



COUNCIL AGENDA/INFORMATION

<input type="checkbox"/> Closed	Date: _____	Item # _____
<input checked="" type="checkbox"/> Reg. Council	Date: Dec 14/09	Item # 19
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 Director	 CAO
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19

DISTRICT OF WEST VANCOUVER  
 750 – 17<sup>TH</sup> STREET, WEST VANCOUVER, BC V7V 3T3

# COUNCIL REPORT

Attachments for item 19  
 provided under separate cover

Date: December 1, 2009 File: 1010-20-09-029  
 From: James Allan, Community Planner  
 Subject: Development Variance Permit Application No. 09-029 (4726 Woodvalley Place)

## RECOMMENDED THAT:

1. The Municipal Clerk give notice that proposed Development Variance Permit No. 09-029 for 4726 Woodvalley Place, to allow construction of an addition to an existing dwelling and to retain a non-complying shed, will be considered on Monday, January 25<sup>th</sup>, 2010.

## Purpose

The purpose of this report is to provide information to Council on proposed Development Variance Permit No. 09-029 (4726 Woodvalley Place) which would:

- Vary the maximum height, maximum number of storeys and Highest Building Face Envelope to allow a new garage with Secondary Suite (or in-law suite) above to be constructed, connected to the existing house via an enclosed corridor and elevator;
- Provide for a reduction in the required Side Yard to allow a non-complying shed to be retained; and
- Allow the required off-street parking space for the Secondary Suite to be in a garage and thus not constructed of impervious materials.

The proposed Development Variance Permit will be considered by Council on Monday, January 25<sup>th</sup>, 2010.

## 1.0 Background

### 1.1 Bylaw

The Zoning Bylaw establishes rules regarding the form and location of development on individual lots, including building siting.

## **2.0 Analysis**

### **2.1 Description of Site**

The subject site is zoned RS2 and located at the eastern end of Woodvalley Place. It is occupied by an existing 1753 sq. ft. house, a one car garage and a shed. The lot is well treed and steep – it rises from an elevation at the front property line of approximately 800 ft to 848 ft at the rear of the property, a grade of approximately 29%. The front half of the property is particularly steep rising 40 ft to the existing dwelling (approximately 46% grade).

### **2.2 History**

The house was built in 1972 and in 1975 the Board of Variance approved a carport to be sited with a front yard of 30 ft rather than the required 60ft required under the Zoning Bylaw of the day. A building permit was issued in 1982 to enclose the carport into a garage.

### **2.3 The Proposal**

The owner is proposing to replace the existing garage with a new three car garage with Secondary Suite (or in-law suite) above, in the same location as the existing garage. To enable wheelchair access to the house, the garage and suite will be connected to the existing dwelling via an enclosed corridor and elevator. The proposal results in Floor Area and site coverage well below the maximum permitted under the RS2 zoning of the lot: a Floor Area Ratio of 0.17 versus the 0.35 permitted; and site coverage of 10% versus the 30% permitted.

The addition to the existing house requires several variances due to the topography of the site. The proposed garage and suite are to be connected to the house via an enclosed corridor and elevator and this, by definition, renders them part of the house. As the garage and suite are located further down the property than the house, this lowers average grade (from which the height of the building is calculated) and results in the existing house being over height by 10 ft 10 in.

Where a house has a split level or stepped design, floor levels greater than 1.4m vertical distance from each other are counted as separate floors under the Zoning Bylaw. As the house, suite and garage step down the hill, a variance to the maximum number of storeys is required. The storeys of the house are identified as:

- (a) The proposed garage is counted as a basement;
- (b) The proposed suite is the main floor;
- (c) The proposed corridor and utility room in the existing house are the second floor;

- (d) The family room and kitchen in the existing house are the third floor; and
- (e) The living room and master bedroom are the fourth floor.

The steep slope of the property results in the garage and suite, as well as a portion of the elevator shaft, exceeding the Highest Building Face Envelope by approximately 11 ft. A portion of the existing house already exceeds the Highest Building Face Envelope.

A shed was constructed in the south-west corner of the property without permits, located within the minimum side yard. The shed was sited between mature trees and a variance is required as the owner wishes to retain it rather than disturbing the trees by relocating the shed.

The required variances are as follows:

	<b>Bylaw</b>	<b>Proposed</b>
<b>Minimum Side Yard</b>	10 ft	3 ft 4 in
<b>Maximum Height</b>	25 ft	35 ft 10 in
<b>Highest Building Face</b>	22 ft	33 ft 0.75 in (garage/suite)
<b>Number of Storeys</b>	2 + basement	4 + basement

In addition, the off-street vehicle parking space required under proposed Zoning Bylaw Amendment No. 4617 to allow Secondary Suites, is proposed to be located within the proposed garage. Should the proposed Zoning Bylaw amendment be adopted, a variance is required to allow the required space to be constructed of impervious materials.

#### 2.4 Implications

The existing house built in 1972 is approximately 1753 sq ft in size. The owner wishes to add the garage and suite and connect them to the house via an enclosed corridor and elevator, thus increasing the floor area but still keeping well within the permitted floor area for the property. The proposed suite is to be 837.31 sq ft in area. It complies with the requirements for an in-law suite as well as the proposed Zoning Bylaw Amendment No. 4617 for Secondary Suites, except that the off-street parking space required for the Secondary Suite is in a garage rather than outside and will be constructed of impervious materials. Site conditions do not appear conducive to soaking additional stormwater runoff into the ground onsite. The proposed Permit provides a variance to the requirement that the off-street parking space is constructed of pervious materials, in the event the Bylaw is adopted, and allows a connection to the Districts stormwater network.

In order to access the northern parking stall in the garage, the existing driveway needs to be expanded. A small retaining wall with suspended concrete slab is

proposed at the north-west corner of the garage. The suspended slab is designed to reduce any impact on the existing cedar tree and its root system.

*Existing House and Proposed Garage and Suite Addition*

The steep topography of the property, design of the existing house and proposed design of the addition result in variances required to:

- (a) the maximum height of the house;
- (b) the Highest Building Face Envelope for northern elevation of the garage and suite as well as a portion of the elevator shaft; and
- (c) maximum number of storeys.

Staff support the proposed variances for the following reasons:

- The variance to the maximum height of the house results from the lower average grade resulting from the proposed addition. The existing house height is not changing.
- The Highest Building Face Envelope is intended to encourage variety in elevation design and prevent flat, three storey façades. The house design achieves this as:
  - The foundation wall for the garage is to be faced with stone;
  - The face of the building, comprising the existing dwelling and proposed addition, varies considerably along its east-west width, breaking up the northern elevation of the building; and
  - Design elements in the front façade of the garage and suite help break up this elevation such as an eyebrow above the garage window and the deck and eaves on the western and eastern façade.
- The variance to the number of storeys is required due to the stepped design of the house and proposed garage and suite addition. It is not a true four storey house with each floor directly over one another. If the existing house was not connected to the suite via the corridor, both buildings would comply with the maximum number of storeys.
- The existing trees on the property help shield the view of the house and proposed addition from Woodvalley Place and neighbours. Only one tree is proposed to be removed. A cedar located at the north-west corner of the garage is to be retained. Due to its close proximity to the garage and driveway extension, a condition on the proposed Permit requires that tree protection measures be identified by an Arborist and applied during construction.
- The design of the proposed garage and suite addition sits the building on top of the land which reduces blasting and site excavation.

*Existing Shed*

A shed was built without permits in the south-west corner of the property with a 3.4 ft side yard. Staff are unable to determine when the shed was built as it was not shown on a survey of the property in 1972 and was only identified during the building permit process in June 2009. It appears from a visual inspection of the exterior of the shed that it is in reasonable condition and will not need to be replaced in the near future. The shed does not appear to be affecting any of the surrounding trees. For the reasons above staff support the proposal to retain the shed in its current location.

## 2.5 Conclusion

Subject to additional comments or concerns being raised on the project at the public meeting, staff recommends approval of proposed Development Variance Permit 09-029.

## 2.6 Consultation

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

## 3.0 Options

3.1 At the time of consideration of this report, Council may:

- (a) set the date for consideration of this application (recommended); or
- (b) set the date for consideration of this application and request that additional information (to be specified) be provided and available to assist in consideration of the application; or
- (c) defer further consideration pending receipt of additional information; or
- (d) reject the application.

3.2 When the application is considered by Council, Council may:

- (a) approve issuance of the attached Development Variance Permit No. 09-029; or
- (b) approve issuance of a modified Development Variance Permit No. 09-029; or
- (c) request more information; or
- (d) reject the application.

Author:



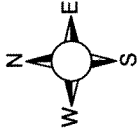
Concurrence:



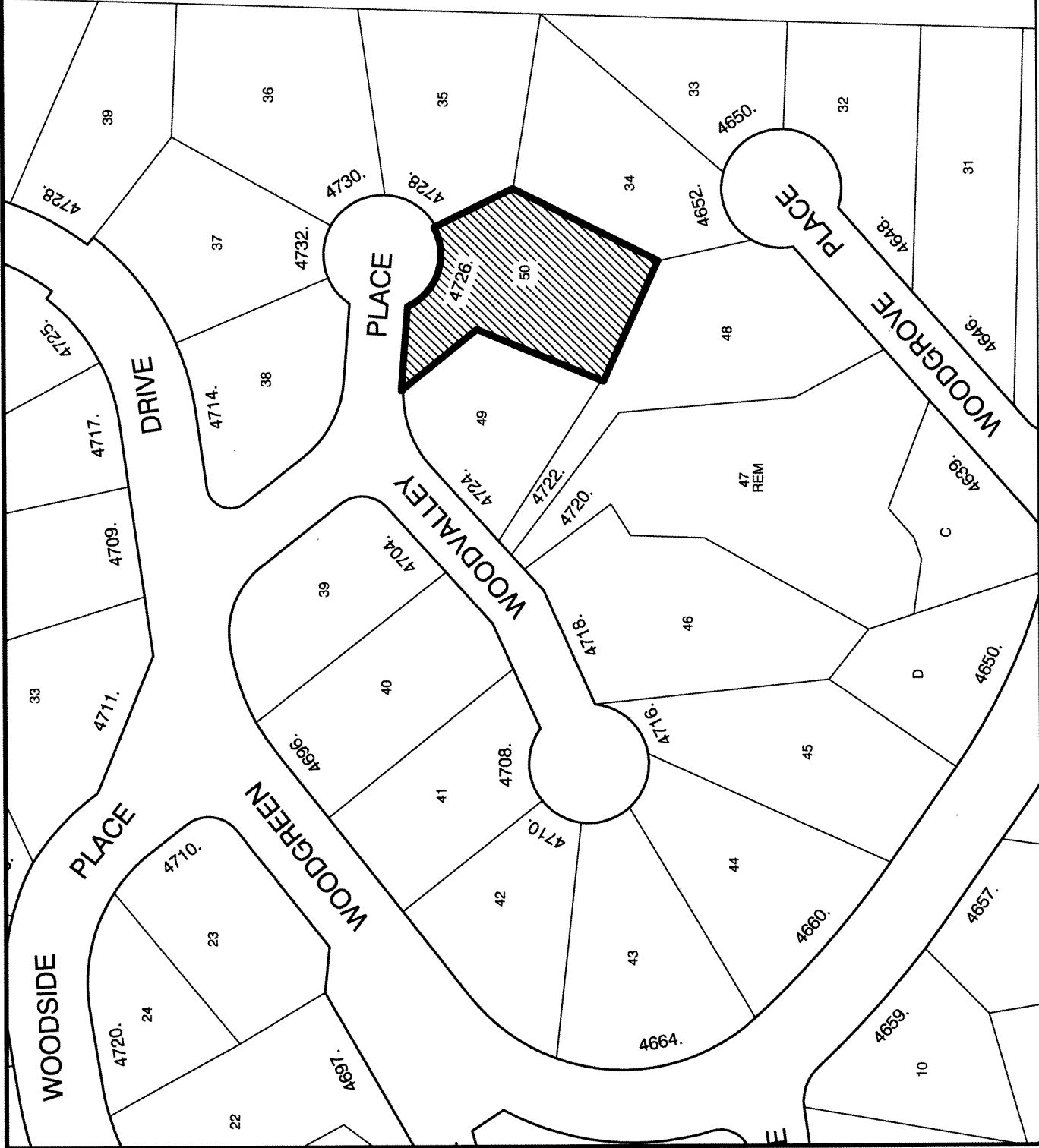
Appendices:

A: Context Plan

B: Proposed Development Variance Permit, including plans



CYPRESS FALLS  
PARK



DATE: AUG 24/09 | REV: 0

SK-1

CONTEXT PLAN

4726 Woodvalley Place

TITLE:

*westvancouver*  
THE WATERBENT COMMUNITY



**District of West Vancouver**  
*PROPOSED*  
**Development Variance Permit No. 09-029**

Registered Owner(s):     Martin Bailey

This Development Variance Permit applies to:

Civic Address:             4726 Woodvalley Place

Legal Description:         PID: 008-686-661  
                                  Lot 50 Block F District Lot 886 Plan 13309  
                                  (the "Lands")

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This Development Variance Permit No. 09-029 is issued to the Registered Owner to vary and supplement the District's Zoning Bylaw No. 2200, 1968 as follows and on the conditions set out below:

1.     Zoning Bylaw No. 2200, 1968 is varied, to allow the property to be developed in accordance with the drawings and plans submitted by Jamie A Martin Design Ltd date stamped December 2, 2009 and attached as Schedule "A", as follows:
  - (a)    Section 32-208.2 and 31-102.2 (Side Yard) to allow the existing shed to remain with a minimum side yard of 3.4 ft.
  - (b)    Section 32-209 (Height) to allow the existing dwelling to be retained and the garage and suite, enclosed corridor and elevator to be constructed with:
    - i.     a maximum height of 37.1 ft: and
    - ii.    four storeys and a basement.
  - (c)    Section 32-213 (Highest Building Face Envelope) to allow the construction of the elevator, garage and suite to exceed the Highest Building Face Envelope by 11.69 ft.
  - (d)    Section 31-109.1 (8) (c) (Secondary Suite Off-street Parking) to allow the required off-street vehicle parking space to be constructed of impervious materials.  
*Note: this clause would not apply if Zoning Bylaw 2200, Amendment No. 4617 to introduce Secondary Suites is not adopted.*
  
2.     Prior to Building Permit issuance, the Registered Owner shall:
  - (a)    submit a report from a qualified Arborist advising on the current health of the cedar tree identified as 'protected' on Sheet 1 of 10 of the plans submitted by Jamie A Martin Design Ltd date stamped December 2, 2009 and advising on measures to be taken during construction to protect the cedar tree and any other trees onsite that may be affected by construction;
  - (b)    install tree protection measures as recommended by the Arborist, to the satisfaction of the Environmental Protection Officer; and

- (c) maintain tree protection measures during construction and only remove them with the prior written consent of the Environmental Protection Officer.
3. This Development Variance Permit lapses if construction of the building permitted herein has not commenced, under an issued Building Permit, within 24 months of the date this permit is issued.

In the event the Registered 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 Registered 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 Registered Owner shall not be viewed as a cause beyond the control of the Registered Owner.

THE COUNCIL OF THE DISTRICT OF WEST VANCOUVER APPROVED THIS PERMIT BY RESOLUTION PASSED ON \_\_\_\_\_.

\_\_\_\_\_  
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 3, THIS PERMIT IS ISSUED ON \_\_\_\_\_.**

Schedules:

A – Building Plans prepared by Jamie A Martin Design Ltd date stamped December 2, 2009.

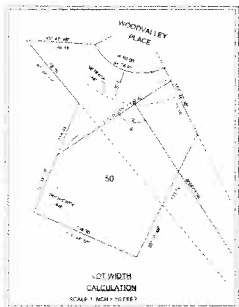
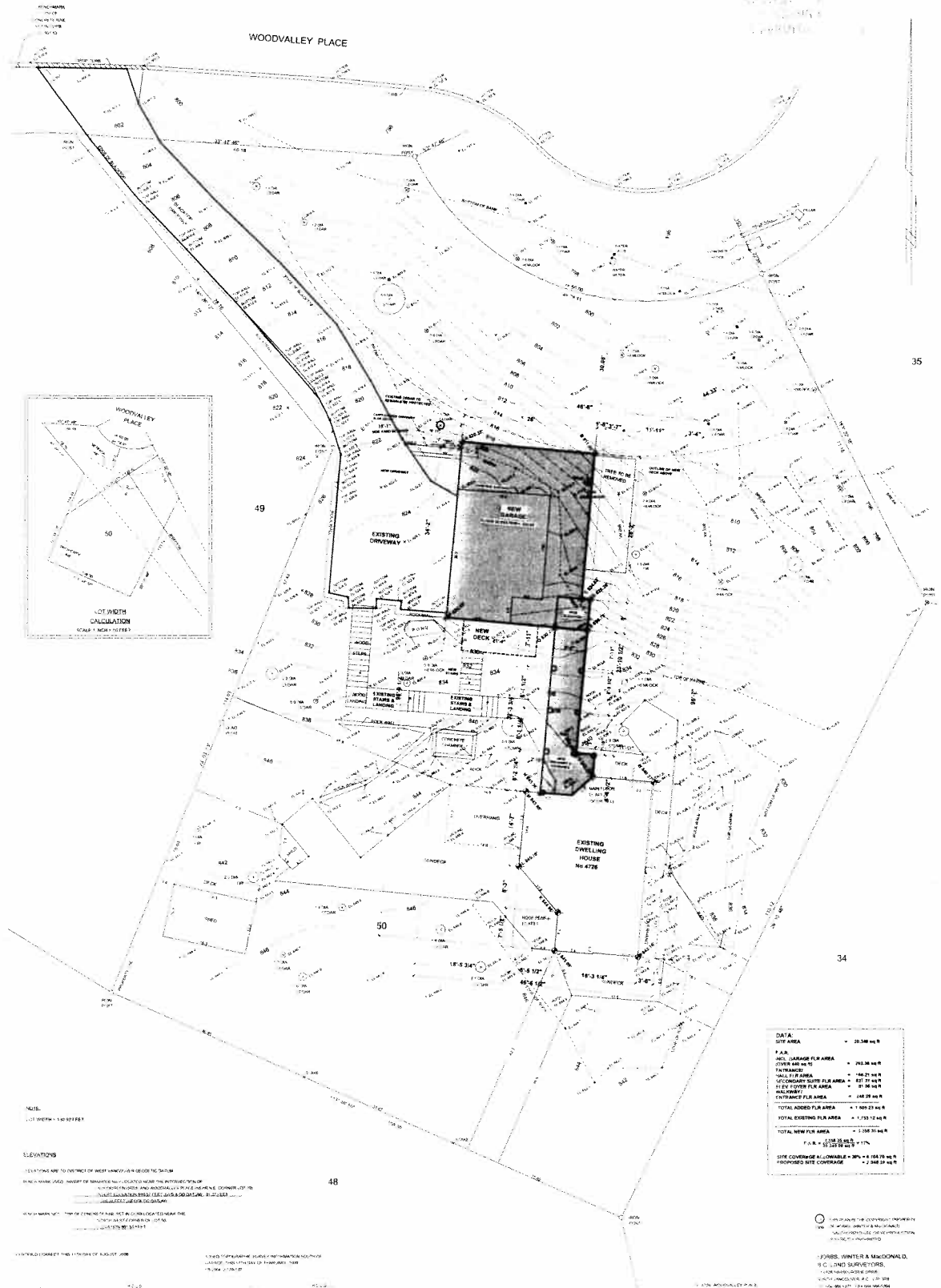
TOPOGRAPHIC SURVEY PLAN OF A PORTION OF LOT 50,  
BLOCK "F", DISTRICT LOT 886, PLAN 13309

SCALE: 1 INCH = 8 FEET

RECEIVED

DEC 02 2009

THE CORPORATION OF  
WEST VANCOUVER  
DISTRICT OF WEST VANCOUVER



DATA:	
SITE AREA	= 20,346 sq ft
P.A.R.	
NEW GARAGE FLOOR AREA	= 162.36 sq ft
NEW DECK	= 140.29 sq ft
NEW DRIVEWAY	= 87.50 sq ft
NEW STAIRS LANDING	= 31.34 sq ft
NEW WALKWAY	= 148.29 sq ft
TOTAL ADDED FLOOR AREA	= 1,069.23 sq ft
TOTAL EXISTING FLOOR AREA	= 1,753.12 sq ft
TOTAL NEW FLOOR AREA	= 2,822.35 sq ft
TOTAL EXISTING SITE COVERAGE	= 17%
TOTAL NEW FLOOR AREA	= 1,069.23 sq ft
PROPOSED SITE COVERAGE	= 2,822.35 sq ft

NOTE:  
LOT WIDTH = 140.22 FEET

ELEVATIONS  
ELEVATIONS ARE TO CENTER OF MEASUREMENT UNLESS OTHERWISE NOTED

ALL ELEVATIONS ARE TO CENTER OF MEASUREMENT UNLESS OTHERWISE NOTED

ALL ELEVATIONS ARE TO CENTER OF MEASUREMENT UNLESS OTHERWISE NOTED

1 OF 10

JAMIE A. MARTIN DESIGN LTD.  
GRAPH-TECH DESIGN  
TEL 604-892-3755 EMAIL: graphtech@telus.net  
SQUAMISH BRITISH COLUMBIA

NEW ADDITION / RENOVATION TO EXISTING RESIDENCE  
FOR MR. MARTY BAILY  
4726 WOODVALLEY PLACE, The DISTRICT OF WEST VANCOUVER, B.C.

Attachments for item 19  
provided under separate cover

JAMES WINTER & MACDONALD,  
P.C. LAND SURVEYORS  
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