40,000** recommended by you.

2. FAR increase penalty should be done away with.
3. As regards Visitor parking, Property owner should be asked to buy **Yearly parking pass** from the city, as has been practiced right now by neighboring properties.

Your recommendations will easily put financial pressure of approximately **over 1,50,000 dollars** on the property owner which to my assessment is too harsh.

Sincerely,

**Redacted S. 22**

---

**From:** Carl Isaak <CIsaak@whiterockcity.ca>  
**Sent:** October 4, 2019 8:44 AM  
**To:** **Redacted S. 22**  
**Subject:** RE: CR-3 Zoning Bylaw and Report

Hello **Redacted S. 22**,

This email is to confirm that the report related to the CR-3 zoning bylaw is on the Land Use and Planning Committee agenda for October 7, 2019. You can view the report on our website at the following link, beginning at page 7: <https://www.whiterockcity.ca/AgendaCenter/ViewFile/Agenda/10072019-782>. If you have questions regarding the report or draft CR-3A bylaw, please let me know.

It may also be of interest to you that the draft Waterfront Enhancement Strategy is on the same agenda, as it relates to improving the Marine Drive commercial areas generally.

The meeting on October 7 is scheduled to begin at 6:00pm and is open to the public.

Sincerely,  
Carl

---

**From:** Carl Isaak  
**Sent:** Monday, September 30, 2019 9:02 AM  
**To:** **Redacted S. 22**  
**Subject:** CR-3 Zoning Bylaw and Report

Good morning **Redacted S. 22**,

Thank you both for the congratulatory emails. In response to your question on timing, I can confirm that a corporate report has been prepared and is currently under review. The earliest the report could be on a Land Use

and Planning Committee agenda would be October 7. Once the agendas for October 7<sup>th</sup> are published to our website I will email to let you know if the report is part of that agenda.

Sincerely,

**CARL ISAAK, MCIP, RPP**

**Director, Planning and Development Services, City of White Rock**

15322 Buena Vista Avenue, White Rock, BC V4B 1Y6

Tel: 604.541.2293 | Fax: 604.541.2153 | [www.whiterockcity.ca](http://www.whiterockcity.ca)



GOLDEN EAGLE IMPORT EXPORT CANADA LTD  
 15081 MARINE DR  
 WHITE ROCK BC V4B 1C5  
 WHITE ROCK V4B 1C5

RE: **Proposed CR-3A Zoning for Small Lot Properties on Marine Drive**

Dear Property Owner,

The City of White Rock is considering the creation of a new zone in the City's Zoning Bylaw No. 2000 that would simplify the redevelop small lot commercial properties on Marine Drive that are currently in the 'CR-3 West Beach Business Area Commercial / Residential Zone' (CR-3). As your property is zoned CR-3 and the lot width is 12.4 metres (40.7 feet) or less, your property can be considered for inclusion within this new zone **if you contact us to confirm that you are interested in pursuing this option.**

By increasing the density to the maximum allowed in the Official Community Plan, increasing the allowable building height to enable four storey buildings, reducing the amount of parking required for residential units and offering an alternative to providing on-site parking for commercial and residential visitor spaces, this approach is intended to make redevelopment of smaller commercial lots with access constraints (narrow access, fronting on Marine Drive sidewalk areas) more viable.

At a Land Use and Planning Committee meeting on October 7, 2019, the committee received a corporate report providing the reasons for creating a new zone, and a description and draft of what the new zone could be. This report can be downloaded from the City's website at the following link: [https://www.whiterockcity.ca/AgendaCenter/ViewFile/Agenda/\\_10072019-782](https://www.whiterockcity.ca/AgendaCenter/ViewFile/Agenda/_10072019-782). The draft of the new zone, titled 'CR-3A West Beach Business Area Commercial / Residential Small Lot Zone' (CR-3A) is enclosed for your reference. Some of the main differences between the current CR-3 zone and the draft CR-3A zone are outlined in the table below:

Zoning Provision	CR-3 (Current)	CR-3A (Proposed)
Maximum Density (Gross Floor Area Ratio, or FAR)	1.75 times the lot area	2.0 times the lot area (1.75 + 0.25 FAR, with community amenity contribution, and minimum 25% commercial floor area)
Building Height	11.3 metres (37.1 feet), with height measurements specific to the CR-3 zone (contact staff for details)	13.7 metres (44.9 feet) with first storey a minimum of 3.7 metres (12.1 feet)
Parking Requirements for 1, 2, or 3 residential units	2 spaces per residential unit	1 space per residential unit, plus one space for visitors
Loading Space	1 space for commercial uses	Not required

Planning and Development Services  
 P: 604.541.2136 | F: 604.541.2153

City of White Rock  
 15322 Buena Vista Avenue, White Rock BC, Canada V4B 1Y6

**WHITE ROCK**  
*My City by the Sea!*

[www.whiterockcity.ca](http://www.whiterockcity.ca)

In addition to the new zone, staff have been directed to prepare an Off-Street Parking Facilities Bylaw and Fund that would allow property owners to meet parking requirements for their required on-site commercial spaces or residential visitor spaces by providing payment-in-lieu to the City in the amount of \$40,000 per required space instead of providing the space on the property.

As part of the rezoning process which the City has initiated, the City is considering the creation of this zone and is contacting potentially eligible property owners to determine who is interested in opting-in to this zone. When a property owner initiates a rezoning process the City would require that the property owner commit to upgrade the necessary off-site servicing infrastructure and provide a community amenity contribution for the additional (bonus) density in the zone. It is expected that if you opt to have your property rezoned to the new CR-3A zone, that prior to adoption of the new CR-3A zone into the Zoning Bylaw, the registration of two section 219 restrictive covenants would be obligatory. These restrictive covenants would require the provision of the necessary off-site servicing and the community amenity contributions (valued at approximately \$60/square foot of the 0.25 bonus area), to be provided by the property owner prior to the issuance of a Building Permit for redevelopment.

**If there is interest from eligible property owners in this new zone, we intend to bring forward these amendments to Council in December 2019 or early 2020. We therefore request that you respond to indicate your interest no later than November 18, 2019.**

Please contact myself at 604-541-2293, or [cisaak@whiterockcity.ca](mailto:cisaak@whiterockcity.ca), or Athena von Hausen, Planner, at 604-541-2159 or [avonhausen@whiterockcity.ca](mailto:avonhausen@whiterockcity.ca) if you require more information or wish to discuss further.

Sincerely,

Carl Isaak MCIP, RPP  
Director, Planning and Development Services

Encl. Draft CR-3A West Beach Business Area Commercial / Residential Small Lot Zone



Fw: CR-3A Sub Zone Bylaw!

## Redacted S. 22

Wed 2020-01-08 11:41

To: Anthony Manning <AManning@whiterockcity.ca>

*CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.*

!

Hello Mr Anthony ,

At the outset, like to wish you and your family a Very Happy New Year!

On October 07, 2019, Land use and planning committee received a corporate report suggesting creation of a New CR-3 A sub zone to undo the wrongs that were committed and incorporated while creating CR-3 By law. A letter was sent later by DOP to all the eligible property owners to give their consent whether, they will like to be part of this new Sub Zone. I had opted in favor of this new sub zone but, had objected to the level of financial penalties in the name of "Community amenity contribution" that were imposed on property owners at the time of development of property. I had submitted that community amenity contribution should be reduced to half.

It has been almost 3 months now and I am trying to find out as to the latest update on creating the said sub zone. Wrote to Carl to provide me an update twice. No reply has been accorded for reasons beyond my comprehension. The owner of Giraffe building has been lucky in disposing off his property in the mean time, however, luck has been eluding me, as, buyers are still confused on the final outcome of the sub zone. They feel that penalty of 1,90,000 for my property is too hefty.

It is painful to note that one and a half year has lapsed ever since, I took up this issue with City of WR, and, till date, NO final decision has been reached at ! Corporate report finalized by DOP is available, yet, Council is not moving forward to finalize the issue.

Shall await your update please.

Sincerely,

**s. 22**

Fw: CR-3A Sub Zone Bylaw!

## Redacted S. 22

Wed 2020-01-08 11:40 AM

To: Scott Kristjanson <SKristjanson@whiterockcity.ca>

*CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.*

Hello Scott,

At the outset, like to wish you and your family a Very Happy New Year!

On October 07, 2019, Land use and planning committee received a corporate report suggesting creation of a New CR-3 A sub zone to undo the wrongs that were committed and incorporated while creating CR-3 By law. A letter was sent later by DOP to all the eligible property owners to give their consent whether, they will like to be part of this new Sub Zone. I had opted in favor of this new sub zone but, had objected to the level of financial penalties in the name of "Community amenity contribution" that were imposed on property owners at the time of development of property. I had submitted that community amenity contribution should be reduced to half.

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Shall await your update please.

Sincerely,

**s. 22**

**Re: CR-3A Sub Zone Bylaw!**

Helen Fathers <HFathers@whiterockcity.ca>

Thu 1/9/2020 12:56 PM

To: **Redacted S. 22**

In the UK right now-will contact you when I return.

Councillor Fathers

On Jan 9, 2020, at 7:12 PM, **Redacted S. 22** wrote:

*CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.*

Sent from my iPhone

**Subject: Fw: CR-3A Sub Zone Bylaw!**

Hello Dear Helen,

At the outset, like to wish you and your family a Very Happy New Year!

On October 07, 2019, Land use and planning committee received a corporate report suggesting creation of a New CR-3 A sub zone to undo the wrongs that were committed and incorporated while creating CR-3 By law. A letter was sent later by DOP to all the eligible property owners to give their consent whether, they will like to be part of this new Sub Zone. I had opted in favor of this new sub zone but, had objected to the level of financial penalties in the name of "Community amenity contribution" that were imposed on property owners at the time of development of

property. I had submitted that community amenity contribution should be reduced to half.

It has been almost 3 months now and I am trying to find out as to the latest update on creating the said sub zone. Wrote to Carl to provide me an update twice. No reply has been accorded for reasons beyond my comprehension. The owner of Giraffe building has been lucky in disposing off his property in the mean time, however, luck has been eluding me, as, buyers are still confused on the final outcome of the sub zone. They feel that penalty of 1,90,000 for my property is too hefty.

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Shall await your update please.

Sincerely,

**Redacted S. 22**

Little India Restaurant

**From:** Redacted S. 22  
**To:** [Carl Isaak](#)  
**Cc:** [Christopher Trevelyan](#)  
**Subject:** Re: CR3A sub zone  
**Date:** Friday, January 17, 2020 12:39:17 PM  
**Attachments:** [image001.jpg](#)

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*CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.*

Good Morning Carl!

Thanks for your reply as well. As regards Amenity covenant that involves raising FAR from 1.75 to 2.0 and its related contribution, it is to once again reiterate, that, amount reflected in your staff report is little too harsh. If, you combine amenity covenant and parking payment in lieu amount, for a small property of mine alone, the total penalty will come down to around 1,90, 000 at the time of redevelopment.

I will request you to please reconsider this contribution and may like to bring it to half.

I have been conveyed by Councillor Trevelyan that you are in the process of sending some questionnaire to all the impacted property owners and shall await their response to further dwell on this sensitive issue. It has been over One and a Half Year now and NO final decision has been arrived at. For expediting this matter, could you please consider giving TIME LINE to the property owners to submit their views, failing which, it may be considered that they are not interested in becoming part of this New Sub Zone.

In the light of the foregoing, if you still want to meet me , please let me know !

Sincerely,

## Redacted S. 22

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**From:** Carl Isaak <CIsaak@whiterockcity.ca>

**Sent:** January 15, 2020 11:48 AM

**To:** Redacted S. 22

**Cc:** Greg Newman <GNewman@whiterockcity.ca>

**Subject:** RE: CR3A sub zone

Hello s. 22

Thank you for your email. The review of the servicing covenant and amenity covenant is taking a longer amount of time than anticipated, my apologies for this and once they have been finalized we will provide them to you as discussed previously.

Regarding the amenity covenant to be registered on title before the property is rezoned (not the parking payment in-lieu amount), as described in the staff report (page 15 of the following PDF: [https://www.whiterockcity.ca/AgendaCenter/ViewFile/Agenda/\\_10072019-782](https://www.whiterockcity.ca/AgendaCenter/ViewFile/Agenda/_10072019-782)) the targeted amenity contribution for a development that is the maximum 2.0 gross floor area ratio (FAR) would be approximately \$30,000. Would you be able to meet with myself and our new manager of planning (Greg Newman) to discuss the amenity contribution so we can ensure that the City and yourself are in agreement for including this figure in the covenant.

Please let me know if you are able to meet in person, discuss over the phone, or prefer to provide a written response on this matter.

Sincerely,

Carl

**CARL ISAAK, MCIP, RPP**

**Director, Planning and Development Services, City of White Rock**

15322 Buena Vista Avenue, White Rock, BC V4B 1Y6

Tel: 604.541.2293 | Fax: 604.541.2153 | [www.whiterockcity.ca](http://www.whiterockcity.ca)



---

**From:** Redacted S. 22

**Sent:** December 23, 2019 12:32 PM

**To:** Carl Isaak <CIsaak@whiterockcity.ca>

**Subject:** Re: CR3A sub zone

Dear Carl,



My mail dated Dec 10, 2019 had made a request for letting me know as to when are the further deliberations on CR 3A sub zone be executed by Land use and Planning Committee ? If you could please indicate that, I shall be grateful.

Wishing you and your family a Merry Christmas !

Sincerely,

**Redacted S. 22**

---

**From:** Redacted S. 22

**Sent:** December 10, 2019 1:50 PM

**To:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>

**Subject:** Re: CR3A sub zone

Hello Carl !

Your prompt reply is always admired ! What is the tentative schedule for further deliberations on CR-3A zone by Land use and Planning Committee?

**Redacted S. 22** got lucky by selling his property, while, I have not been. And, it is not the price factor but, shape of final approval of this new sub zone by City council and the final figures on Payment in Lieu or Community amenity contribution that is hampering the sale. As has been objected by me earlier, Cash in lieu of 1,90,000 for my property itself is quite a phenomenal financial drain.

Sincerely,

**s. 22**

---

**From:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>

**Sent:** December 10, 2019 1:04 PM

**To:** Redacted S. 22

**Subject:** RE: CR3A sub zone

Hello **s. 22**,

We have drafted a Servicing covenant and Amenity covenant which are currently being reviewed by our solicitors. Once I have received their review and made any necessary adjustments I will forward them to you for your review.

The CR-3A zone itself is not anticipated to change before returning to the Land Use and Planning Committee. For your information, and as you may be already aware, I understand through **s. 22** that the property at 15053 Marine Drive has been sold.

Sincerely,  
Carl

---

**From:** Redacted S. 22  
**Sent:** December 10, 2019 12:41 PM  
**To:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>  
**Subject:** Re: CR3A sub zone

*CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.*

Dear Carl, Your letter dated Nov 26 indicates that you are going to be preparing putting up draft related to Servicing and Amenity provisions. Will it be possible for you to provide the latest on that ? In the lack of Final Blue print of CR-3A sub zone, interested buyers show reluctance in coming up with any offers.

Sincerely,

**Redacted S. 22**

---

**From:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>  
**Sent:** November 26, 2019 10:21 AM  
**To:** Redacted S. 22  
**Subject:** RE: CR3A sub zone

Good morning **s. 22**,

Thank you for confirming your interest in this proposed zone. We will be preparing the draft covenants related to servicing and amenity provision over the next few weeks and will forward to you once they have been drafted. If you have any questions in the meantime, please let me know.

Sincerely,  
Carl

---

**From:** Redacted S. 22

**Sent:** October 23, 2019 1:51 PM

**To:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>

**Subject:** Re: CR3A sub zone

*CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.*

Thanks for your reply Carl!

Redacted S. 22

Sent from my iPhone

On Oct 23, 2019, at 12:35 PM, Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)> wrote:

Hello Redacted S. 22

Thank you for your email. I confirmed I have received your reply.

The amount of payment-in-lieu was discussed at the Land Use and Planning Committee, and your objections to the amount were noted at the time. We did receive the Committee's direction to move forward with the Off Street Parking Facilities Bylaw at the rates recommended in the report and will follow the direction. When the related bylaws are brought forward for consideration, we can note your objections to Council.

Sincerely,  
Carl

---

**From:** Redacted S. 22

**Sent:** Wednesday, October 23, 2019 12:16 PM

**To:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>

**Subject:** Re: CR3A sub zone

*CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.*

Hello Carl !

This is to acknowledge receiving your office Registered Mail

dated Oct 16, 2019. **I, on behalf of my company, e.g Golden Eagle Import Export Canada Limited located at 15081 Marine Drive, White Rock, BC, V4B 1C5 give my consent to be part of CR-3A Zone.**

However, as has been mentioned in my earlier mails, your proposal to provide Community amenity contribution to the tune of \$ 40,000 per parking space is objectionable to me. This figure should not exceed \$ 20,000. Your recommendations if implemented will put heavy financial pressure on the property owners. You are once again requested to please talk to the council for reconsideration.

kindly acknowledge receipt of my reply !

Thanking you,

Sincerely,

**Redacted S. 22**

---

**From:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>

**Sent:** October 8, 2019 11:05 AM

**To:** **Redacted S. 22**

**Subject:** RE: CR3A sub zone

Hello **s. 22**

Under the proposed terms of the Off-Street Parking Facility Bylaw (noted in the staff report), the same rate would apply for any parking space which is not provided on-site (i.e. it would be \$40,000 per required commercial space and \$40,000 per required residential visitor space that is not provided on-site).

The Land Use and Planning Committee did discuss the proposed rate amount at the meeting last night, and the fact that some property owners have already identified that they would like the amount reduced. Ultimately, however, the Committee did move forward with the amount recommended in the report, and we will be moving forward

on that basis.

Sincerely,  
Carl

---

**From:** Redacted S. 22  
**Sent:** Tuesday, October 08, 2019 9:15 AM  
**To:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>  
**Subject:** Re: CR3A sub zone

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Hello Carl!

Your mail is acknowledged! Although, motion on your recommendation is passed by the council, I still feel, the penalties are too harsh and they should be reconsidered before implementing them.

Could you please let me know as to how much payment a property owner will have to make for not been able to provide Guest parking spot?

Awaiting your reply please.

**s. 22**

Sent from my iPhone

On Oct 8, 2019, at 8:55 AM, Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)> wrote:

Hello **Redacted S. 22**,

For your information, the Land Use and Planning Committee passed the motions recommended in the staff report at the meeting last night. We will be preparing correspondence to potentially qualifying land owners who may be interested in opting in to the CR-3A zone, and sending that out within the next few weeks, but if you wish to meet in the meantime, please let me know.

Sincerely,  
Carl

---

**From:** Redacted S. 22  
**Sent:** Tuesday, October 08, 2019 6:11 AM  
**To:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>  
**Cc:** Redacted S. 22  
**Subject:** CR3A sub zone

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Carl..thank you for the report. I agree with **s. 22** observation that the \$40k for each commercial pay in lieu space is rather hefty. My suggestion is around \$25k....at most \$30k. Can you reconsider pl...**s. 22** .

**From:** Redacted S. 22  
**To:** [Carl Isaak](#)  
**Subject:** Re: CR3A sub zone  
**Date:** Wednesday, January 29, 2020 6:48:23 PM  
**Attachments:** [image001.jpg](#)

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*CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.*

Hi Carl,

Based on the briefing that the prospective buyer provided me, he was only trying to inquire as to what can be built according to the new proposed sub zone and nothing else. I will request you to please instruct your staff to provide a brief interpretation and copy of CR-3 and the new proposed **CR-3A sub zone**, as and when, any buyer approaches them. CR-3 by law is repressive and disenchant all the buyers. Keeping in view your busy schedule, it may not be possible to approach you directly.

My letter dated Jan 17, 2020 had made a request that all the property owners should be given a dead line to answer the queries related to CR-3A subzone so that, the matter is not delayed further. It has already been over one and a half year and , this matter needs to be brought to its logical conclusion at the earliest. Please don't forget that Redacted S. 22, we are unable to sell the property because of draconian CR-3 By law and delay in putting new CR-3A sub zone into practice.

Shall await you insight on my above request !

Sincerely,

**s. 22**

---

**From:** Carl Isaak <CIsaak@whiterockcity.ca>  
**Sent:** January 29, 2020 5:48 PM  
**To:** Redacted S. 22  
**Cc:** Christopher Trevelyan <CTrevelyan@whiterockcity.ca>  
**Subject:** RE: CR3A sub zone

Hello s. 22 ,

Your prospective buyer may have been asking for additional information on the property beyond what the proposed CR-3A zone contains. If so, that may require a letter of comfort which does have an associated fee. If they are only looking for information on the proposed CR-3A zone, there is no cost and you can refer them directly to myself and I can provide them with the staff reports on the CR-3A zone.

Sincerely,  
Carl

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**From:** Redacted S. 22  
**Sent:** January 29, 2020 4:37 PM  
**To:** Carl Isaak <CIsaak@whiterockcity.ca>  
**Cc:** Christopher Trevelyan <ctrevelyan@telus.net>  
**Subject:** Re: CR3A sub zone

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Hi Carl !

Your reply to my letter dated January 24th is awaited please. Your answer to my query will help me deal better with the futuristic buyers that may approach me !

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**s. 22**

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**Sent:** January 24, 2020 8:34 PM  
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**Subject:** Re: CR3A sub zone

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Should not this information be provided free of cost ?

Sincerely,

**Redacted S. 22**

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**From:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>

**Sent:** January 15, 2020 11:48 AM

**To:** **Redacted S. 22**

**Cc:** Greg Newman <[GNewman@whiterockcity.ca](mailto:GNewman@whiterockcity.ca)>

**Subject:** RE: CR3A sub zone

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Please let me know if you are able to meet in person, discuss over the phone, or prefer to provide a written response on this matter.

Sincerely,  
Carl

**CARL ISAAK, MCIP, RPP**

**Director, Planning and Development Services, City of White Rock**

15322 Buena Vista Avenue, White Rock, BC V4B 1Y6

Tel: 604.541.2293 | Fax: 604.541.2153 | [www.whiterockcity.ca](http://www.whiterockcity.ca)



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**From:** Redacted S. 22

**Sent:** December 23, 2019 12:32 PM

**To:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>

**Subject:** Re: CR3A sub zone

Dear Carl,

My mail dated Dec 10, 2019 had made a request for letting me know as to when are the further deliberations on CR 3A sub zone be executed by Land use and Planning Committee ? If you could please indicate that, I shall be grateful.

Wishing you and your family a Merry Christmas !

Sincerely,

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Sincerely,

**s. 22**

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**From:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>

**Sent:** December 10, 2019 1:04 PM

**To:** **Redacted S. 22**

**Subject:** RE: CR3A sub zone

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The CR-3A zone itself is not anticipated to change before returning to the Land Use and Planning Committee. For your information, and as you may be already aware, I understand through **s. 22** that the property at 15053 Marine Drive has been sold.

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**To:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>

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**Sent:** November 26, 2019 10:21 AM

**To:** **Redacted S. 22**

**Subject:** RE: CR3A sub zone

Good morning **s. 22**,

Thank you for confirming your interest in this proposed zone. We will be preparing the draft covenants related to servicing and amenity provision over the next few weeks and will forward to you once they have been drafted. If you have any questions in the meantime, please let me know.

Sincerely,  
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**To:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>

**Subject:** Re: CR3A sub zone

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Thanks for your reply Carl!

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**Sent:** Wednesday, October 23, 2019 12:16 PM  
**To:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>  
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Hello Carl !

This is to acknowledge receiving your office Registered Mail dated Oct 16, 2019. **I, on behalf of my company, e.g Golden Eagle Import Export Canada Limited located at 15081 Marine Drive, White Rock, BC, V4B 1C5 give my consent to be part of CR-3A Zone.**

However, as has been mentioned in my earlier mails, your proposal to provide Community amenity contribution to the tune of \$ 40,000 per parking space is objectionable to me. This figure should not exceed \$ 20,000. Your recommendations if implemented will put heavy financial pressure on the property owners. You are once again requested to please talk to the council for reconsideration.

kindly acknowledge receipt of my reply !

Thanking you,

Sincerely,

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**Sent:** October 8, 2019 11:05 AM

**To:** **Redacted S. 22**

**Subject:** RE: CR3A sub zone

Hello **s. 22**

Under the proposed terms of the Off-Street Parking Facility Bylaw (noted in the staff report), the same rate would apply for any parking space which is not provided on-site (i.e. it would be \$40,000 per required commercial space and \$40,000 per required residential visitor space that is not provided on-site).

The Land Use and Planning Committee did discuss the proposed rate amount at the meeting last night, and the fact that some property owners have already identified that they would like the amount reduced. Ultimately, however, the Committee did move forward with the amount recommended in the report, and we will be moving forward on that basis.

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Carl

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**From:** **Redacted S. 22**

**Sent:** Tuesday, October 08, 2019 9:15 AM

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Could you please let me know as to how much payment a property owner will have to make for not been able to provide Guest parking spot?

Awaiting your reply please.

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Hello **Redacted S. 22**,

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**To:** **Redacted S. 22**  
**Cc:** [Greg Newman](#)  
**Subject:** RE: CR3A sub zone  
**Date:** Friday, January 31, 2020 1:41:00 PM  
**Attachments:** [2020 01 31 Draft Section 219 Covenant - Amenities \(CR-3A\) - 15081 Marine Drive.docx](#)

---

Hello **s. 22**

Are you available Tuesday morning at 9:00am?

Also, for your review and potentially discussion when we meet, I have attached a draft covenant related to the provision of amenities. The covenant related to provision of servicing is still in review and I will forward to you once it is available.

Sincerely,  
Carl

---

**From:** **Redacted S. 22**  
**Sent:** January 31, 2020 1:17 PM  
**To:** Carl Isaak <CIsaak@whiterockcity.ca>  
**Subject:** Re: CR3A sub zone

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Hi Carl!

I will like to meet you ASAP . Please let me know your availability!

Thanks,  
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<image001.jpg>

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**TERMS OF INSTRUMENT - PART 2**

This Agreement dated for reference the \_\_\_ day of \_\_\_\_\_, 202\_.

BETWEEN:

**OWNER NAME**, a company incorporated under the laws of British Columbia and having an office address of **CIVIC ADDRESS \***

(the “**Owner**”)

AND:

**CITY OF WHITE ROCK**, a municipal corporation incorporated under the *Local Government Act*, RSBC 2015, c. 1, and having an address of 15322 Buena Vista Avenue, White Rock, British Columbia, V4B 1Y6

(the “**Municipality**”)

WHEREAS:

- A. Capitalized terms used in these Recitals and in this Agreement have the meanings ascribed to them in section 1.1 of this Agreement;
- B. The Owner is the registered and beneficial owner in fee simple of the Lands;
- C. The Owner has requested to the Municipality for the Lands to be included in an amendment to the *Zoning* Bylaw that would change the current zoning of the Lands to a proposed ‘CR-3A West Beach Business Area Commercial / Residential Small Lot Zone;’
- D. Section 482 of the *Local Government Act* permits the Municipality to establish conditions for a zone relating to the conservation or provision of amenities that will entitle an owner to a higher density;
- E. Section 219 of the *Land Title Act* permits the registration of a covenant in favour of a municipality in respect of the use of land or the use of a Building on or to be built or erected on land and that land is or is not to be built on and is or is not to be subdivided except in accordance with the covenant;
- F. The Owner has agreed to grant the Municipality the Section 219 Covenant contained in this Agreement; and
- G. The Section 219 covenant described herein is necessary for the Municipality's undertaking.

NOW THEREFORE, in consideration of payment of One (\$1.00) Dollar by the Municipality to the Owner (the receipt and sufficiency of which are hereby acknowledged by the Owner), and in consideration of the promises and mutual covenants and agreements contained herein, the Owner and the Municipality hereby covenant and agree as follows:

## 1.0 INTERPRETATION

### 1.1 Definitions

The parties agree that in this Agreement the following terms have the following meanings:

- (a) "**Agreement**" means this agreement, including its recitals and schedules, as amended in writing from time to time;
- (b) "**Amenities**" means the amenities detailed in Schedule A;
- (c) "**Amenity Contribution**" has the meaning described in Section 2.2(a);
- (d) "**Build**" or "**Built**" includes the construction, erection or installation of any Building or ancillary works or structures or the Amenities on the Lands;
- (e) "**Building**" means any building or structure that is, or is proposed to be, Built on the Lands;
- (f) "**Business Day**" means a day that is not a Saturday, Sunday or statutory holiday in the Province of British Columbia;
- (g) "**Director**" means the Municipality's Director of Planning and Development Services or their successors in function and their respective nominees;
- (h) "**Land Title Act**" means the *Land Title Act* R.S.B.C. (1996) Chapter 250, as amended or re-enacted from time to time;
- (i) "**Lands**" means the lands and premises legally described in Item 2 of the Form C General Instrument Part 1 to which these Terms of Instrument are attached;
- (j) "**Local Government Act**" means the *Local Government Act*, RSBC 2015, c. 1, as amended or re-enacted from time to time;
- (k) "**Zoning Amendment Bylaw**" means *White Rock Zoning Bylaw, 2012, No. 2000, Amendment (Small Lot Properties on Marine Drive) Bylaw, 2019, No. 2XXX* being a bylaw to rezone the Lands to the 'CR-3A West Beach Business Area Commercial / Residential Small Lot Zone;' and
- (l) "**Zoning Bylaw**" means the Municipality's *White Rock Zoning Bylaw, 2012, No. 2000*, as amended, replaced or re-enacted from time to time.

### 1.2 Definitions from City's Zoning Bylaw Apply

Unless otherwise provided in this Agreement, words in this Agreement shall have the same meaning as defined in the *Zoning Bylaw*.

### 1.3 Interpretation

Wherever the singular or the masculine or neuter is used herein, the same shall be construed as meaning the plural, feminine or the body corporate or politic where the contents or the parties so require. Every reference to each party is deemed to include the heirs, executors, administrators, successors, assigns, employees, agents, officers and invitees of such party wherever the context so requires or allows.

### 1.4 Headings

The inclusion of headings and clause titles is for convenience only and shall not affect the construction or interpretation of this Agreement.

## 1.5 References to Enactments

Reference in this Agreement to any enactment, including bylaws of the Municipality, is a reference to that enactment as amended, revised, consolidated, or replaced.

## 1.6 Schedules

The following schedules are attached and form part of this Agreement:

Schedule A – Amenities

Schedule B – Sketch Plan of Lands

## 2.0 COVENANTS

### 2.1 Section 219 Covenant

The Owner hereby covenants and agrees with the Municipality, as a covenant in favour of the Municipality pursuant to Section 219 of the *Land Title Act*, it being the intention and agreement of the Owner that the provisions hereof be annexed to, and run with and be a charge upon the Lands, that the Lands shall be used and Built on and that the use of any Building on or to be Built on the Lands shall be only in strict compliance with the terms and conditions of this Agreement.

### 2.2 Amenities

The Owner will not apply for, or take any action to compel the issuance of, a Building permit for any Building constructed on any portion of the Lands or cause or permit the use or occupation of such Building, and the Municipality shall be entitled to withhold or suspend Building permits for all such Buildings, unless and until the Owner:

- (a) completes the installation and construction of Amenities to the satisfaction of the Director in accordance with this Agreement and generally in accordance with the provisions of White Rock Council Policy 511: Density Bonus / Amenity Contribution, as amended or replaced, or pays the City the value of the Amenities in the amount of \$30,000 in lieu of providing the Amenities, if the Director so elects;
- (b) repairs any damage to City property or highways including sidewalks arising directly or indirectly from any work undertaken by the Owner pursuant to this Agreement to the satisfaction of the Director.

### 2.3 Indemnity and Release

The Owner hereby:

- (a) indemnifies and saves harmless the Municipality and its elected officials, officers, employees, agents, nominees and delegates from all loss, damage, costs (including legal costs), expenses, actions, suits, debts, accounts, claims and demands, including any and all claims of third parties, which the Municipality or any of its officials, officers, employees, agents, nominees and delegates may suffer or incur or be put to, arising out of or in connection, directly or indirectly, with this Agreement, the Owner's breach of any covenant contained in this Agreement or the Owner's negligence or willful misconduct; and
- (b) waives, remises and releases absolutely the Municipality, its elected officials, officers, employees, agents, nominees and delegates for any and all claims, costs, expenses and damages which may derive from the withholding of any permit or approval under this

Agreement.

## **2.4 Notice of Completion**

If the Owner completes the Amenity requirements in accordance sections 2.1 and 2.2 and the other terms and conditions of this Agreement, the Owner shall provide written notice of this to the Director and the Municipality will, within twenty (20) Business Days after the receipt of such notice, inspect and confirm that the Amenities have been completed in accordance with this Agreement. Upon the Municipality's inspection and confirmation that the Amenities have been satisfactorily completed, the Director will within twenty (20) Business Days of such inspection and confirmation, certify completion of the Amenities.

## **2.5 Discharge of Section 219 Covenant**

In the event that the *Zoning Amendment Bylaw* is not adopted and brought into force on or before [REDACTED], this Agreement shall be void and of no further force or effect and the Municipality shall forthwith execute and deliver to the Owner a discharge of the Section 219 Covenant constituting this Agreement, provided however that:

- (a) the Municipality shall have no obligation to execute such a discharge until a written request therefor from the Owner has been received by the Municipality, which request shall include the form of discharge, in registrable form;
- (b) the cost of preparation of the aforesaid charge, and the cost of registration of the same in the Land Title Office, shall be paid by the Owner; and
- (c) the Municipality shall have a reasonable time within which to execute the aforesaid discharge and return the same to the Owner for registration.

## **3.0 FURTHER COVENANTS**

### **3.1 Acknowledgement**

The Owner hereby acknowledges, agrees and covenants that, notwithstanding any rule of law or equity to the contrary, upon completion of the construction or installation of the Amenities, and the acceptance of same by the Municipality, the right to title and interest in all of the Amenities shall assign, transfer and convey to the Municipality.

### **3.2 City's right to perform**

The Owner hereby acknowledges, agrees and covenants that if the Owner is at any time or from time to time in default of its obligations under this Agreement, the Municipality, following thirty (30) days written notice to the Owner and at any time in the event of an emergency, may (but will not be obligated to) perform any of the Owner's obligations and the Owner will reimburse the Municipality for all its costs in connection therewith on demand and the Owner, with the intent to bind its successors and assigns, hereby authorizes the Municipality, in addition to any other remedies available to the Municipality, to add such costs to taxes payable in respect of the Lands and collect such costs in the same manner as unpaid taxes.

### **3.3 Costs**

The Owner hereby acknowledges, agrees and covenants that any costs incurred by the Municipality as a result of the breach by the Owner of any provision of this Agreement, including legal costs on a solicitor-client basis, will be payable by the Owner to the Municipality on written demand. In the event that such payment is not made by the Owner within thirty (30) days of the written demand, the Owner agrees that the Municipality may, without prejudice to any other remedy the

Municipality may have, add such unpaid costs to taxes payable in respect of the Lands and collect such costs in the same manner as unpaid taxes.

### **3.4 Entry on Lands**

The Owner authorizes the Municipality, upon notice, by its officers, employees, servants or agents, at the Municipality's sole discretion and at all reasonable times, to enter on the Lands for the purpose of inspection to ensure compliance with the provisions of this Agreement.

### **3.5 No compensation**

The Owner hereby acknowledges, agrees and covenants that no compensation is payable, and the Owner is not entitled to and will not claim any compensation from the Municipality, for any decrease in market value of the Lands and for any obligations on the part of the Owner and its successors in title which at any time may result due to the operation of this Agreement.

### **3.6 Remedies**

The Owner hereby acknowledges, agrees and covenants that in addition to any remedies which are available under this Agreement or at law, the Municipality will be entitled to all equitable remedies, including specific performance, injunction and declaratory relief, or any combination thereof, to enforce its rights under this Agreement. The Owner acknowledges that specific performance, injunctive relief (mandatory or otherwise) or other equitable relief may be the only adequate remedy for a default by the Owner under this Agreement.

### **3.7 Discretion of City**

The Owner hereby acknowledges, agrees and covenants that the enforcement of this Agreement will be entirely within the discretion of the Municipality and that the execution and registration of this Agreement against the title to the Lands shall not be interpreted as creating any duty on the part of the Municipality to the Owner or to any other person to enforce any provision or the breach of any provision of this Agreement.

## **4.0 GENERAL**

### **4.1 Rights perpetual.**

The covenants under Section 219 of the *Land Title Act* herein contained shall run with and bind the Lands in perpetuity.

### **4.2 Notice and Other Communication**

Any notice, document, communication or tender of monies required or permitted to be given hereunder will be validly given when delivered by hand, or prepaid registered mail to the parties as follows:

To the Municipality:

**CITY OF WHITE ROCK**  
15322 Buena Vista Avenue  
White Rock, British Columbia, V4B 1Y6

Attention: Director of Corporate Administration

To the Owner:

**OWNER NAME**, a company incorporated under the laws of British Columbia and having an office address of **CIVIC ADDRESS \***

**Attention: \***

The date of receipt of any such notice or communication will be deemed to be the date of delivery if delivered by hand by 4:30 pm Pacific time on a Business Day in the place of the recipient, and if sent by prepaid registered mail, on the fifth Business Day following the date of such mailing. Either party may from time to time change its contact person or address for notice by giving notice to the other party in accordance with this Section 4.2.

#### **4.3 Priority**

The Owner will do or cause to be done at its expense all acts reasonably necessary for the Municipality to gain priority for this Agreement over all financial charges which are or may be registered against the Lands, save and except those in favour of the Municipality and those specifically approved in writing by the Municipality.

#### **4.4 Further Assurances**

The Owner will, forthwith upon execution of this Agreement by the Municipality and the Owner and at the Owner's expense, do or cause to be done, all acts or things necessary to carry out the intent of this Agreement and to ensure that this Agreement is registered as a charge on the Lands in the Land Title Office.

#### **4.5 No Derogation**

Nothing contained or implied herein shall prejudice or affect the rights and powers of the Municipality in the exercise of its functions under any public or private statutes, bylaws, orders and regulations or in equity, all of which rights, powers and remedies may be fully and effectively exercised in relation to the Lands and the Owner as if this Agreement had not been executed and delivered by the Owner.

#### **4.6 No Liability after Transfer**

Neither the Owner named in this Agreement nor any future owners are liable for a breach of this Agreement after the Owner named herein or any future owners, as the case may be, cease to have any interest in the Lands.

#### **4.7 Severability**

If any section or any part of this Agreement is found to be illegal or unenforceable, then such sections or parts shall be considered to be separate and severable from this Agreement and the remaining sections or parts of this Agreement, as the case may be, shall be unaffected thereby and shall remain and be enforceable to the fullest extent permitted by law as though the illegal or unenforceable parts or sections had never been included in this Agreement.

#### **4.8 Governing Law**

This Agreement shall be governed by and construed in accordance with the law of the Province of British Columbia and the federal laws of Canada applicable therein.

#### **4.9 Amendments and Waiver**

Except as expressly provided in this Agreement, this Agreement may be amended only by agreement in writing, signed by both parties. Any amendments to this Agreement will, upon execution, be deposited in the Land Title Office for registration. No waiver of any provision, or

any portion of any provision, of this Agreement will constitute a waiver of any other part of the provision or any other provision of this Agreement or a continuing waiver unless otherwise expressly provided.

#### **4.10 Time of Essence**

Time is of essence of this Agreement.

#### **4.11 Enurement**

This Agreement shall ensure to the benefit of and be binding upon the Owner and the Municipality and their respective heirs, executors, successors, administrators and permitted assigns.

#### **4.12 Independent Legal Advice**

The Owner acknowledges and agrees that it has had the opportunity to seek and obtain independent legal advice prior to executing this Agreement and that it has obtained such advice or determined that it does not require such advice.

#### **4.13 Compliance with Laws**

The Owner, at its cost, will promptly comply with all lawful requirements of every competent federal, provincial, municipal, regional, or other statutory authority.

#### **4.14 Disposition**

The Owner shall give notice of this Agreement to any person, firm or corporation to whom the Owner proposes to sell, assign, convey or otherwise dispose of the Lands or any subdivided portion thereof and will, prior to the completion of any sale, transfer or other disposition of the Lands, or any portion thereof, require that the purchaser or transferee execute and deliver to the Municipality an assumption of the obligations of this Agreement in form and substance acceptable to the Municipality.

#### **4.15 Legal Fees**

The Owner covenants and agrees to reimburse the Municipality, forthwith upon request by the Municipality, for all legal costs including fees, disbursements and taxes incurred by the Municipality with respect to the negotiation, preparation, and registration of this Agreement.

#### **4.16 Entire Agreement**

The provisions herein contained constitute the entire agreement between the parties and supersede all previous communications, representations and agreements, whether verbal or written, between the parties with respect to the subject matter hereof.

#### **4.17 Assignment**

This Agreement may be assigned by the Municipality without the consent of the Owner.

#### **4.18 Counterparts**

This Agreement may be executed and delivered in any number of counterparts with the same effect as if all parties had all signed and delivered the same documents and all counterparts will be compiled together for registration and will constitute one and the same Agreement.

IN WITNESS WHEREOF the parties hereto hereby acknowledge that this Agreement has been duly executed and delivered by the parties executing "Form C – General Instrument – Part 1" or "Form D – Executions Continued" attached hereto.



**SCHEDULE A**  
**Amenities**

#	Amenity
1	a building or space within a building for civic uses, including meeting or convention space
2	the provision and improvement of new publicly accessible open space, including a public square and/or pedestrian routes, either through dedication, easement, statutory right-of-way or covenant
3	the improvement of existing publicly accessible open space and/or pedestrian routes
4	underground publicly accessible parking
5	outdoor public art
6	a transit station, "bus loop" and/or transit shelters
7	special needs or non-market affordable housing
8	transportation and transit services, including people movement infrastructure (e.g. outdoor escalators, funiculars, or gondola) to link Uptown to the Waterfront
9	other land
10	a park or other public place
11	park improvements, including playgrounds
12	landscaping of City land
13	library, a museum or archive
14	an arts and cultural centre
15	a child care facility
16	a community centre
17	a recreation facility
18	heritage conservation
19	City meeting and administration facilities
20	a greenhouse gas reduction measure
21	a community energy facility
22	similar things to the items above that benefit the City and the well being of its community

**SCHEDULE B**  
**Sketch Plan of Lands (Outlined in Red)**

**MAP TO BE INSERTED BY CITY UPON CONFIRMATION THE COVENANT IS ACCEPTABLE TO THE OWNER**

For greater certainty, all areas referred to in Schedule B shall be defined in the *Zoning Bylaw* as amended by the *Zoning Amendment Bylaw* and in the event of any discrepancy between Schedule B and the *Zoning Bylaw*, the *Zoning Bylaw* shall prevail.

**END OF DOCUMENT**

**From:** Redacted S. 22  
**To:** Carl Isaak  
**Subject:** Re: CR3A sub zone  
**Date:** Friday, January 31, 2020 2:42:12 PM

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*CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.*

Thanks for your reply! 9 AM is fine. See you !

**s. 22**

Sent from my iPhone

On Jan 31, 2020, at 1:41 PM, Carl Isaak <CIsaak@whiterockcity.ca> wrote:

Hello **s. 22**,

Are you available Tuesday morning at 9:00am?

Also, for your review and potentially discussion when we meet, I have attached a draft covenant related to the provision of amenities. The covenant related to provision of servicing is still in review and I will forward to you once it is available.

Sincerely,  
Carl

---

**From:** Redacted S. 22  
**Sent:** January 31, 2020 1:17 PM  
**To:** Carl Isaak <CIsaak@whiterockcity.ca>  
**Subject:** Re: CR3A sub zone

*CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.*

Hi Carl!

I will like to meet you ASAP . Please let me know your availability!

Thanks,  
**s. 22**

Sent from my iPhone

On Jan 29, 2020, at 5:48 PM, Carl Isaak <CIsaak@whiterockcity.ca>

wrote:

Hello **Redacted S. 22**,

Your prospective buyer may have been asking for additional information on the property beyond what the proposed CR-3A zone contains. If so, that may require a letter of comfort which does have an associated fee. If they are only looking for information on the proposed CR-3A zone, there is no cost and you can refer them directly to myself and I can provide them with the staff reports on the CR-3A zone.

Sincerely,  
Carl

---

**From:** **Redacted S. 22**  
**Sent:** January 29, 2020 4:37 PM  
**To:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>  
**Cc:** Christopher Trevelyan <[ctrevelyan@telus.net](mailto:ctrevelyan@telus.net)>  
**Subject:** Re: CR3A sub zone

*CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.*

Hi Carl !

Your reply to my letter dated January 24th is awaited please. Your answer to my query will help me deal better with the futuristic buyers that may approach me !

Sincerely,

**s. 22**

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**From:** **Redacted S. 22**  
**Sent:** January 24, 2020 8:34 PM  
**To:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>  
**Cc:** Christopher Trevelyan <[ctrevelyan@telus.net](mailto:ctrevelyan@telus.net)>

**Subject:** Re: CR3A sub zone

Hi Carl !

A prospective buyer had visited Planning department yesterday to find out as to what can be built on my property. He was attended to by Jason and Mita of your office and was handed over one paper of CR-3 zone, explaining size and dimensions, height etc . On inquiry about the proposed CR-3A sub zone, he was advised to get a Letter of Comfort from the city on a fee of \$ 600- that will explain the recommendations about this new proposed sub zone.

Could you please clarify as to whether, there are charges for getting information about the new proposed sub zone ?

Should not this information be provided free of cost ?

Sincerely,

**Redacted S. 22**

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**From:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>

**Sent:** January 15, 2020 11:48 AM

**To:** **Redacted S. 22**

**Cc:** Greg Newman <[GNewman@whiterockcity.ca](mailto:GNewman@whiterockcity.ca)>

**Subject:** RE: CR3A sub zone

Hello **s. 22** ,

Thank you for your email. The review of the servicing covenant and amenity covenant is taking a longer amount of time than anticipated, my apologies for this and once they have been finalized we will provide them to you as discussed previously.

Regarding the amenity covenant to be registered on title before the property is rezoned (not the parking payment in-lieu amount), as described in the staff report (page 15 of the following PDF: <https://www.whiterockcity.ca/AgendaCenter/ViewFile/Agenda/10072019-782>) the targeted amenity contribution for a development that is the maximum 2.0 gross floor area ratio (FAR) would be approximately \$30,000. Would you be able to meet with myself and our new manager of planning (Greg Newman) to discuss the amenity contribution so we can ensure that the City and yourself are in agreement for including this figure in the covenant.

Please let me know if you are able to meet in person, discuss over the phone, or prefer to provide a written response on this matter.

Sincerely,  
Carl

**CARL ISAAK, MCIP, RPP**

**Director, Planning and Development Services, City of White Rock**

15322 Buena Vista Avenue, White Rock, BC V4B 1Y6

Tel: 604.541.2293 | Fax: 604.541.2153 | [www.whiterockcity.ca](http://www.whiterockcity.ca)

<image001.jpg>

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**From:** Redacted S. 22

**Sent:** December 23, 2019 12:32 PM

**To:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>

**Subject:** Re: CR3A sub zone

Dear Carl,

My mail dated Dec 10, 2019 had made a request for letting me know as to when are the further deliberations on CR 3A sub zone be executed by Land use and Planning Committee ? If you could please indicate that, I shall be grateful.

Wishing you and your family a Merry Christmas !

Sincerely,

**Redacted S. 22**

---

**From:** Redacted S. 22  
**Sent:** December 10, 2019 1:50 PM  
**To:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>  
**Subject:** Re: CR3A sub zone

Hello Carl !

Your prompt reply is always admired ! What is the tentative schedule for further deliberations on CR-3A zone by Land use and Planning Committee?

**Redacted S. 22** got lucky by selling his property, while, I have not been. And, it is not the price factor but, shape of final approval of this new sub zone by City council and the final figures on Payment in Lieu or Community amenity contribution that is hampering the sale. As has been objected by me earlier, Cash in lieu of 1,90,000 for my property itself is quite a phenomenal financial drain.

Sincerely,

**s. 22**

---

**From:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>  
**Sent:** December 10, 2019 1:04 PM  
**To:** Redacted S. 22  
**Subject:** RE: CR3A sub zone

Hello **s. 22**

We have drafted a Servicing covenant and Amenity covenant which are currently being reviewed by our solicitors. Once I have received their review and made any necessary adjustments I will forward them to you for your review.

The CR-3A zone itself is not anticipated to change before returning to the Land Use and Planning Committee. For your information, and as you may be already aware, I understand through **Redacted S. 22** that the property at 15053 Marine Drive has been sold.

Sincerely,  
Carl

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**From:** **Redacted S. 22**  
**Sent:** December 10, 2019 12:41 PM  
**To:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>  
**Subject:** Re: CR3A sub zone

*CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.*

Dear Carl, Your letter dated Nov 26 indicates that you are going to be preparing putting up draft related to Servicing and Amenity provisions. Will it be possible for you to provide the latest on that ? In the lack of Final Blue print of CR-3A sub zone, interested buyers show reluctance in coming up with any offers.

Sincerely,

**Redacted S. 22**

---

**From:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>  
**Sent:** November 26, 2019 10:21 AM  
**To:** **Redacted S. 22**  
**Subject:** RE: CR3A sub zone



Good morning **Redacted S. 22**,

Thank you for confirming your interest in this proposed zone. We will be preparing the draft covenants related to servicing and amenity provision over the next few weeks and will forward to you once they have been drafted. If you have any questions in the meantime, please let me know.

Sincerely,  
Carl

---

**From:** **Redacted S. 22**  
**Sent:** October 23, 2019 1:51 PM  
**To:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>  
**Subject:** Re: CR3A sub zone

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Thanks for your reply Carl!

**Redacted S. 22**

Sent from my iPhone

On Oct 23, 2019, at 12:35 PM, Carl Isaak  
<[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)> wrote:

Hello **Redacted S. 22**,

Thank you for your email. I confirmed I have received your reply.

The amount of payment-in-lieu was discussed at the Land Use and Planning Committee, and your objections to the amount were noted at the time. We did receive the Committee's direction to move forward with the Off Street Parking Facilities Bylaw at the rates recommended in the report and will follow the direction. When the related bylaws are brought forward for consideration, we can note your objections to Council.

Sincerely,  
Carl

---

**From:** Redacted S. 22  
**Sent:** Wednesday, October 23, 2019 12:16 PM  
**To:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>  
**Subject:** Re: CR3A sub zone

*CAUTION: This email originated from outside of the organization.  
Do not click links or open attachments unless you recognize the  
sender and know the content is safe.*

Hello Carl !

This is to acknowledge receiving your office Registered Mail dated Oct 16, 2019. **I, on behalf of my company, e.g Golden Eagle Import Export Canada Limited located at 15081 Marine Drive, White Rock, BC, V4B 1C5 give my consent to be part of CR-3A Zone.**

However, as has been mentioned in my earlier mails, your proposal to provide Community amenity contribution to the tune of \$ 40,000 per parking space is objectionable to me. This figure should not exceed \$ 20,000. Your recommendations if implemented will put heavy financial pressure on the property owners. You are once again requested to please talk to the council for reconsideration.

kindly acknowledge receipt of my reply !

Thanking you,

Sincerely,

**Redacted S. 22**

---

**From:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>

**Sent:** October 8, 2019 11:05 AM

**To:** **Redacted S. 22**

**Subject:** RE: CR3A sub zone

Hello **s. 22**

Under the proposed terms of the Off-Street Parking Facility Bylaw (noted in the staff report), the same rate would apply for any parking space which is not provided on-site (i.e. it would be \$40,000 per required commercial space and \$40,000 per required residential visitor space that is not provided on-site).

The Land Use and Planning Committee did discuss the proposed rate amount at the meeting last night, and the fact that some property owners have already identified that they would like the amount reduced. Ultimately, however, the Committee did move forward with the amount recommended in the report, and we will be moving forward on that basis.

Sincerely,

Carl

---

**From:** **Redacted S. 22**

**Sent:** Tuesday, October 08, 2019 9:15 AM

**To:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>

**Subject:** Re: CR3A sub zone

*CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.*

Hello Carl!

Your mail is acknowledged! Although, motion on your recommendation is passed by the council, I still feel, the penalties are too harsh and they should be reconsidered before implementing them.

Could you please let me know as to how much payment a property owner will have to make for not been able to provide Guest parking spot?

Awaiting your reply please.

**s. 22**

Sent from my iPhone

On Oct 8, 2019, at 8:55 AM, Carl Isaak  
<[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)> wrote:

Hello **Redacted S. 22**,

For your information, the Land Use and Planning Committee passed the motions recommended in the staff report at the meeting last night. We will be preparing correspondence to potentially qualifying land owners who may be interested in opting in to the CR-3A zone, and sending that out within the next few weeks, but if you wish to meet in the meantime, please let me know.

Sincerely,  
Carl

---

**From:** **Redacted S. 22**  
**Sent:** Tuesday, October 08, 2019 6:11 AM  
**To:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>  
**Cc:** **Redacted S. 22**  
**Subject:** CR3A sub zone

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Carl..thank you for the report. I agree with

**s. 22** observation that the \$40k for each commercial pay in lieu space is rather hefty. My suggestion is around \$25k....at most \$30k. Can you reconsider pl.. **s. 22** .

<2020 01 31 Draft Section 219 Covenant - Amenities (CR-3A) - 15081 Marine Drive.docx>

Fw: CR3A sub zone

**Redacted S. 22**

Fri 2020-03-06 10:59 AM

To: Scott Kristjanson <SKristjanson@whiterockcity.ca>

*CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.*

Hi Scott, Forwarding you my e mail to Councillor Anthony Manning for your perusal and your intake on what I have mentioned.

Hoping to hear your views on this.

**Redacted S. 22**

---

**From:** Redacted S. 22

**Sent:** March 5, 2020 12:43 PM

**To:** Anthony Manning <AManning@whiterockcity.ca>

**Subject:** Re: CR3A sub zone

Hello Mr Anthony,

While thanking you for your reply, I have few concerns that, I will request you to please look into and discuss it further with other fellow councillors.

There is no gain saying the fact that CR-3 By law was created by previous WR council without having gone into its practicability on ground. The fall out of this gross negligence was phenomenal on property owners who had bought these properties with a view that one day, they will be able to either rebuild or sell the property and retire gracefully. My property at 15081 Marine Drive got sold umpteen number of times but, the buyers retracted their decision as, following rules and regulations of CR-3 by law was just not possible.

I have been crying foul for the last almost 2 years, City of WR besides giving me assurances has been moving at snails speed to redress the problem. Councillor Dave Chesney during my delegation meeting on Dec10, 2018 had assured me in front of the council that the puzzle will be solved with in 3 to 4 months. This assertion of the councillor is well documented in the minutes of council meetings and can be verified.

In the earlier days of my fight against this most objectionable by law, **I was advised to obtain variance from City of WR that will involve an expenditure of around 15 K** and its outcome still may or may not be in my favor. Hence, I had objected to this advise of Variance and since then, a new proposal to bring in CR-3A sub zone by Land use and Planning Committee has been adopted to redress the issue.

Although some minor additional leverages have been provided in this proposal, property owners will have to pay hefty amount as penalty to City of WR for not been able to provide parking stalls as mandated in the by law. These penalties once again are a bone of contention amongst the prospective buyers. **The issue that probably could have been resolved by a**

**payment of around 15K earlier ( Variance clause ), City is now demanding around 200k to redress it** . And, in addition to this cash in lieu penalty, the **covenant needs to be registered**, for which, **property owner will have to spend couple of thousand dollars** as lawyers fee. This penalty is imposed on handful of properties only as, most of the properties are grandfathered and have already been built to the maximum limits allowed in the new proposed by law. Hence, these properties are not even effected and are not willing to opt for this new proposed sub zone. It will not be out of context to mention that besides my property at 15081 Marine Drive and 14097( Old Giraffe restaurant ), there may be one more odd property, that will be impacted by this new proposed sub zone. Existing properties from Uli's restaurant till Charlie don't surf have a unserviceable alley that has **No Exit**, therefore, even if these properties are rebuilt in future, providing parking space in this alley may not be safe for maneuvering of vehicles. Properties next to and further from Boat house restaurant don't have the capacity to provide any parking at their back as there **does not exist any alley and the buildings on the back of these properties are wall to wall.**

In the light of the facts mentioned above, I will request council to please go through these facts and an option should be given to property owners whether to opt for new proposed sub zone or a straight reprieve be given to property owners with regard to parking and loading stipulations enshrined in CR-3 By law and rebuild the property by following remainder of the CR-3 By law.

Hoping to hear from you!

Sincerely,

**Redacted S. 22**

---

**From:** Anthony Manning <AManning@whiterockcity.ca>

**Sent:** March 4, 2020 4:05 PM

**To:** **Redacted S. 22**

**Subject:** Re: CR3A sub zone

Hello, **Redacted S. 22** I hope this finds you and your family well?

Here is the reply I received from staff:

*We are currently waiting to receive a legal review of a draft servicing covenant and the Off-Street Parking Reserve Fund Bylaw related to this proposed CR-3A zone. Once this has been complete and the related covenants (servicing and amenities) are dealt with according to the recommendations of our legal counsel we will bring forward a report to LUPC. I do not have a timeframe for this yet.*

I will continue to follow up and let you know when they've heard back from the city's legal counsel.

Yours sincerely,

Anthony Manning

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**From:** **Redacted S. 22**

**Sent:** February 24, 2020 12:36

**To:** Anthony Manning <AManning@whiterockcity.ca>

**Subject:** Re: CR3A sub zone

*CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.*

Thanks for getting back to me Mr Anthony! No, I haven't received any reply to my mail under reference as yet.

Sincerely,

**s. 22**

Sent from my iPhone

On Feb 24, 2020, at 12:13 PM, Anthony Manning <AManning@whiterockcity.ca> wrote:

Hello, **Redacted S. 22**

Have you received a response yet from staff on this?

---

**From:** **Redacted S. 22**

**Sent:** February 15, 2020 12:47

**To:** Anthony Manning <AManning@whiterockcity.ca>; Scott Kristjanson <SKristjanson@whiterockcity.ca>; Helen Fathers <HFathers@whiterockcity.ca>; Dave

**Subject:** Fw: CR3A sub zone

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**From:** **Redacted S. 22**

**Sent:** February 15, 2020 12:45 PM

**To:** Carl Isaak <CIsaak@whiterockcity.ca>

**Subject:** Re: CR3A sub zone

Dear Carl!

Acknowledging receipt of your mail dated Feb 10, 2020! Will it be possible for you to please let me know the names of your front desk staff, so that, the same can be provided to the futuristic buyer for



any inquiry that they may have ? I will also request you to please issue your instructions to **hand over copy of proposed CR-3A sub zone** to any buyer that may approach front desk of planning department.

The legal cost related to registration of covenant on my property's title if runs into thousands is going to be a challenge for me.

Payment in lieu for parking space is a big irritant and must be brought to the knowledge of Council for their approval to be reduced to half or may be less. If city has earlier charged 40K for each parking space in some uptown property having much larger dimensions and sizes, same yardstick should not be and cannot be applied to the Marine Drive properties that are having extremely small size and dimensions. It is like , comparing apples with oranges. The monthly or yearly revenue generated by larger dimensions property vis a vis smaller lots is incomparable, hence, more lenient approach should be applied towards properties on Marine Drive.

As has been mentioned in my earlier mails and while having one to one discussion with you, this penalty in the name of payment in lieu infect should be charged only in case, a particular property has the capacity to provide what is enshrined in the by law and the property owner is unwilling to do so. The properties on Marine Drive do not have the capacity to follow the guidelines of CR-3 by law. It is a flawed by law and to set things right now, penalty in the name of Cash in lieu is imposed on property owners. It is not correct.

You are requested once again to get things expedited with regard to giving final shape to proposed CR-3A sub zone !

Hoping to hear from you.

Sincerely,

**s. 22**

---

**From:** Carl Isaak <CIsaak@whiterockcity.ca>  
**Sent:** February 10, 2020 12:36 PM  
**To:** Redacted S. 22  
**Cc:** Greg Newman <GNewman@whiterockcity.ca>  
**Subject:** RE: CR3A sub zone

Hello s. 22,

We were glad to meet with you, thank you for coming in.

To confirm, our front counter staff are aware of the proposed CR-3A zone and have been advised that if a Planner is not available to discuss the proposed zone with a counter inquiry that they can direct them to the staff report from October 7, 2019 and provide them with a business card of a Planner to discuss further.

The cost of preparing and reviewing the servicing and amenity covenants is covered by the City. The actual registration of the covenant on your property's title and any legal costs you incur would not be paid by the City.

While we cannot confirm the amount a lawyer or other agent would charge you for assisting in registering a covenant, the base cost from the Land Title and Survey Authority for registering a covenant is \$74.16 for the covenant (and an additional \$74.16 if there is a mortgage on the property and a priority agreement needs to be registered to put the covenants ahead of the mortgage on the title document). As I stated in our meeting, the City would not cover your legal costs for registering a covenant on a private property.

I understand your objection to the amount of payment-in-lieu for each parking space and it will be brought again to the attention of Council when a report is brought forward on this matter. In terms of the timing of this process, as I said it will depend on the review of the servicing covenants and the registration of the covenants, but I would like to have this brought to Council for a public hearing and decision on the bylaws as soon as it is possible.

Sincerely,  
Carl

---

**From:** Redacted S. 22  
**Sent:** February 4, 2020 6:24 PM  
**To:** Carl Isaak <CIsaak@whiterockcity.ca>  
**Subject:** Re: CR3A sub zone

*CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.*

Dear Carl,

Thanks for having a meeting with me today morning in the presence of Greg Newman, Manager Planning at WR City office.

During the course of our discussion, following points were discussed :

1. Staff of Planning Department will be issued immediate instructions by you to provide copy of CR-3 and Copy of proposed CR-3A sub zone to any prospective buyer that may approach planning department for any verification about the prospects of my property at Little India Restaurant. Till now, Planning Department staff has only been communicating contents of CR-3 By law to the buyers and that has been making them disenchanted to proceed any further in the sale of my property.

2. As regards, Amenity Covenant, that has been drafted by your legal team, most of the contents , because of the legal language being used, are beyond my comprehension, however, Para 4.15, ( Legal Fees ) we both agreed, that, owner of the property is not liable to reimburse any legal costs to the Municipality that City may incur during this process.

3. As regards getting the covenant registered with Land Title office, Manager Planning Greg Newman had projected a rough estimate that may run into couple of thousands, I had suggested that, these charges are exorbitant and beyond my capacity to pay. I had suggested that these charges may please be taken care of by City and at the time of development and owner may be billed along side Development permit fee etc. You were requested to speak to council about it. Greg Newman has promised to look into the charges and inform the property owners that may be associated with regard to registration of this covenant .

This entire exercise of hiring legal expert etc is arising to undo the mistake that was done by Planning Department while formulating CR-3 By law and now, to set things straight, property owners are being penalized as they have to undergo all these legal formalities.

**This aspect and its associated cost infect should be borne by City and not Property owners.**

4. Although, the contents of Service covenant involving Cash in lieu for parking is yet to be forwarded by your office, I have reiterated my request of bringing the proposed penalty of \$ 40K per stall to \$ 20K per stall. Citing example of charging 40K to some property owner in uptown WR and same yardstick to be applied to smaller properties on marine Drive doesn't hold logic to me. Those uptown properties are huge in their dimensions and the cash in lieu charges will be off set by the revenues that they are going to generate vis a vis the smaller lot properties on Marine Drive. **My building alone will have to pay to the City around 200K at the time of redevelopment, which is phenomenal and needs to be revised.**

The meeting ended on the note that you are going to ask your attorneys to finalize the Service covenant asap, so that, your office could dispatch it to the concerned property owners. On my question of bringing the entire exercise to its logical conclusion, you felt, that it should not take more than 3 to 4 months from today to get the ultimate result.

Sincerely,

**s. 22**

---

**From:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>  
**Sent:** January 31, 2020 1:41 PM  
**To:** **Redacted S. 22**  
**Cc:** Greg Newman <[GNewman@whiterockcity.ca](mailto:GNewman@whiterockcity.ca)>  
**Subject:** RE: CR3A sub zone

Hello **s. 22**

Are you available Tuesday morning at 9:00am?

Also, for your review and potentially discussion when we meet, I have attached a draft covenant related to the provision of amenities. The covenant related to provision of servicing is still in review and I will forward to you once it is available.

Sincerely,

Carl

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**From:** Redacted S. 22  
**Sent:** January 31, 2020 1:17 PM  
**To:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>  
**Subject:** Re: CR3A sub zone

*CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.*

Hi Carl!

I will like to meet you ASAP . Please let me know your availability!

Thanks,

**s. 22**

Sent from my iPhone

On Jan 29, 2020, at 5:48 PM, Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)> wrote:

Hello Redacted S. 22

Your prospective buyer may have been asking for additional information on the property beyond what the proposed CR-3A zone contains. If so, that may require a letter of comfort which does have an associated fee. If they are only looking for information on the proposed CR-3A zone, there is no cost and you can refer them directly to myself and I can provide them with the staff reports on the CR-3A zone.

Sincerely,  
Carl

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**From:** Redacted S. 22  
**Sent:** January 29, 2020 4:37 PM  
**To:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>  
**Cc:** Christopher Trevelyan <[ctrevelyan@telus.net](mailto:ctrevelyan@telus.net)>  
**Subject:** Re: CR3A sub zone

*CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.*

Hi Carl !

Your reply to my letter dated January 24th is awaited please. Your answer to my query will help me deal better with the futuristic buyers that may approach me !

Sincerely,

**s. 22**

---

**From:** Redacted S. 22  
**Sent:** January 24, 2020 8:34 PM  
**To:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>  
**Cc:** Christopher Trevelyan <[ctrevelyan@telus.net](mailto:ctrevelyan@telus.net)>  
**Subject:** Re: CR3A sub zone

Hi Carl !

A prospective buyer had visited Planning department yesterday to find out as to what can be built on my property. He was attended to by Jason and Mita of your office and was handed over one paper of CR-3 zone, explaining size and dimensions, height etc . On inquiry about the proposed CR-3A sub zone, he was advised to get a Letter of Comfort from the city on a fee of \$ 600- that will explain the recommendations about this new proposed sub zone.

Could you please clarify as to whether, there are charges for getting information about the new proposed sub zone ? Should not this information be provided free of cost ?

Sincerely,

**Redacted S. 22**

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**From:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>  
**Sent:** January 15, 2020 11:48 AM  
**To:** Redacted S. 22  
**Cc:** Greg Newman <[GNewman@whiterockcity.ca](mailto:GNewman@whiterockcity.ca)>  
**Subject:** RE: CR3A sub zone

Hello **s. 22**

Thank you for your email. The review of the servicing covenant and amenity covenant is taking a longer amount of time than anticipated, my apologies for this and once they

have been finalized we will provide them to you as discussed previously.

Regarding the amenity covenant to be registered on title before the property is rezoned (not the parking payment in-lieu amount), as described in the staff report (page 15 of the following PDF: [https://www.whiterockcity.ca/AgendaCenter/ViewFile/Agenda/\\_10072019-782](https://www.whiterockcity.ca/AgendaCenter/ViewFile/Agenda/_10072019-782)) the targeted amenity contribution for a development that is the maximum 2.0 gross floor area ratio (FAR) would be approximately \$30,000. Would you be able to meet with myself and our new manager of planning (Greg Newman) to discuss the amenity contribution so we can ensure that the City and yourself are in agreement for including this figure in the covenant.

Please let me know if you are able to meet in person, discuss over the phone, or prefer to provide a written response on this matter.

Sincerely,  
Carl

**CARL ISAAK, MCIP, RPP**

Director, Planning and Development Services, City of White Rock

15322 Buena Vista Avenue, White Rock, BC V4B 1Y6

Tel: 604.541.2293 | Fax: 604.541.2153 | [www.whiterockcity.ca](http://www.whiterockcity.ca)

<image001.jpg>

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**From:** Redacted S. 22  
**Sent:** December 23, 2019 12:32 PM  
**To:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>  
**Subject:** Re: CR3A sub zone

Dear Carl,

My mail dated Dec 10, 2019 had made a request for letting me know as to when are the further deliberations on CR 3A sub zone be executed by Land use and Planning Committee ? If you could please indicate that, I shall be grateful.

Wishing you and your family a Merry Christmas !

Sincerely,

**Redacted S. 22**

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**From:** Redacted S. 22  
**Sent:** December 10, 2019 1:50 PM  
**To:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>  
**Subject:** Re: CR3A sub zone

Hello Carl !

Your prompt reply is always admired ! What is the tentative schedule for further deliberations on CR-3A zone by Land use and Planning Committee?

**Redacted S. 22** got lucky by selling his property, while, I have not been. And, it is not the price factor but, shape of final approval of this new sub zone by City council and the final figures on Payment in Lieu or Community amenity contribution that is hampering the sale. As has been objected by me earlier, Cash in lieu of 1,90,000 for my property itself is quite a phenomenal financial drain.

Sincerely,

**s. 22**

---

**From:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>

**Sent:** December 10, 2019 1:04 PM

**To:** **Redacted S. 22**

**Subject:** RE: CR3A sub zone

Hello **Redacted S. 22**

We have drafted a Servicing covenant and Amenity covenant which are currently being reviewed by our solicitors. Once I have received their review and made any necessary adjustments I will forward them to you for your review.

The CR-3A zone itself is not anticipated to change before returning to the Land Use and Planning Committee. For your information, and as you may be already aware, I understand through **Redacted S. 22** that the property at 15053 Marine Drive has been sold.

Sincerely,  
Carl

---

**From:** **Redacted S. 22**

**Sent:** December 10, 2019 12:41 PM

**To:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>

**Subject:** Re: CR3A sub zone

*CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.*



Dear Carl, Your letter dated Nov 26 indicates that you are going to be preparing putting up draft related to Servicing and Amenity provisions. Will it be possible for you to provide the latest on that ? In the lack of Final Blue print of CR-3A sub zone, interested buyers show reluctance in coming up with any offers.

Sincerely,

**Redacted S. 22**

---

**From:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>  
**Sent:** November 26, 2019 10:21 AM  
**To:** **Redacted S. 22**  
**Subject:** RE: CR3A sub zone

Good morning **s. 22** ,

Thank you for confirming your interest in this proposed zone. We will be preparing the draft covenants related to servicing and amenity provision over the next few weeks and will forward to you once they have been drafted. If you have any questions in the meantime, please let me know.

Sincerely,  
Carl

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**From:** **Redacted S. 22**  
**Sent:** October 23, 2019 1:51 PM  
**To:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>  
**Subject:** Re: CR3A sub zone

*CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.*

Thanks for your reply Carl!

**Redacted S. 22**

Sent from my iPhone

On Oct 23, 2019, at 12:35 PM, Carl Isaak  
<[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)> wrote:

Hello **Redacted S. 22** ,

Thank you for your email. I confirmed I have received your reply.

The amount of payment in lieu was discussed at the Land Use and Planning Committee, and your objections to the amount were noted at the time. We did receive the Committee's direction to move forward with the Off Street Parking Facilities Bylaw at the rates recommended in the report and will follow the direction. When the related bylaws are brought forward for consideration, we can note your objections to Council.

Sincerely,  
Carl

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**From:** Redacted S. 22  
**Sent:** Wednesday, October 23, 2019 12:16 PM  
**To:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>  
**Subject:** Re: CR3A sub zone

*CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.*

Hello Carl !

This is to acknowledge receiving your office Registered Mail dated Oct 16, 2019. **I, on behalf of my company, e.g Golden Eagle Import Export Canada Limited located at 15081 Marine Drive, White Rock, BC, V4B 1C5 give my consent to be part of CR-3A Zone.**

However, as has been mentioned in my earlier mails, your proposal to provide Community amenity contribution to the tune of \$ 40,000 per parking space is objectionable to me. This figure should not exceed \$ 20,000. Your recommendations if implemented will put heavy financial pressure on the property owners. You are once again requested to please talk to the council for reconsideration.

kindly acknowledge receipt of my reply !

Thanking you,

Sincerely,

**Redacted S. 22**

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**From:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>  
**Sent:** October 8, 2019 11:05 AM  
**To:** **Redacted S. 22**  
**Subject:** RE: CR3A sub zone

Hello **S. 22**,

Under the proposed terms of the Off-Street Parking Facility Bylaw (noted in the staff report), the same rate would apply for any parking space which is not provided on-site (i.e. it would be \$40,000 per required commercial space and \$40,000 per required residential visitor space that is not provided on-site).

The Land Use and Planning Committee did discuss the proposed rate amount at the meeting last night, and the fact that some property owners have already identified that they would like the amount reduced. Ultimately, however, the Committee did move forward with the amount recommended in the report, and we will be moving forward on that basis.

Sincerely,  
Carl

---

**From:** **Redacted S. 22**  
**Sent:** Tuesday, October 08, 2019 9:15 AM  
**To:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>  
**Subject:** Re: CR3A sub zone

*CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.*

Hello Carl!

Your mail is acknowledged! Although, motion on your recommendation is passed by the council, I still feel, the penalties are too harsh and they should be reconsidered before implementing them.

Could you please let me know as to how much payment a property owner will have to make for not been able to provide Guest parking spot?

Awaiting your reply please

**s. 22**

Sent from my iPhone

On Oct 8, 2019, at 8:55 AM, Carl Isaak  
[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)> wrote:

Hello **Redacted S. 22**,

For your information, the Land Use and Planning Committee passed the motions recommended in the staff report at the meeting last night. We will be preparing correspondence to potentially qualifying land owners who may be interested in opting in to the CR-3A zone, and sending that out within the next few weeks, but if you wish to meet in the meantime, please let me know.

Sincerely,  
Carl

---

**From:** **Redacted S. 22** >  
**Sent:** Tuesday, October 08, 2019 6:11 AM  
**To:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>  
**Cc:** **Redacted S. 22**  
**Subject:** CR3A sub zone

*CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.*

Carl..thank you for the report. I agree with **s. 22** observation that the \$40k for each commercial pay in lieu space is rather hefty. My suggestion is around \$25k....at most \$30k. Can you reconsider pl....**s. 22** .

Fw: CR-3A zone!

**Redacted S. 22**

Sun 5/24/2020 12:40 PM

To: Helen Fathers <HFathers@whiterockcity.ca>

*CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.*

Hello Helen,

Hopefully, you and your family is keeping safe in this covid-19 unprecedented time !

In view of tomorrows council meeting wherein, Corporate report regarding the proposed CR-3A zone is on the agenda, i am forwarding you my concerns that I have highlighted in my mail to Councilor Chris Trevelyan for your perusal please.

Sincerely,

**Redacted S. 22**

---

**From:** Redacted S. 22

**Sent:** May 18, 2020 10:33 AM

**To:** Christopher Trevelyan <CTrevelyan@whiterockcity.ca>

**Subject:** Re: CR-3

Hi Chris,

Thanks for the update. Unless, Carl is reminded and chased, this matter will drag on and that can be done by none else , but, the council. It is ironical that it has taken 2 years for the city to reach this far. A straight case, where, City is at fault, yet, still moving at snails speed to rectify it. Planning department needs to be given a firm date by the council, that seems to be eluding.

I will also like to mention here, that, council needs to be careful while accepting the recommendations of the Planning department with regard to cash in lieu clauses that Planning department is proposing. The penalties are

big financial crunch to the property owners, if accepted. I have already voiced my concerns and have requested for bringing the payment per parking stall from 40K to 20K. Citing example of charging 40K in uptown property and same yard stick to be applied to smaller lot properties on Marine Drive doesn't hold logic. The uptown properties are huge in their sizes and dimensions and cash in lieu charges will be offset by the revenues that they are going to generate vis a vis smaller lot properties on Marine Drive. This figure needs to be revised and should not be bluntly accepted by Council.

I have already mentioned in my earlier mail to you that if, I had opted to resort to DVP, this problem may have been solved by spending 15 to 20 grands. Now, it has taken 2 years, problem still exists and property owner is expected to pay 200K. This is ridiculous and is another example of harassment.

Hopefully, you and your family is keeping safe in view of Covid-19 !

Sincerely,

**s. 22**

Fw: CR-3A zone!

**Redacted S. 22**

Sun 2020-05-24 12:38 PM

To: Scott Kristjanson <SKristjanson@whiterockcity.ca>

*CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.*

---

Hello Scott,

In view of tomorrows council meeting wherein, Corporate report regarding the proposed CR-3A zone is on the agenda, i am forwarding you my concerns that I have highlighted in my mail to Councilor Chris Trevelyan for your perusal please.

Sincerely,

**Redacted S. 22**

---

**From:** Redacted S. 22

**Sent:** May 18, 2020 10:33 AM

**To:** Christopher Trevelyan <CTrevelyan@whiterockcity.ca>

**Subject:** Re: CR-3

Hi Chris,

Thanks for the update. Unless, Carl is reminded and chased, this matter will drag on and that can be done by none else , but, the council. It is ironical that it has taken 2 years for the city to reach this far. A straight case, where, City is at fault, yet, still moving at snails speed to rectify it. Planning department needs to be given a firm date by the council, that seems to be eluding.

I will also like to mention here, that, council needs to be careful while accepting the recommendations of the Planning department with regard to cash in lieu clauses that Planning department is proposing. The penalties are big financial crunch to the property owners, if accepted. I have already voiced

my concerns and have requested for bringing the payment per parking stall from 40K to 20K. Citing example of charging 40K in uptown property and same yard stick to be applied to smaller lot properties on Marine Drive doesn't hold logic. The uptown properties are huge in their sizes and dimensions and cash in lieu charges will be offset by the revenues that they are going to generate vis a vis smaller lot properties on Marine Drive. This figure needs to be revised and should not be bluntly accepted by Council.

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Hopefully, you and your family is keeping safe in view of Covid-19 !

Sincerely,

**s. 22**



Re: CR-3

Anthony Manning <AManning@whiterockcity.ca>

Mon 2020-05-25 14:02

To: **Redacted S. 22**

Hello, **Redacted S. 22** Yes, I thought of you when I saw CR-3A on the agenda. The report does say that you are in favour of the zoning but didn't identify you as the property owner recommending \$20,000 instead of \$40,000 for the parking space. I expect there will be some good discussion around this at our meeting this evening. Please watch the livestream here: <https://www.whiterockcity.ca/453/Video-Recording-of-Council-Meetings>

No final decision will be made today. There will need to be a public hearing as well.

Please stay safe and healthy during this time.

Yours sincerely,

Anthony Manning

---

From: **Redacted S. 22**

Sent: May 24, 2020 12:37

To: Anthony Manning <AManning@whiterockcity.ca>

Subject: Fw: CR-3

*CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.*

Hello Mr Anthony,

In view of tomorrow's council meeting wherein, Corporate report regarding the proposed CR-3A zone is on the agenda, I am forwarding you my concerns that I have highlighted in my mail to Councilor Chris Trevelyan for your perusal please.

Sincerely,

**Redacted S. 22**

---

From: **Redacted S. 22**

Sent: May 18, 2020 10:33 AM

To: Christopher Trevelyan <CTrevelyan@whiterockcity.ca>

Subject: Re: CR-3

Hi Chris,

Thanks for the update. Unless, Carl is reminded and chased, this matter will drag on and that can be done by none else , but, the council. It is ironical that it has taken 2 years for the city to reach this far. A straight case, where, City is at fault, yet, still moving at snails speed to rectify it. Planning department needs to be given a firm date by the council, that seems to be eluding.

I will also like to mention here, that, council needs to be careful while accepting the recommendations of the Planning department with regard to cash in lieu clauses that Planning department is proposing. The penalties are big financial crunch to the property owners, if accepted. I have already voiced my concerns and have requested for bringing the payment per parking stall from 40K to 20K. Citing example of charging 40K in uptown property and same yard stick to be applied to smaller lot properties on Marine Drive doesn't hold logic. The uptown properties are huge in their sizes and dimensions and cash in lieu charges will be offset by the revenues that they are going to generate vis a vis smaller lot properties on Marine Drive. This figure needs to revised and should not be bluntly accepted by Council.

I have already mentioned in my earlier mail to you that if, I had opted to resort to DVP, this problem may have been solved by spending 15 to 20 grands. Now, it has taken 2 years, problem still exists and property owner is expected to pay 200K. This is ridiculous and is another example of harassment.

Hopefully, you and your family is keeping safe in view of Covid-19 !

Sincerely,

**s. 22**

**From:** Redacted S. 22  
**To:** [Carl Isaak](#)  
**Subject:** Re: CR3A sub zone  
**Date:** Friday, May 29, 2020 2:00:01 PM  
**Attachments:** [image001.jpg](#)

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Thanks for your reply.

**s. 22**

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**From:** Carl Isaak <CIsaak@whiterockcity.ca>  
**Sent:** May 29, 2020 1:46 PM  
**To:** Redacted S. 22  
**Subject:** RE: CR3A sub zone

H **s. 22**

Hope you are feeling better. Once we have a Public Information Meeting scheduled we will be sure to let you know the timing and how it may be accessed.

For the two properties to the east of your property (15085 and 15089 Marine Drive), they are zoned RS-3, with the following height limitations:

**6.3.5 Building Heights:**

- 1) *principal buildings* shall not exceed a *height* of 7.7m (25.26ft), and the height of the southerly elevation of the building shall be determined by an angle of containment of 45 degrees to the vertical commencing 6.0m (19.69ft) above the natural grade at the base of the wall as illustrated in sub-section 4.9.
- 2) *ancillary buildings* and structures shall not exceed a *height* of 4.0m (13.12ft).

For the apartment building further east at 15097 Marine Drive, it is zoned RM-4, and the height limitation is as follows:

**6.15.5 Building Heights:**

- 1) *Principal buildings* shall not exceed a *height* of 7.7m (25.26ft) and the height of the southerly elevation of the building shall be determined by an angle of containment as illustrated in sub-section 4.9.
- 2) *Structures* shall not exceed a *height* of 4.0m.

Sincerely,  
Carl

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**From:** Redacted S. 22

**Sent:** May 29, 2020 1:27 PM

**To:** Carl Isaak <CIsaak@whiterockcity.ca>

**Subject:** Re: CR3A sub zone

*CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.*

Hi Carl,

I was under the weather, hence, could not acknowledge receipt of your earlier mail. Thanks for the update and hoping that with your initiative, things will come down to their logical conclusion soon.

Carl, what is the height limitation for buildings that are on the East of my building ? They are probably part of RS- 2 zone ?

Thanks,

Sincerely,

**s. 22**

---

**From:** Carl Isaak <CIsaak@whiterockcity.ca>

**Sent:** May 21, 2020 3:09 PM

**To:** Redacted S. 22

**Cc:** Greg Newman <GNewman@whiterockcity.ca>

**Subject:** RE: CR3A sub zone

Good afternoon **s. 22**,

For your information, a corporate report regarding the proposed CR-3A zone is on the Regular Council agenda for the meeting coming up on May 25, 2020. It is requesting Council's support for conducting a virtual/electronic Public Information Meeting for the zoning amendments. The report can be downloaded from the City's website at the following link:

<https://www.whiterockcity.ca/AgendaCenter/ViewFile/Agenda/05252020-922>. You may note that there are proposed Zoning Amendment Bylaws to create the CR-3A zone itself (Bylaw No. 2344) as well as amendment bylaws that would apply to your property (Bylaw No. 2345) and the other interested property at 14945 Marine Drive (Bylaw No. 2346).

The report also notes, as you have requested, on page 96 the following statement regarding the amount for the payment in lieu of parking spaces: "One of the property owners interested in the CR-

3A zone has stated their opposition to the \$40,000 per space rate and have indicated that they believe \$20,000 per space would be a fair amount.”

While the Council meetings are not open to the public during the COVID-19 public emergency, the meeting will be live-streamed on the City’s website (here: <https://www.whiterockcity.ca/453/Video-Recording-of-Council-Meetings>).

If you have any questions, please feel free to follow up with myself or Manager of Planning, Greg Newman.

Sincerely,  
Carl

**CARL ISAAK, MCIP, RPP**

**Director, Planning and Development Services, City of White Rock**

15322 Buena Vista Avenue, White Rock, BC V4B 1Y6

Tel: 604.541.2293 | Fax: 604.541.2153 | [www.whiterockcity.ca](http://www.whiterockcity.ca)



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**From:** Redacted S. 22

**Sent:** April 24, 2020 11:35 AM

**To:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>

**Subject:** Re: CR3A sub zone

*CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.*

Hello Mr Carl !

My e mail dated Oct 23, 2019 had confirmed to you that my property at 15081 Marine Drive , WR, would like to be rezoned under the new CR-3A subzone, however, I had objected to the heavy penalties being imposed in the shape of Cash in lieu for parking restrictions. I will once again request you to please talk to the council and express my unhappiness over this recommendation and bringing it down to \$20,000 per stall or less, instead of \$ 40,000 per stall, proposed by your office. Size and dimensions of the properties on Marine Drive are much smaller and should not be compared to the Sizes and dimensions of the uptown properties , where, probably \$ 40K per stall have been charged

and those properties are much bigger. The monthly or yearly revenue generated by larger dimensions property vis a vis smaller lots is incomparable, hence, more lenient approach should be applied towards properties on Marine Drive. My property alone will have to give 200K as penalty when being redeveloped. It is a big financial crunch that the property owner will have to confront.

It is to once again reconfirm that my property will like to be part of CR 3A sub zone!

Sincerely,

**s. 22**

---

**From:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>

**Sent:** April 22, 2020 9:56 AM

**To:** **Redacted S. 22**

**Cc:** Greg Newman <[GNewman@whiterockcity.ca](mailto:GNewman@whiterockcity.ca)>

**Subject:** RE: CR3A sub zone

Hello **s. 22**,

I hope you and your family are well under these challenging times.

We are now looking forward to bring the draft CR-3A zone and Off-Street Parking Reserve Fund Bylaws to Council. Typically, before consideration of zoning amendment bylaw readings we would have an in-person Public Information Meeting (in an open house format) to share the proposal with the community and obtain feedback. We will be looking at other options for this meeting, such as a virtual meeting.

Before we request Council's endorsement to host this virtual Public Information Meeting, I wanted to confirm with you that you are still interested in your property at 15081 Marine Drive being rezoned to this new CR-3A zone. Under the circumstances, we are now looking at making registration of the related servicing and amenity covenants occur after Third Reading of the zoning amendment bylaw and prior to final adoption of the zoning amendment bylaw.

Please confirm that you still want your property incorporated into a new CR-3A zone.

Sincerely,

Carl

---

**From:** Redacted S. 22  
**Sent:** February 26, 2020 9:36 AM  
**To:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>  
**Subject:** Re: CR3A sub zone

*CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.*

Dear Carl!

Thanks for your reply!

**s. 22**

Sent from my iPhone

On Feb 25, 2020, at 9:08 PM, Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)> wrote:

Good evening Redacted S. 22

We do not have any current policies or bylaws that would require that the residential or commercial portions of a building at 15081 Marine Drive be kept as rental or under a single ownership (units may be stratified and sold as separate strata titled units).

Sincerely,  
Carl

---

**From:** Redacted S. 22  
**Sent:** February 25, 2020 2:39 PM  
**To:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>  
**Subject:** Re: CR3A sub zone

*CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.*

Hi Carl! A prospective buyer wanted to know if on redevelopment of my property, he will be able to sell each floor as strata sale? If you could please clarify, I shall be grateful!

**s. 22**

Sent from my iPhone

On Feb 25, 2020, at 12:47 PM, [REDACTED]  
**Redacted S. 22** wrote:

Dear Carl,  
Thanks for your reply.

Sincerely,

**Redacted S. 22**

---

**From:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>  
**Sent:** February 24, 2020 3:15 PM  
**To:** **Redacted S. 22**  
**Cc:** Athena von Hausen <[AvonHausen@whiterockcity.ca](mailto:AvonHausen@whiterockcity.ca)>; Greg Newman <[GNewman@whiterockcity.ca](mailto:GNewman@whiterockcity.ca)>  
**Subject:** RE: CR3A sub zone

Good afternoon **Redacted S. 22**,

Thank you for your email. Prospective purchasers wishing to discuss the proposed CR-3A zone should be directed to Athena von Hausen (Planner), Greg Newman (Manager of Planning), or myself. Athena and Greg are also cc'd on this message for your reference and for you to provide to a prospective purchaser.

All our front counter staff are aware of the proposed CR-3A zone and we direct inquirers to the October 7, 2019 planning report, which includes the draft CR-3A zone ([https://www.whiterockcity.ca/AgendaCenter/ViewFile/Agenda/\\_10072019-782](https://www.whiterockcity.ca/AgendaCenter/ViewFile/Agenda/_10072019-782)).

Sincerely,  
Carl

---

**From:** **Redacted S. 22**  
**Sent:** February 15, 2020 12:46 PM  
**To:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>  
**Subject:** Re: CR3A sub zone

*CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.*



Dear Carl!

Acknowledging receipt of your mail dated Feb 10, 2020! Will it be possible for you to please let me know the names of your front desk staff, so that, the same can be provided to the futuristic buyer for any inquiry that they may have ? I will also request you to please issue your instructions to **hand over copy of proposed CR-3A sub zone** to any buyer that may approach front desk of planning department.

The legal cost related to registration of covenant on my property's title if runs into thousands is going to be a challenge for me.

Payment in lieu for parking space is a big irritant and must be brought to the knowledge of Council for their approval to be reduced to half or may be less. If city has earlier charged 40K for each parking space in some uptown property having much larger dimensions and sizes, same yardstick should not be and cannot be applied to the Marine Drive properties that are having extremely small size and dimensions. It is like , comparing apples with oranges. The monthly or yearly revenue generated by larger dimensions property vis a vis smaller lots is incomparable, hence, more lenient approach should be applied towards properties on Marine Drive. As has been mentioned in my earlier mails and while having one to one discussion with you, this penalty in the name of payment in lieu infect should be charged only in case, a particular property has the

capacity to provide what is enshrined in the by law and the property owner is unwilling to do so. The properties on Marine Drive do not have the capacity to follow the guidelines of CR-3 by law. It is a flawed by law and to set things right now, penalty in the name of Cash in lieu is imposed on property owners. It is not correct.

You are requested once again to get things expedited with regard to giving final shape to proposed CR-3A sub zone !

Hoping to hear from you.

Sincerely,

**s. 22**

---

**From:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>  
**Sent:** February 10, 2020 12:36 PM  
**To:** **Redacted S. 22**  
**Cc:** Greg Newman <[GNewman@whiterockcity.ca](mailto:GNewman@whiterockcity.ca)>  
**Subject:** RE: CR3A sub zone

Hello **Redacted S. 22**,

We were glad to meet with you, thank you for coming in.

To confirm, our front counter staff are aware of the proposed CR-3A zone and have been advised that if a Planner is not available to discuss the proposed zone with a counter inquiry that they can direct them to the staff report from October 7, 2019 and provide them with a business card of a Planner to discuss further.

The cost of preparing and reviewing the servicing and amenity covenants

is covered by the City. The actual registration of the covenant on your property's title and any legal costs you incur would not be paid by the City.

While we cannot confirm the amount a lawyer or other agent would charge you for assisting in registering a covenant, the base cost from the Land Title and Survey Authority for registering a covenant is \$74.16 for the covenant (and an additional \$74.16 if there is a mortgage on the property and a priority agreement needs to be registered to put the covenants ahead of the mortgage on the title document). As I stated in our meeting, the City would not cover your legal costs for registering a covenant on a private property.

I understand your objection to the amount of payment-in-lieu for each parking space and it will be brought again to the attention of Council when a report is brought forward on this matter. In terms of the timing of this process, as I said it will depend on the review of the servicing covenants and the registration of the covenants, but I would like to have this brought to Council for a public hearing and decision on the bylaws as soon as it is possible.

Sincerely,  
Carl

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**From:** Redacted S. 22  
**Sent:** February 4, 2020 6:24 PM  
**To:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>  
**Subject:** Re: CR3A sub zone

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Dear Carl,

Thanks for having a meeting with me today morning in the presence of Greg Newman, Manager Planning at WR City office.

During the course of our discussion, following points were discussed :

1. Staff of Planning Department will be issued immediate instructions by you to provide copy of CR-3 and Copy of proposed CR-3A sub zone to any prospective buyer that may approach planning department for any verification about the prospects of my property at Little India Restaurant. Till now, Planning Department staff has only been communicating contents of CR-3 By law to the buyers and that has been making them disenchanted to proceed any further in the sale of my property.

2. As regards, Amenity Covenant, that has been drafted by your legal team, most of the contents , because of the legal language being used, are beyond my comprehension, however, Para 4.15, ( Legal Fees ) we both agreed, that, owner of the property is not liable to reimburse any legal costs to the Municipality that City may incur during this process.

3. As regards getting the covenant registered with Land Title office, Manager Planning Greg Newman had projected a rough estimate that may run into couple of thousands, I had suggested that, these charges are exorbitant and beyond my capacity to pay. I had suggested that these charges may please be taken care of by City and at the time of development and owner may be billed along side Development permit fee etc. You were requested to speak to council about it. Greg Newman has promised to look into the charges and inform the property owners that may be associated with regard

to registration of this covenant .

This entire exercise of hiring legal expert etc is arising to undo the mistake that was done by Planning Department while formulating CR-3 By law and now, to set things straight, property owners are being penalized as they have to undergo all these legal formalities. **This aspect and its associated cost infect should be borne by City and not Property owners.**

4. Although, the contents of Service covenant involving Cash in lieu for parking is yet to be forwarded by your office, I have reiterated my request of bringing the proposed penalty of \$ 40K per stall to \$ 20K per stall. Citing example of charging 40K to some property owner in uptown WR and same yardstick to be applied to smaller properties on marine Drive doesn't hold logic to me. Those uptown properties are huge in their dimensions and the cash in lieu charges will be off set by the revenues that they are going to generate vis a vis the smaller lot properties on Marine Drive. **My building alone will have to pay to the City around 200K at the time of redevelopment, which is phenomenal and needs to be revised.**

The meeting ended on the note that you are going to ask your attorneys to finalize the Service covenant asap, so that, your office could dispatch it to the concerned property owners. On my question of bringing the entire exercise to its logical conclusion, you felt, that it should not take more than 3 to 4

months from today to get the ultimate result.

Sincerely,

**s. 22**

---

**From:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>  
**Sent:** January 31, 2020 1:41 PM  
**To:** **Redacted S. 22**  
**Cc:** Greg Newman <[GNewman@whiterockcity.ca](mailto:GNewman@whiterockcity.ca)>  
**Subject:** RE: CR3A sub zone

Hello **s. 22**

Are you available Tuesday morning at 9:00am?

Also, for your review and potentially discussion when we meet, I have attached a draft covenant related to the provision of amenities. The covenant related to provision of servicing is still in review and I will forward to you once it is available.

Sincerely,  
Carl

---

**From:** **Redacted S. 22**  
**Sent:** January 31, 2020 1:17 PM  
**To:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>  
**Subject:** Re: CR3A sub zone

*CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.*

Hi Carl!

I will like to meet you ASAP . Please let me know your availability!

Thanks,  
**s. 22**

Sent from my iPhone

On Jan 29, 2020, at 5:48 PM, Carl Isaak  
<[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)> wrote:

Hello **Redacted S. 22**

Your prospective buyer may have been asking for additional information on the property beyond what the proposed CR-3A zone contains. If so, that may require a letter of comfort which does have an associated fee. If they are only looking for information on the proposed CR-3A zone, there is no cost and you can refer them directly to myself and I can provide them with the staff reports on the CR-3A zone.

Sincerely,  
Carl

---

**From:** **Redacted S. 22**

**Sent:** January 29, 2020 4:37 PM

**To:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>

**Cc:** Christopher Trevelyan <[ctrevelyan@telus.net](mailto:ctrevelyan@telus.net)>

**Subject:** Re: CR3A sub zone

*CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.*

Hi Carl !

Your reply to my letter dated January 24th is awaited please. Your answer to my query will help me deal better with the futuristic buyers that may approach me !

Sincerely,

**s. 22**

---

**From:** **Redacted S. 22**

**Sent:** January 24, 2020 8:34 PM

**To:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>

**Cc:** Christopher Trevelyan <[ctrevelyan@telus.net](mailto:ctrevelyan@telus.net)>

**Subject:** Re: CR3A sub zone

Hi Carl !

A prospective buyer had visited Planning department yesterday to find out as to what can be built on my property. He was attended to by Jason and Mita of your office and was handed over one paper of CR-3 zone, explaining size and dimensions, height etc . On inquiry about the proposed CR-3A sub zone, he was advised to get a Letter of Comfort from the city on a fee of \$ 600- that will explain the recommendations about this new proposed sub zone.

Could you please clarify as to whether, there are charges for getting information about the new proposed sub zone ? Should not this information be provided free of cost ?

Sincerely,

**Redacted S. 22**

---

**From:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>  
**Sent:** January 15, 2020 11:48 AM  
**To:** **Redacted S. 22**  
**Cc:** Greg Newman <[GNewman@whiterockcity.ca](mailto:GNewman@whiterockcity.ca)>  
**Subject:** RE: CR3A sub zone

Hello **Redacted S. 22**

Thank you for your email. The review of the servicing covenant and amenity covenant is taking a longer amount of time than anticipated, my apologies for this and once they



have been finalized we will provide them to you as discussed previously.

Regarding the amenity covenant to be registered on title before the property is rezoned (not the parking payment in-lieu amount), as described in the staff report (page 15 of the following PDF:

<https://www.whiterockcity.ca/AgendaCenter/ViewFile/Agenda/10072019-782>)

the targeted amenity contribution for a development that is the maximum 2.0 gross floor area ratio (FAR) would be approximately \$30,000. Would you be able to meet with myself and our new manager of planning (Greg Newman) to discuss the amenity contribution so we can ensure that the City and yourself are in agreement for including this figure in the covenant.

Please let me know if you are able to meet in person, discuss over the phone, or prefer to provide a written response on this matter.

Sincerely,  
Carl

**CARL ISAAK, MCIP, RPP**

**Director, Planning and Development Services, City of White Rock**

15322 Buena Vista Avenue, White Rock, BC V4B 1Y6

Tel: 604.541.2293 | Fax: 604.541.2153 | [www.whiterockcity.ca](http://www.whiterockcity.ca)

<image001.jpg>

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**From:** Redacted S. 22

**Sent:** December 23, 2019 12:32 PM

**To:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>

**Subject:** Re: CR3A sub zone

Dear Carl,

My mail dated Dec 10, 2019 had made a request for letting me know as to when are the further deliberations on CR 3A sub zone be executed by Land use and Planning Committee ? If you could please indicate that, I shall be grateful.

Wishing you and your family a Merry  
Christmas !

Sincerely,

**Redacted S. 22**

---

**From:** Redacted S. 22

**Sent:** December 10, 2019 1:50 PM

**To:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>

**Subject:** Re: CR3A sub zone

Hello Carl !

Your prompt reply is always admired !  
What is the tentative schedule for further  
deliberations on CR-3A zone by Land use  
and Planning Committee?

**Redacted S. 22** got lucky by selling his  
property, while, I have not been. And, it is  
not the price factor but, shape of final  
approval of this new sub zone by City  
council and the final figures on Payment in  
Lieu or Community amenity contribution  
that is hampering the sale. As has been  
objected by me earlier, Cash in lieu of  
1,90,000 for my property itself is quite a  
phenomenal financial drain.

Sincerely,

**s. 22**

---

**From:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>

**Sent:** December 10, 2019 1:04 PM

**To:** Redacted S. 22

**Subject:** RE: CR3A sub zone

Hello s. 22

We have drafted a Servicing covenant and Amenity covenant which are currently being reviewed by our solicitors. Once I have received their review and made any necessary adjustments I will forward them to you for your review.

The CR-3A zone itself is not anticipated to change before returning to the Land Use and Planning Committee. For your information, and as you may be already aware, I understand through Redacted S. 22 that the property at 15053 Marine Drive has been sold.

Sincerely,  
Carl

---

**From:** Redacted S. 22

**Sent:** December 10, 2019 12:41 PM

**To:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>

**Subject:** Re: CR3A sub zone

*CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.*

Dear Carl, Your letter dated Nov 26 indicates that you are going to be preparing putting up draft related to Servicing and Amenity provisions. Will it be possible for you to provide the latest on that ? In the lack of Final Blue print of CR-3A sub zone, interested buyers show reluctance in coming up with any offers.

Sincerely,

**Redacted S. 22**

---

**From:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>

**Sent:** November 26, 2019 10:21 AM

**To:** Redacted S. 22

**Subject:** RE: CR3A sub zone

Good morning s. 22,

Thank you for confirming your interest in this proposed zone. We will be preparing the draft covenants related to servicing and amenity provision over the next few weeks and will forward to you once they have been drafted. If you have any questions in the meantime, please let me know.

Sincerely,  
Carl

---

**From:** Redacted S. 22

**Sent:** October 23, 2019 1:51 PM

**To:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>

**Subject:** Re: CR3A sub zone

*CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.*

Thanks for your reply Carl!

Redacted S. 22

Sent from my iPhone

On Oct 23, 2019, at 12:35 PM, Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)> wrote:

Hello Redacted S. 22,

Thank you for your email. I confirmed I have received your reply.

The amount of payment-in-lieu was discussed at the Land Use and Planning Committee, and your objections to the amount were noted at the time. We did receive the Committee's direction to move forward with the Off Street Parking Facilities Bylaw at the rates

recommended in the report and will follow the direction. When the related bylaws are brought forward for consideration, we can note your objections to Council.

Sincerely,  
Carl

---

**From:** Redacted S. 22  
[REDACTED]

**Sent:** Wednesday, October 23, 2019 12:16 PM

**To:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>

**Subject:** Re: CR3A sub zone

*CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.*

Hello Carl !

This is to acknowledge receiving your office Registered Mail dated Oct 16, 2019. **I, on behalf of my company, e.g Golden Eagle Import Export Canada Limited located at 15081 Marine Drive, White Rock, BC, V4B 1C5 give my consent to be part of CR-3A Zone.**

However, as has been mentioned in my earlier mails, your proposal to provide Community amenity contribution to the tune of \$ 40,000 per parking space is objectionable to me. This figure should not exceed \$ 20,000. Your

recommendations if implemented will put heavy financial pressure on the property owners. You are once again requested to please talk to the council for reconsideration.

kindly acknowledge receipt of my reply !

Thanking you,

Sincerely,

**Redacted S. 22**

---

**From:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>

**Sent:** October 8, 2019 11:05 AM

**To:** **Redacted S. 22**

**Subject:** RE: CR3A sub zone

Hello **s. 22**

Under the proposed terms of the Off-Street Parking Facility Bylaw (noted in the staff report), the same rate would apply for any parking space which is not provided on-site (i.e. it would be \$40,000 per required commercial space and \$40,000 per required residential visitor space that is not provided on-site).

The Land Use and Planning Committee did discuss the proposed rate amount at the meeting last night, and the fact that some property owners have already identified that they would like the amount reduced. Ultimately, however, the Committee did move

forward with the amount recommended in the report, and we will be moving forward on that basis.

Sincerely,  
Carl

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**From:** Redacted S. 22

**Sent:** Tuesday, October 08, 2019 9:15 AM

**To:** Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>

**Subject:** Re: CR3A sub zone

*CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.*

Hello Carl!

Your mail is acknowledged! Although, motion on your recommendation is passed by the council, I still feel, the penalties are too harsh and they should be reconsidered before implementing them.

Could you please let me know as to how much payment a property owner will have to make for not been able to provide Guest parking spot?

Awaiting your reply please.

**s. 22**

Sent from my iPhone

On Oct 8, 2019, at 8:55 AM, Carl Isaak <[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)> wrote:

Hello **Redacted S. 22**

For your information, the Land Use and Planning Committee passed the motions recommended in the staff report at the meeting last night. We will be preparing correspondence to

potentially qualifying land owners who may be interested in opting in to the CR-3A zone, and sending that out within the next few weeks, but if you wish to meet in the meantime, please let me know.

Sincerely,  
Carl

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**From:** Redacted S. 22  
[Redacted]

**Sent:** Tuesday, October 08, 2019  
6:11 AM

**To:** Carl Isaak  
<[CIsaak@whiterockcity.ca](mailto:CIsaak@whiterockcity.ca)>

**Cc:** Redacted S. 22  
[Redacted]

**Subject:** CR3A sub zone

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Carl..thank you for the report. I agree with **s. 22** observation that the \$40k for each commercial pay in lieu space is rather hefty. My suggestion is around \$25k....at most \$30k. Can you reconsider pl... **s. 22**