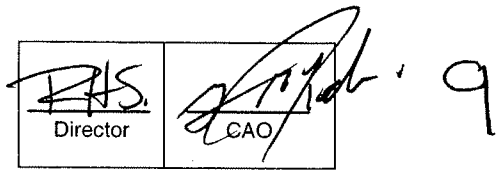


COUNCIL AGENDA/INFORMATION		
<input type="checkbox"/> Closed	Date: _____	Item # _____
<input checked="" type="checkbox"/> Reg. Council	Date: <u>Oct 6, 08</u>	Item # <u>9</u>
<input type="checkbox"/> Supplemental	Date: _____	Item # _____



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

Attachments for item **9**
Provided under separate cover

COUNCIL REPORT

Date: September 25, 2008 File: 2390-20
 From: Tony Tse, Land Development Engineer
 Subject: 3320 Thompson Crescent – Rock Removal for swimming pool

RECOMMENDED THAT:

1. Staff be authorized to issue a Rock Breaking Permit to remove approximately 3.0 to 5.0 cubic meters of rock at 3320 Thompson Crescent for the purpose of installing an in ground swimming pool.

1.0 Background

1.1 History

In May 2008, Metro Blasting representing the owner of 3320 Thompson Crescent removed 532 cubic meters of rock for the purpose of constructing a new house on this property. The proposed rock volume removed was less than the permitted volume of 562 cubic meters (calculated based on Section 6(1)(a) Limitation of Rock Breaking of the Soil Removal and Deposit Bylaw).

On September 8th 2008, John Horning, the owner of 3320 Thompson Crescent, applied for a Rock Breaking Permit to remove 3-5 cubic meters of rock for the purpose of constructing an in ground pool as part of the new house development for this property (see Appendix A). The proposed rock volume was based on a pool plan from the owner (see Appendix B). The location of the pool is constrained by the location of the sewer easement across the property. The pool was moved as close to the sewer easement as possible in order to minimize rock removal. (Appendix C)

Under the District Soil Removal and Deposit Bylaw, removal of rock by percussion breaking or splitting to facilitate the construction of a swimming pool must be approved by Council. Upon review of their application, staff was satisfied that the small quantity of rock proposed to be removed would not have any significant environmental, visible and auditory impacts to the adjacent properties.

The applicant also discussed his proposal with his neighbours and received a supporting letter from the neighbour to the south, 3321 Mathers Avenue

(Appendix D). According to the applicant the neighbour to the west was supportive, but did not provide a supporting letter. Also, according to the applicant, the neighbour to the east was not approached as they "have had problems in the past and are not approachable on any issues."

2.0 Policy

2.1 Bylaw

Rock breaking to facilitate the construction of a swimming pool must receive approval from Council under the Soil Removal and Deposit Bylaw Section 6(2)(a).

3.0 Analysis

3.1 Site and Environmental Implications

The small quantity of rock to be blasted will have no adverse site and environmental impact.

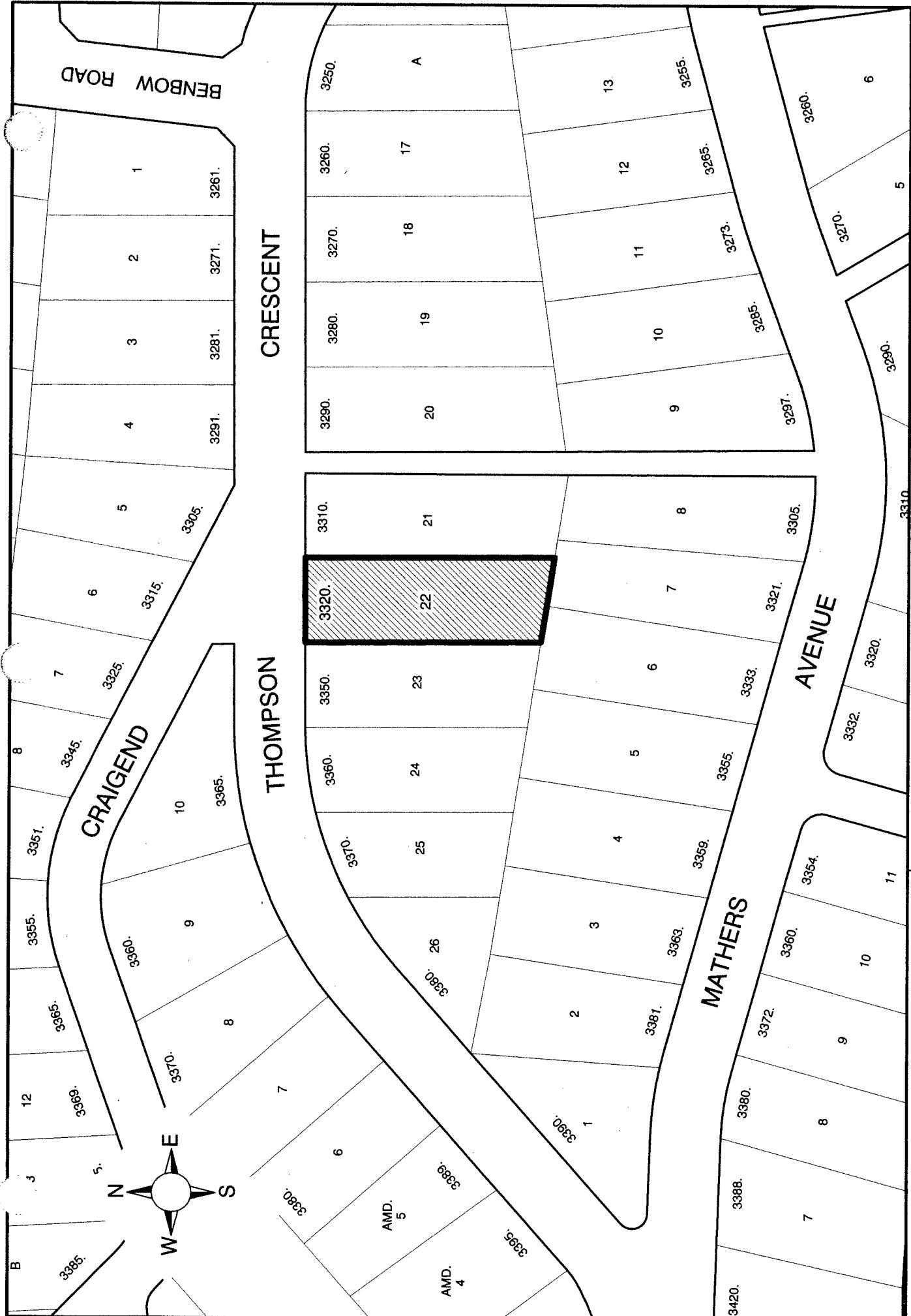
3.2 Consultation

Adjacent neighbours were consulted and one written consent was given (Appendix D) and according to the applicant one verbal consent was granted from the neighbour to the west.

Author:  _____, Tony Tse, Land Development Engineer

Appendices

- A: Context Plan SK-1.
- B: Letter from owner dated September 8th 2008
- C: Pool plan and rock volume computation
- D: Site Plan
- E: Letter of support from 3321 Mathers Avenue.



DATE: Sep 28/08 REV: 0

CONTEXT PLAN

SK-1

3320 Thompson Crescent

TITLE:

DISTRICT OF WEST VANCOUVER
THE WATERFRONT COMMUNITY

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**JOHN A. HORNING
3320 THOMPSON CRESCENT
WEST VANCOUVER, BC V7V 3E7**

September 8, 2008

Mr. Bob Sokol
Director of Planning, Lands & Permits Div.
750 17th Street
West Vancouver, B.C.
V7V 3T3

Dear Mr. Sokol,

Re: Rock removal at 3320 Thompson Cres.

As discussed, we are currently constructing a new house at 3320 Thompson Cres. in West Vancouver and require permission to chip back a small quantity of rock to allow proper space to complete the north end of our swimming pool. You have advised that to gain permission to remove any rock for a pool, it has to go to city council for approval. With this letter we ask that you take our request forward to council.

The information you requested is as follows:

1. We have completed blasting for our house foundation and are under our calculations by approximately 30 cubic meters (we removed approximately 532 cubic meters and our allowable was 562 cubic meters). Your department has received all the required surveys.
2. The quantity of rock we need to chip is approximately 3 – 5 cubic meters (see calculations and diagrams attached)
3. The rock removal would be done by chipping (no blasting is required)
4. There is no impact to the neighbors as this small rock chipping is right in the center of the property. Notwithstanding that fact, we discussed this with the neighbors to the South and to the West and both are supportive. We have received a letter of support from the neighbor to the South (letter attached). We have received verbal support from the neighbor to the west who has indicated they would send an e-mail (still waiting). We have had problems with the neighbor to the east and they are not approachable on any issues.

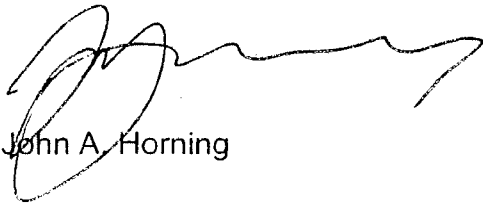
I would be pleased to attend on site with you early next week to review this request with you (I am out of town Tuesday afternoon – Friday). You should note on the site plan that

there is restricted space in which to place the pool because there is a sewer easement across the bottom of the property...so moving it further south is not an option.

We request that you take our request forward to council as soon as possible so that our project is not further delayed.

Thanks you for your assistance in this matter. Should you have any questions at all, please do not hesitate to contact me.

Yours truly,

A handwritten signature in black ink, appearing to read "John A. Horning". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

John A. Horning

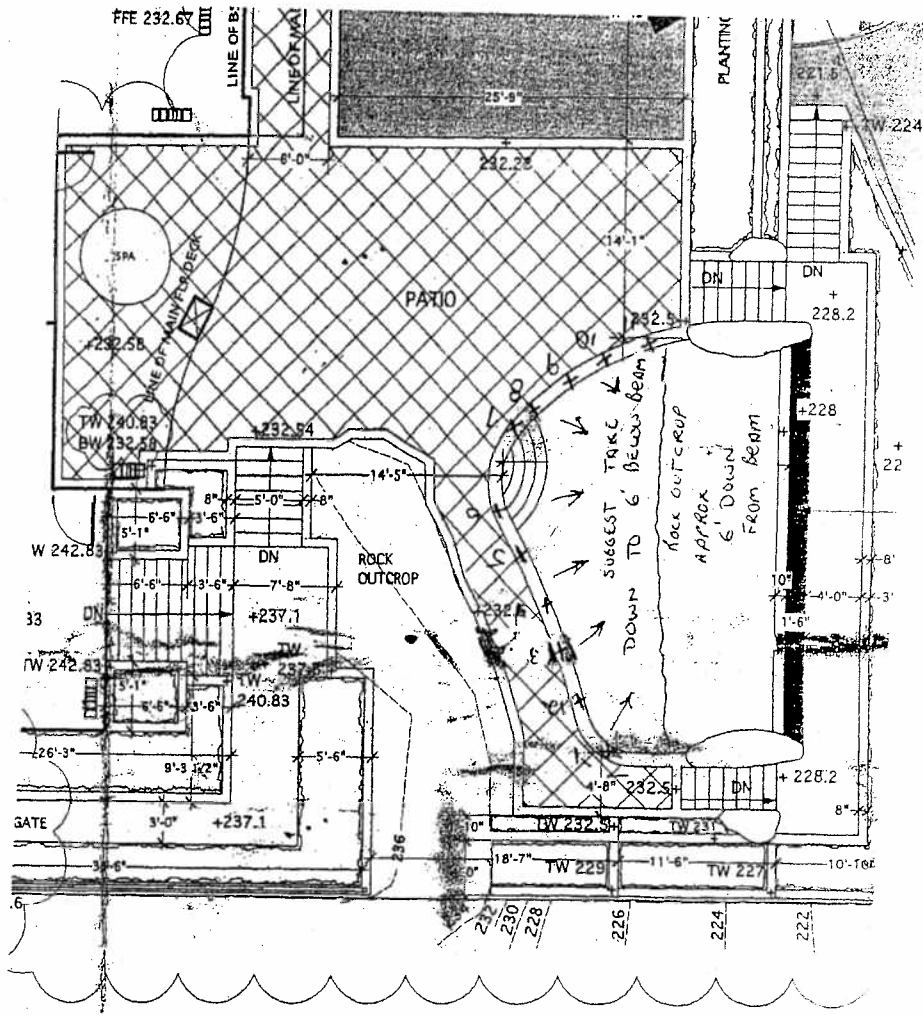
HORNING RESIDENCE
3320 THOMPSON CRESCENT, WEST VANCOUVER

Attachments for this item
are being presented
under separate cover

Point	Distance A	Distance B	Existing Depth Rock to Beam Height	Proposed Beam Height off of Rock
1	19'-2"	39'-6"	42"	66"
2	22'-4"	37'-0"	43"	66"
3	25'-3"	34'-9"	36"	66"
4	28'-0"	33'-6"	25"	60"
5	31'-0"	32'-3"	26"	56"
6	34'-8"	30'-6"	32"	56"
7	37'-4"	30'-0"	35"	56"
8	37'-9"	27'-0"	32"	56"
9	38'	23'-6"	34"	56"
10	38'	20'-0"	50"	66"
11	37'-6"	16'-4"	73"	OK

1. We laid out the pool and marked the cut lines with points 18" back from them.
2. Because the pool depth in middle and the rock is just below the 6' depth (56" deep pool) we will need to split rock from deep middle line (8' south off south wall), to the cut line at north side of the pool.
3. Pool to be moved 18" downhill, will reduce rock split requirements.
4. Estimated volume of rock split 3 to 5 m³.

THOMPSON CRESCENT



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**SANTOKH BIRK
3321 MATHERS STREET
WEST VANCOUVER, BC V7V 2K6**

September 8, 2008

West Vancouver Council
c/o Bob Sokol
Director of Planning, Lands & Permits Div.
750 17th Street
West Vancouver, B.C.
V7V 3T3

Dear Council Members,

We are the owners of the property directly south of 3320 Thompson Cres. Mr. Horning has asked for a letter of support for rock chipping to allow for a proper depth of their swimming pool. Please accept this letter as our full support for his request.

Yours truly,


Santokh Birk

Cc John Horning

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BYLAWS

BYLAWS

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