



COUNCIL AGENDA/INFORMATION		
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<input checked="" type="checkbox"/> Reg. Council	Date: <u>Dec. 15, 08</u>	Item # <u>13</u>
<input type="checkbox"/> Supplemental	Date: _____	Item # _____

 Director	 CAO
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DISTRICT OF WEST VANCOUVER
750 – 17TH STREET, WEST VANCOUVER, BC V7V 3T3

COUNCIL REPORT

Date: December 5, 2008 File: 1010-20-08-044
 From: James Allan, Community Planner
 Subject: Development Variance Permit Application No. 08-044 for 1350 Ottaburn Road

RECOMMENDED THAT:

- The Municipal Clerk give notice that Development Variance Permit Application No. 08-044 for 1350 Ottaburn Road, which would provide for a subdivision creating two lots with a variance to the minimum site width requirement for proposed Lot 2 and a variation to the front yard requirement on proposed Lot 1, will be considered on Monday, January 12, 2009.

Purpose

The District owns the property at 1350 Ottaburn Road and is moving forward with the subdivision and sale of the property as two residential lots. The purpose of this report is to provide information to Council on Development Variance Permit Application No. 08-044 for the property, which would reduce the minimum site width requirement for proposed Lot 2 and a vary the front yard requirement for proposed Lot 1. The proposed Development Variance Permit application will be considered by Council on Monday, January 12, 2009.

1.0 Background

1.1 Prior Resolutions

In September 2008, Council In Camera, instructed staff to carry out the necessary work to subdivide the vacant District owned property at 1350 Ottaburn Road into two lots and then sell the lots. Public notice of the subdivision and sale is to occur.

1.2 Bylaw

The Zoning Bylaw establishes rules regarding the size and shape of new allotments as well as potential building envelopes.

2.0 Analysis

2.1 Discussion

2.1.1 Description of Site

The subject site is located adjacent to the 15th Street/Cross Creek exit from the Upper Levels Highway. The site is triangular shaped with Cross Creek Road located along its north boundary, the Upper Levels Highway along its southern boundary and Ottaburn Road on the eastern boundary. The lot is 29410 sq. ft. in area. It is zoned RS3 and is currently vacant. Access to the site is from the end of Ottaburn Road.

2.1.2 Description of proposal

A subdivision of the lot into two lots without variances can take place, provided access to the westerly lot occurs via a driveway easement over the easterly lot. An alternative proposal is proposed but requires the width of the proposed lot 2 to be 60.12 feet rather than the 80 feet required under the RS3 zoning of the lot. Proposed Lot 1 is to be 16090 sq. ft. and proposed Lot 2 is to be 13165 sq. ft.

2.1.3 Implications

The site is bounded by Cross Creek Road to the north. A driveway access from Cross Creek Road with a grade of less than 20% cannot be constructed for proposed Lot 1. In addition, given the interchange, location of the site and road grades, driveway access from Cross Creek Road should be avoided for safety reasons.

For proposed Lot 1 to gain vehicle access to Ottaburn Road, two options are available:

1. Create a shared driveway over proposed Lot 2; or
2. Create an access leg for proposed Lot 1 to provide each lot with an autonomous access.

Option 2 is the best option as it allows each lot to operate independent of the other and, as a result, an access leg is proposed to Lot 1 which results in Lot 2 having a site width of 60.12 feet. This proposed arrangement provides a superior outcome to a compliant subdivision.

When the Zoning Bylaw yard requirements are applied, the building envelope at the west end of proposed Lot 1 narrows considerably. A building envelope more suitable to house construction is obtained by:

1. Reducing the front yard off Cross Creek Road for a future dwelling to 20 feet for the main floor only. The second storey must adhere to the 30 feet front yard. This will allow greater flexibility in the design and construction of a

construction of a dwelling within proposed Lot 1. In addition, the western front yard would be increased.

2. Reducing the front yard setback for a future garage to 10 feet to Cross Creek Road. This will allow more versatile garage placement in the future, relative to the driveway access and allow adequate vehicle manoeuvring space within the lot.

The change in grade from Cross Creek Road to the proposed building envelope for proposed Lot 1 is approximately 9 feet. The change in grade from Cross Creek Road to the houses above is approximately 30 feet. Due to these height differences, the potential impact of reducing the front yard by 20 feet is not seen to adversely affect any properties on the other side of Cross Creek Road as they will be approximately 40 feet higher, nor impact on the visual amenity of road users.

2.1.4 Conclusion


Subject to additional comments or concerns being raised on the project at the public meeting, staff recommends approval of Development Variance Permit No. 08-044.

2.2 Consultation

In line with the Development Procedures Bylaw, notification of the application will be mailed to all owners/occupiers of property within 50 metres of the subject site.

3.0 Options

- 3.1 Council may set the date for consideration of this application (recommended), defer further consideration pending receipt of additional information or reject the application.

JB Author: 

Appendices:

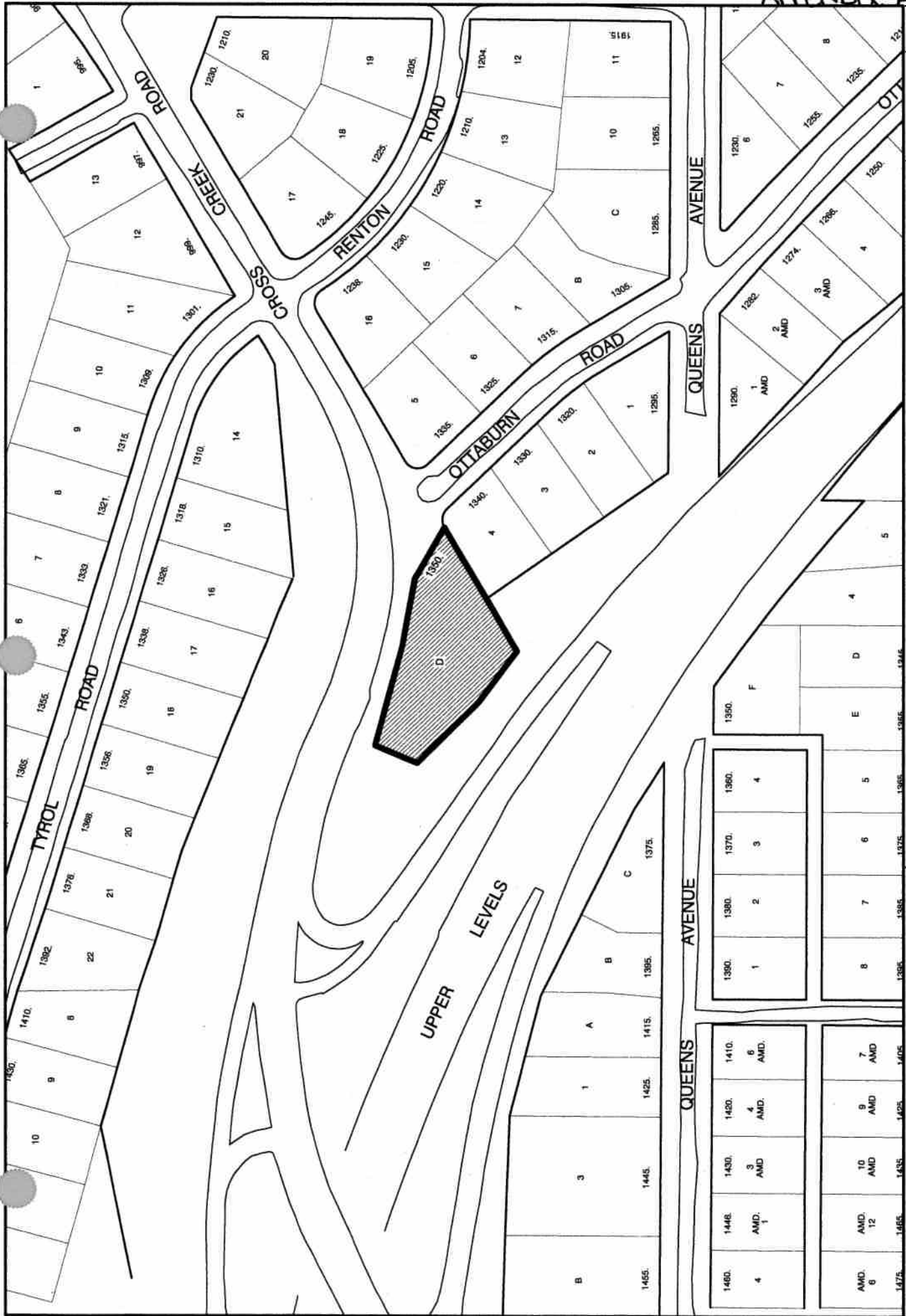
- A: Context Plan
- B: Draft Development Variance Permit, including plans

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DATE: DEC 08/08 REV: 0

CONTEXT PLAN

SK-1

1350 Ottaburn Road

DISTRICT OF WEST VANCOUVER
THE WATERFRONT COMMUNITY

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District of West Vancouver

Development Variance Permit No. 08-044

Current Owner: The Corporation of the District of West Vancouver

This Development Variance Permit applies to:

Civic Address: 1350 Ottaburn Road

Legal Description: PID No. 006-986-005
 Lot D South East 1/4 OF District Lot 1093 Plan 19546
 (the "Lands")

For the purposes of this Development Variance Permit, the Lands shall be developed in accordance with the plans date stamped December 5, 2008 and attached as Schedule 'A', and specifically in compliance with the regulations and variances listed hereunder:

1. Zoning Bylaw No. 2200, 1968 is varied and supplemented for this development proposal in accordance with the following regulations:
 - (i) Section 32-304: (Minimum Site Width) is varied to allow Lot 2 to have a minimum site width of 60.12 feet.
 - (ii) Section 32-306: (Front Yard) is varied for Lot 1 to reduce the required front yard on Cross Creek Road to:
 - (a) a minimum 10 feet for a garage in the location shown on Schedule 'A'; and
 - (b) a minimum 20 feet in the location shown on Schedule 'A'.
 - (iii) Section 32-306: (Front Yard) is varied for Lot 1 on the west side to increase the required front yard to a minimum 40 feet as shown on Schedule 'A'.
 - (iv) Prior to subdivision approval, a Section 219 covenant setting out the allowed building envelope for each lot shall be registered on title.
2. This Development Variance Permit lapses if construction of the building has not commenced, under an issued Building Permit, within 24 months of the date this permit is issued.

In the event the Owner is delayed or interrupted or prevented from commencing the construction of the work specified herein by reason of any Act of God, labour unrest (including strike and lockouts), weather conditions or any similar cause reasonably beyond the control of the Owner, the time for the commencement of the work shall be extended for a period equal to the duration of the contingency that occasioned the delay, interruption or prevention, provided that commercial or financial circumstances of the Owner shall not be viewed as a cause beyond the control of the Owner.

THE COUNCIL OF WEST VANCOUVER APPROVED THIS PERMIT BY
RESOLUTION PASSED ON [DATE].

MAYOR

MUNICIPAL CLERK

THE REQUIREMENTS AND CONDITIONS UPON WHICH THIS PERMIT IS ISSUED ARE ACKNOWLEDGED AND AGREED TO. IT IS UNDERSTOOD THAT OTHER PERMITS / APPROVALS MAY BE REQUIRED INCLUDING PERMITS / APPROVALS FOR BUILDING CONSTRUCTION, SOIL AND ROCK REMOVAL OR DEPOSIT, BOULEVARD WORKS, AND SUBDIVISION.

Owner: Signature

Owner: Print Name above

Date

FOR THE PURPOSES OF SECTION 4, THIS PERMIT IS ISSUED ON [DATE].

Schedules:

A – Proposed Subdivision Plan with Building Envelopes by Chapman Land Surveying Ltd date stamped December 5, 2008.

A

SCHEDULE

RECEIVED

DEC - 5 2008

THE CORPORATION OF THE DISTRICT
OF WEST VANCOUVER
PLANNING LEASING
& PERMITS DIVISION

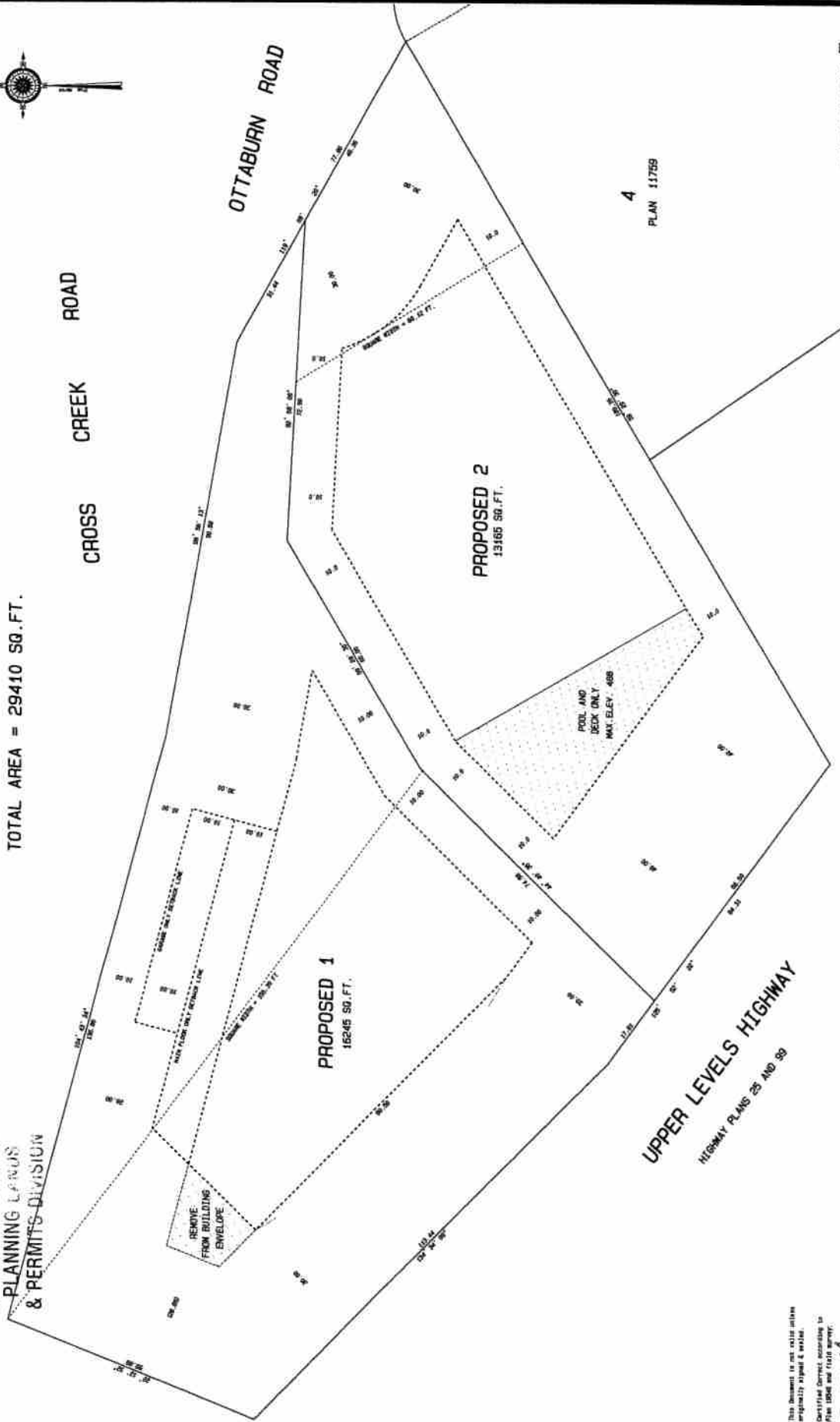
SKETCH SHOWING PROPOSED SUBDIVISION OF
LOT 'D', SOUTH EAST 1/4 OF
DISTRICT LOT 1093
GROUP ONE, NEW WESTMINSTER DISTRICT
P.I.D. 005-886-005
PLAN 19546
SCALE: 1/8" = 1' (1:96)

TOTAL AREA = 29410 SQ. FT.



CROSS CREEK ROAD

OTTABURN ROAD



UPPER LEVELS HIGHWAY
HIGHWAY PLANS 25 AND 29

This document is not valid unless
electronically signed & sealed.
Qualified Signatory according to
B.C.A. and U.I.C.A. (1997).

MR. Chip McLean
B.C. Land Surveyor
1994-2008

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BY THE DISTRICT OF WEST VANCOUVER
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