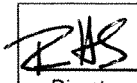
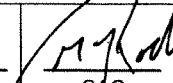


COUNCIL AGENDA/INFORMATION		
<input type="checkbox"/> Closed	Date:	Item #
<input checked="" type="checkbox"/> Reg. Council	Date: DEC 8, 08	Item # 13
<input type="checkbox"/> Supplemental	Date:	Item #

 Director	 CAO
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REG. COUNCIL JAN 12, 09 5

DISTRICT OF WEST VANCOUVER

750 - 17TH STREET, WEST VANCOUVER, BC V7V 3T3

COUNCIL REPORT

Attachments for item 5
provided under separate cover

Date: November 27, 2008 File: 1020-20-08-027
 From: James Allan, Community Planner
 Subject: Development Variance Permit Application No. 08-027 (610 11th Street)

RECOMMENDED THAT:

1. The Municipal Clerk give notice that the Development Variance Permit Application No. 08-027 for 610 11th Street, which provides for a new dwelling to be built with a reduced front yard and access from Duchess Avenue rather than the lane, will be considered on Monday, January 12th, 2009.

Purpose

The purpose of this report is to provide information to Council on Development Variance Permit Application No. 08-027 (610 11th Street) which would provide for a new dwelling with a reduced front yard and access from Duchess Avenue rather than the lane. The proposed Development Variance Permit application will be considered by Council on Monday, January 12th, 2009.

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 Discussion

2.1.1 Description of Site

The subject site is located on the north eastern corner of the intersection of 11th Street and Duchess Avenue and has a lane along its east boundary. The lot is zoned RS5 and classified as a Corner Flanking Lot with a lot width of 52 ft and a lot depth of 125 ft. The corner flanking lot classification results in a narrow building envelope after the required front and side yards are taken into account. An existing dwelling was demolished and the site is now vacant.

2.1.2 Description of proposal

The proposed new two storey dwelling is to be located with a 12.5 foot setback from Duchess Avenue rather than the required 25 feet. A second variance is required as access for parking and garage purposes is proposed to be off Duchess Avenue rather than the lane.

	Bylaw	Previous dwelling	Proposed
Front Yard (Duchess Ave)	25 feet minimum	6ft to dwelling, 4.5ft to deck	12.5 feet
Access to lot for parking and garage purposes.	Off lane where open for use	Garage access off lane	Off Duchess Avenue
Front Yard (11 th Street)	25ft minimum	>25	30.5 ft
Side Yard (lane)	5ft minimum	Approx. 2ft to garage	32 ft
Side Yard (north property line)	5ft minimum	>5ft	5.2 ft

2.1.3 Implications

The previously existing dwelling was build prior to 1947 (first record on property file). It was located within the current bylaw required Duchess Avenue front yard, approximately 6 feet to the building and 4.5 feet to the deck, as shown in the Drawing A11 of the building plans in Schedule B. The dwelling utilized a detached garage that accessed off the lane right on its intersection with Duchess.

The proposed new dwelling would be located 12.5 feet from Duchess Avenue. To ensure that a blank, unarticulated wall does not dominate the street or neighbours, the applicant has proposed greater variation in the eastern building face and exterior material use and has added a number of windows and a door.

The applicant has provided a site plan (Drawing A-12) showing that the proposed building location maximizes the views of neighbouring properties located to the north and east, as opposed to the permitted building envelope. The permitted building envelope would allow a dwelling to be built to within 5 ft of the lane, restricting the views of these properties.

Under the RS5 zoning access to a lot for parking and garage purposes is restricted to the lane. The applicant proposes to access off Duchess Avenue and staff supports this option for two reasons. Firstly, the garage would have to access the lane close to its intersection with Duchess, causing safety concerns. The proposed location on Duchess Avenue is 30 feet from the lane. Secondly, in order to meet the Districts 20% driveway access grade requirement and place the garage in the basement (as preferred by the applicant), access off the lane would entail a much longer driveway with a turning area, as shown on Drawing A-13. This greatly increases the impervious area in the yard. The proposed driveway off Duchess Avenue has a grade of 3.5%.

At present, a large portion of the boulevard surrounding the property is asphalted. In order to reduce the hard surfaced area visible to the street, the proposed Development Variance Permit requires this to be removed and re-grassed to complement the rest of the street. Accordingly the proposal is seen to have minimal impact on the neighbours and streetscape.

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 08-027.

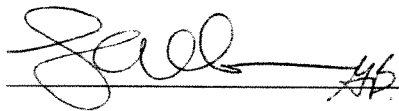
2.2 Consultation

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

Author:



Appendices:

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

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District of West Vancouver

Development Variance Permit No. 08-027

Current Owner: Sorour Abollahi and Dariush Mohamad-Khany

This Development Variance Permit applies to:

Civic Address: 610 11th Street

Legal Description: PID No. 011-111-861
Lot 1 Block 8 District Lot 237 Plan 5622
(the "Lands")

For the purposes of this Development Variance Permit, the Lands shall be developed in accordance with the drawings numbered A1, A2, A4-A6 date stamped Oct 22 2008, approved by Council, 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 32-506: (Front Yard) is varied to allow for the dwelling to be sited a minimum of 12.5 feet from the front site line (Duchess Avenue).
 - (ii) Section 32-510.2: (Off-Street Parking) is varied to allow for the access for parking and garage purposes to be off Duchess Avenue rather than the opened lane.
2. The asphalt between the traveled road carriageway and the property boundary shall be removed and re-grassed with a 95% take in prior to the release of the security required under Section 3. The works shall be to the satisfaction of the Land Development Engineer.
3. Prior to issuance of the Building Permit, a security for the due and proper completion of the measures to restore or enhance the boulevard surrounding the Lands set forth in Section 2 of this Development Permit, the Owner shall provide security in the amount of \$3000 to the District in the form of cash or an unconditional, irrevocable auto-renewing letter of credit issued by a Canadian chartered bank or credit union.
4. 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

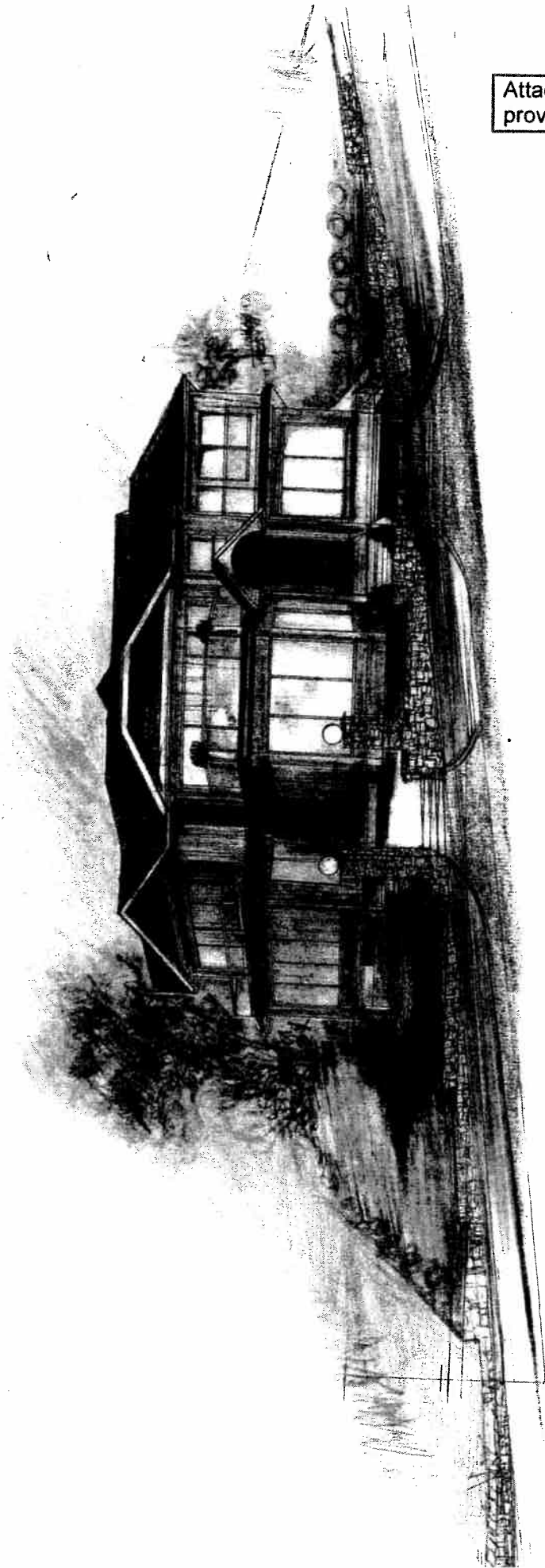
FOR THE PURPOSES OF SECTION 4, THIS PERMIT IS ISSUED ON [DATE].

Schedules:

A – Building Plans date stamped Oct 22 2008.

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Attachments for item
Provided under separate cover

Attachments for item 5
provided under separate cover



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