
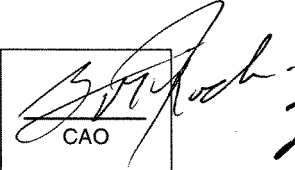


COUNCIL AGENDA/INFORMATION

<input type="checkbox"/> Closed	Date: _____	Item # _____
<input checked="" type="checkbox"/> Reg. Council	Date: <u>July 15, 09</u>	Item # <u>20</u>
<input type="checkbox"/> Supplemental	Date: _____	Item # _____

 Director	 CAO
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20

DISTRICT OF WEST VANCOUVER

750 - 17<sup>TH</sup> STREET, WEST VANCOUVER, BC V7V 3T3

COUNCIL REPORT

Attachments for item 20  
provided under separate cover

Date: July 15, 2009 File: 1010-20-09-016  
From: Geri Boyle, Manager, Community Planning  
Subject: Development Variance Permit Application No. 09-016 (3751 Marine Drive)

**RECOMMENDED THAT:**

1. The Municipal Clerk give notice that the Development Variance Permit Application No. 09-016 for 3751 Marine Drive which would provide for a dwelling to be constructed exceeding the maximum permitted height and Highest Building Face Envelope, will be considered on Monday, September 14, 2009.

**Purpose**

The purpose of this report is to provide information to Council on Development Variance Permit Application No. 09-016 (3751 Marine Drive) which would provide for a dwelling to be constructed exceeding the maximum permitted height and Highest Building Face Envelope. The proposed Development Variance Permit application will be considered by Council on Monday, September 14, 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 and height.

**2.0 Analysis**

2.1 Discussion

2.1.1 Description of Site

The subject site is a 23,205 sq ft lot fronting Marine Drive (to the south) and is zoned RS4. As the lot is quite steep adjacent Marine Drive, access is via the end of Sunset Lane, located within BC Rail Properties land. McKechnie Park is located on its western boundary. An existing house, workshop and garage were demolished in 2008 and the site is now vacant. The driveway to the demolished garage ran west across the property, into McKechnie Park and then back into the property to meet the garage.

### 2.1.2 Description of proposal

The applicant is proposing to construct an architecturally designed, 2 storey house with an attached garage and annex building. The annex building is attached via an enclosed corridor bridge and is located down slope from the main dwelling. The existing driveway is to be removed and a new one is proposed from Sunset Lane, conforming to District requirements with a maximum of 20% grade. In order to construct the house, two variances are required:

	<b>Bylaw</b>	<b>Proposed</b>
Maximum Height	25'	27'6"
Highest Building Face	22'	25'4" for main house 24'6" for annex

The proposed house utilizes 69% of the maximum Floor Area Ratio and 81% of the maximum site coverage permitted for the property.

### 2.1.3 Implications

The subject site slopes from Sunset Lane (to the north) down to Marine Drive (to the south). The topography of the property presents challenges for building a house that complies with blasting limits, maximum driveway grades and the Zoning Bylaw. The applicant has submitted complying plans for building permit but is now requesting height and Highest Building Face envelope variances to enable:

- A reduction in blasting volume by 20%. Plans for the conforming house utilize 99% of the blasting limit for the property (plans for the house as proposed utilizes only 79% of the blasting limit);
- Flattening of the driveway parking area in front of the garage, enabling an easier transition into the garage for vehicles;
- An increase in the heights between floors to allow easier Heating, Ventilation and Air Conditioning distribution;
- The curved roof to be situated one foot higher above the garage roof for easier constructability and maintenance; and
- Both the Main Floor and Lower Floor in the main house to be all one level, instead of an elevated foyer and laundry/mechanical areas respectively.

As part of the development, the existing driveway will be removed, including the portion encroaching into McKechnie Park which will be restored and replanted.

#### Height

The house exceeds the maximum permitted height of 25 ft by 2.5 ft as it is connected to the Annex building by an enclosed corridor bridge and as such the Zoning Bylaw determines that the house and annex become one building for the

purposes of calculating average grade and height. When measured separately, the house is 22.78 ft and the annex is 21.09 ft in height.

The two properties to the north of the subject site (and the rail line) are located well above the subject site and thus are not directly impacted by the proposal. The proposed dwelling would have a roof elevation of 109 ft above sea level (ASL) whereas the house at 3737 Creery Avenue, immediately behind the property to the north, has a main floor elevation of 155 ft ASL and 3720 Creery Avenue located to the north-east, has a main floor elevation of 132 ft ASL.

The property abutting the eastern site line (3741 Marine Drive) has a house located forward of the proposed house location, adjacent to Marine Drive and, as such, the height variance will not impact their views. A number of trees located along the east side yard are to be retained (see Sheet 1.04 of the plans in Appendix B). These trees will help to minimize the impact of the new building on the lot to the east.

#### Highest Building Face

The purpose of the Highest Building Face is to encourage variety in elevation design by preventing flat 3-storey facades. The applicant is seeking to exceed the 22 ft Highest Building Face envelope by 3 ft. 4 in. for the main house and 2 ft 6 in. for the annex. The proposed house and annex:

- Include significant articulation in the facade facing Marine Drive and the ocean (Highest Building Face) by including decks and bay windows in its design;
- includes an architecturally significant roof design;
- is no more than 2 storeys on the front elevation; and
- are located at an angle to one another, further varying this elevation.

For these reasons, staff have no concerns with the proposed 3 ft. 4 in. variance to Highest Building Face.

#### 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. 09-016.

#### 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 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.

When the application is considered by Council, Council may:

- (a) approve issuance of the attached proposed Development Variance Permit No. 09-016; or
- (b) approve issuance of a modified Development Variance Permit No. 09-016; or
- (c) request more information; or
- (d) reject the application.

Prepared by:

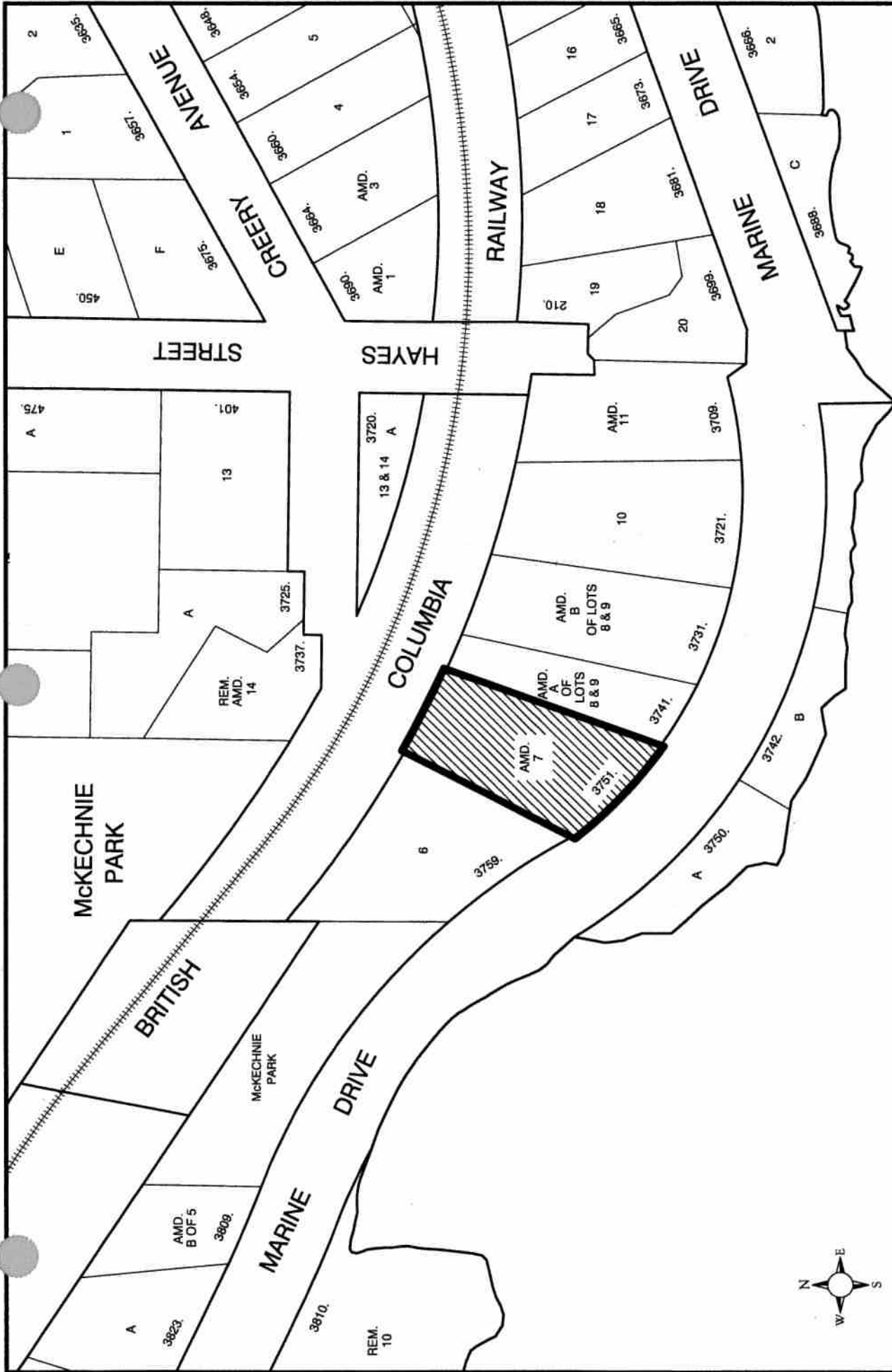


James Allan, Community Planner

  
Geri Boyle, Manager, Community Planning

Appendices:

- A: Context Plan
- B: Proposed Development Variance Permit



DATE: JUN 04/09 REV: 0

CONTEXT PLAN

SK-1

3751 Marine Drive

TITLE:



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**District of West Vancouver**  
***Proposed***  
**Development Variance Permit No. 09-016**

Registered Owner(s): Alan Kovacs and Amanda Tapping

This Development Variance Permit applies to:

Civic Address: 3751 Marine Drive

Legal Description: PID 005-063-965  
PLAN 6171 DISTRICT LOT 558 BLOCK C LOT 7 AM PART  
W1/2.  
(the "Lands")

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This Development Variance Permit No. 09-016 is issued to the Registered Owners 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 in:
  - (a) Section 32-409 (Height of Building): to allow the dwelling to be constructed with a maximum height of 27 feet 6 inches.
  - (b) Section 32-413 (Highest Building Face Envelope): to allow the main dwelling to exceed the Highest Building Face Envelope by 3 feet 4 inches and the annex building to exceed Highest Building Face Envelope by 2 feet 6 inches.
2. The Lands shall be developed in accordance with the drawings and plans date stamped July 15, 2009 and attached as Schedule "A".
3. Prior to issuance of the Building Permit for the residential dwelling on the Lands contemplated by this Development Variance Permit, the Registered Owner shall deposit with the District cash in the amount of \$20,000 to cover the cost of the District removing, restoring and replanting the existing driveway located within McKechnie Park. The timing of the works shall be co-ordinated with the Registered Owner and funds remaining after completion of the works shall be returned.
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 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 5, THIS PERMIT IS ISSUED ON**

Schedules:

A – Building Plans date stamped July 15, 2009.

Issue for Review  
Issue for BP  
Issue for Review  
Reviewed for Variance  
June 01, 2009  
Additional Info  
June 24, 2009

**RECEIVED**

JUL 15 2009

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



# Residence at 3751 Marine Drive, West Vancouver

## DESIGN TEAM

**BUILDING DESIGN**  
OPENSOURCE ARCHITECTURE INC.  
DOO GIBNEY, ARCH  
185 EAST 101 STREET  
NORTH VANCOUVER, BC V7J 1B7  
T 604 984 7728  
F 604 984 1300  
E opensourcearchitecture.com

**INTERIOR DESIGN**  
OPENSOURCE ARCHITECTURE INC.  
ANNE BUCHANAN  
185 EAST 101 STREET  
NORTH VANCOUVER, BC V7J 1B7  
T 604 984 7728  
F 604 984 1300  
E opensourcearchitecture.com

**STRUCTURAL TIMBER**  
SPEARHEAD TIMBERWORKS INC.  
TED HALL  
4935 HIGHWAY 3A  
NESPEAN, BC V1J 6A3  
T 250 853 4300  
F 250 853 4300  
E ted@spearheadtimberworks.com

## CONSULTANT TEAM

**STRUCTURAL ENGINEERING**  
PARALLEL ENGINEERING  
BENET JANSOHN, P.ENG.  
R01 118 HENDER STREET  
VANCOUVER, BC V6B 1Y2  
T 604 681 1300  
F 604 681 1303

**MECHANICAL**  
BLAIR HAAK INC.  
770 HADLEY STREET  
BURNABY, BC V5E 1K6  
T 604 540 1277

**SURVEY**  
CHAPMAN LAND SURVEYING LTD.  
101 100 PARK ROYAL SOUTH  
WEST VANCOUVER, BC V7V 1A7  
T 604 828 2711  
F 604 978 9023

## PROJECT STATISTICS

### PROPERTY ZONING IS RS-4

**SITE AREA**  
F. A. R. PERMITTED 135.51  
F. A. R. PROPOSED 5,320.00 sq ft (171.86 acri)

**SITE COVERAGE - MAX 30%**  
SITE COVERAGE PROPOSED 5,400.75 sq ft  
House Coverage 4,466.75 sq ft  
Plaza 1,004.40 sq ft

**AVERAGE GRADE**  
NATURAL - 81.52 (lowest)  
PROPOSED - 81.17

**FLOOR ELEVATIONS**  
BASEMENT / PLAZA LEVEL +71.50  
LOWER FLOOR +82.50  
MAIN FLOOR +93.00

**BUILDING HEIGHT**  
PERMITTED BUILDING HEIGHT - 25 (Elev. = 104.57)  
PROPOSED BUILDING HEIGHT - 27.5 (Elev. = 106.00)  
Maximum point of eaves and assembly, including metal roofing

**SETBACKS**  
FRONT YARD - 30  
BACK YARD - 30  
SIDE YARDS - 25% of lot width (25% of 119.15) = 30  
17' West Slope  
13' East Slope

## BASEMENT EXEMPTION CALCULATION

BASEMENT ELEV ABOVE AVERAGE GRADE (IN. 57 - 71.50) = 10.97' = 91.10% (Exempt from F.A.R.)  
BASEMENT TO LOWER FLOOR TO FLOOR (82.50 - 71.50) = 11.00'

## FLOOR AREA SUMMARY

**Actual Area** Adjusted from F.A.R. Calculation  
BASEMENT / PLAZA LEVEL (Basement is 91.1% below Average Grade) - 187.28 sq ft  
LOWER FLOOR AREA - 199.23 sq ft  
UPPER FLOOR AREA - 884.91 sq ft  
MECHANICAL ROOM - 188.20 sq ft  
MAIN FLOOR LEVEL - 893.19 sq ft  
MAIN HOUSE - 422.74 sq ft  
GARAGE - 470.45 (1,827.74 - 440.11 Excludes from F.A.R.)  
AREA OVER 14' 4" HIGH (4.40%) - 174.28 sq ft

**TOTAL AREA** - 6,146.11 sq ft  
**SPATIAL SEPARATION** - 5,320.00 sq ft F.A.R.  
SEE A.3.30

NOTE: Entire project to be sprinklered to NFPA 13

**LEGAL DESCRIPTION:**  
3751 Marine Drive West Vancouver BC  
Amended Lot 7 [See 144448], Block  
C, West part of District Lot 338  
located in the New Westminster District  
PID 005-063-965

Project:  
Private Residence  
3751 Marine Drive,  
West Vancouver

Sheet Title:  
Cover Sheet

Project Number:  
0714  
Scale:  
N.O. SCALE  
Date:  
01/06/2008  
Sheet Number:  
0.00

Additional costs for item 20  
provided under separate cover

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