
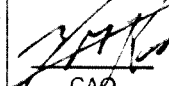


COUNCIL AGENDA/INFORMATION		
<input type="checkbox"/> Closed	Date: _____	Item # _____
<input checked="" type="checkbox"/> Reg. Council	Date: <u>Dec 7, 09</u>	Item # <u>23</u>
<input type="checkbox"/> Supplemental	Date: _____	Item # _____

 Director	 CAO
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23  
7

Jan. 11, 2010 #17

## DISTRICT OF WEST VANCOUVER

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

# COUNCIL REPORT

Date: November 16, 2009 File: 1010-20-09-003  
 From: James Allan, Community Planner  
 Subject: Development Variance Permit Application No. 09-003 (6165 Gleneagles Drive)

### RECOMMENDED THAT:

- The Municipal Clerk give notice that Development Variance Permit No. 09-003 for 6165 Gleneagles Drive, to allow an existing dwelling with a third storey and a covered deck to be retained, will be considered on Monday, January 11<sup>th</sup>, 2010.

### Purpose

The purpose of this report is to provide information to Council on Development Variance Permit No. 09-003 (6165 Gleneagles Drive) which would provide for an existing dwelling to be retained with:

- Reduced front, rear and side yards;
- An existing third storey dormer with variances to the maximum height, number of storeys and Floor Area Ratio;
- An existing enclosed front entry with a reduced front yard; and
- An existing covered deck with reduced front and rear yards.

The proposed Development Variance Permit will be considered by Council on Monday, January 11<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 located at the end of Gleneagles Drive adjacent to Gleneagles Golf Course to the north and east. The lot is zoned RS4 and is approximately 6640 sq ft in area.

## 2.2 Background

The existing house on the property was built in 1975 with the Board of Variance approving variances to allow the house to be sited with a 19.5 ft Front Yard and a 20 ft Rear Yard. The variances were approved due to the restrictive building envelope on the lot which is just 14.4 ft in width at its narrowest point. The RS4 zoning requires a minimum 9000 sq ft lot size whereas the subject property is 6640 sq ft.

The current owners bought the property in October 2007. After they applied for a building permit for internal renovations to the dwelling in January 2008, it was discovered that there were a number of modifications to the house by previous owners that resulted in the house being non-complying with the Zoning Bylaw. The works included:

- a third storey dormer built into the roof facing the rear yard thereby increasing height and floor area;
- an enclosed front entry to the house facing the street; and
- a covered deck added onto the northern side of the house.

The owners are now seeking variances to retain the non-complying modifications and enable them to move forward with their proposed internal renovation. Based on a contemporary lot and building survey, there are minor differences between the original variances approved by the Board of Variance and the originally constructed building. These variances are included in this application in order to legalize the existing building.

The proposed variances to the existing dwelling are:

	<b>Bylaw</b>	<b>Proposed</b>	<b>Included in original BoV approval</b>
<b>Front Yard</b>	30 ft min	19.9 ft (to house) 23.2 ft (to deck)	19.5 ft
<b>Rear Yard</b>	30 ft min	19.15 ft (to house) 21.4 ft (to 3 <sup>rd</sup> storey) 22.05 (to deck)	20 ft
<b>Side Yard (south)</b>	8.35 ft min	7.0 ft	n/a
<b>Height</b>	25 ft max	27.05 ft	n/a
<b>Number of Storeys</b>	2 + basement	3 + basement	n/a
<b>Floor Area</b>	2551 sq. ft. max	3082 sq. ft.	n/a

## 2.3 Implications

### *Third Storey Addition*

The original dwelling was built with two storeys and a basement with a large, pitched roof. At some point prior to the new owners acquiring the property, a dormer was constructed in the roof on the rear of the house, facing the golf course. This added 530 sq ft of floor area to the house which was already at its maximum Floor Area of 2551 sq ft and transformed the 2 storey house into a 3 storey house.

For the purposes of calculating height, peaked roofs are measured to the midpoint between the roof peak and the ceiling immediately below. With the dormer added the height of the ceiling increases and thus, so does the midpoint resulting in the variance to maximum height of 2.05 ft. The peak of the roof remains at the same height as previously built and so the overall height of the house remains unchanged.

Staff support the application to retain the third storey dormer addition for the following reasons:

- The addition is located within previously unused attic space;
- The existing footprint of the house has not increased;
- The District has no record of its construction;
- It is clear that the current owners did not construct the addition;
- The dormer is located on the rear of the house facing the golf course. As such, the dormer cannot be seen from Gleneagles Drive and the streetscape is unaffected.

### *Covered Deck*

A deck was added by previous owners to the northern elevation of the house on the main floor level. A substantial trellis, weatherproofed with a canvas fabric, covers the deck. The covered deck is located with a rear yard of 22.05 ft and a front yard of 23.2 ft. It is no closer to Gleneagles Drive, nor closer to the golf course than the existing dwelling.

The covered deck has minimal impact on neighbours and on the streetscape and staff have no concerns with it remaining for the following reasons:

- Houses on much larger lots across the street from the subject property are located further back and at a lower elevation than the subject property; and
- The boulevard and front of the subject property is well landscaped and contain a number of mature trees.

## 2.4 Conclusion

Subject to additional comments or concerns being raised on the project at the public meeting, staff recommends approval of Development Variance Permit 09-003.

## 2.5 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

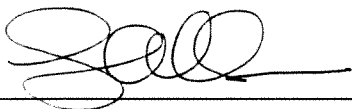
3.1 At the time of consideration of this report, Council may:

- (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. 09-003; or
- (b) approve issuance of a modified Development Variance Permit No. 09-003; or
- (c) request more information; or
- (d) reject the application.

Author:



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Concurrence:

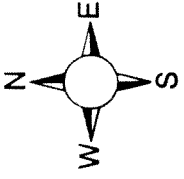


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Manager, Community Planning

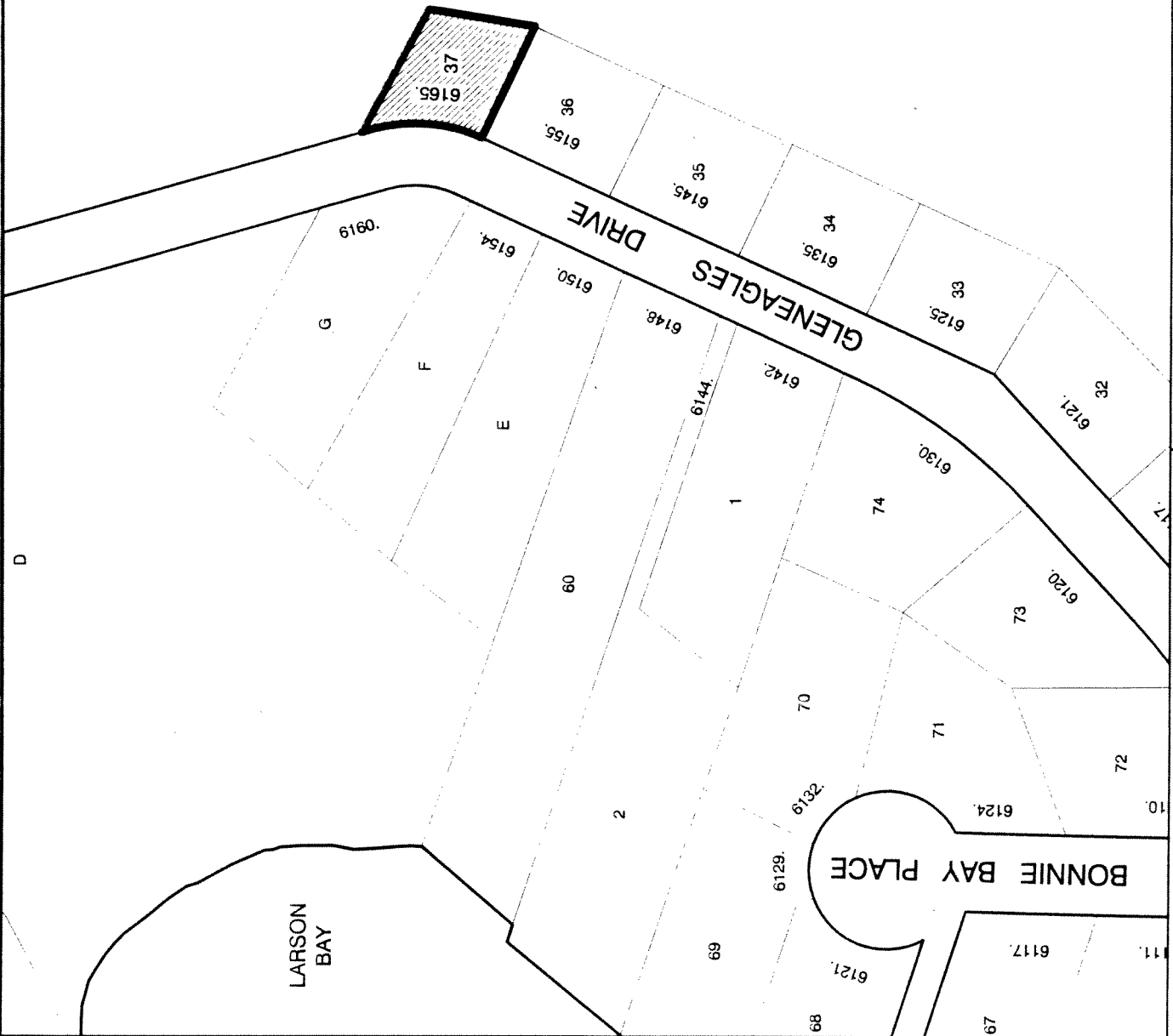
Appendices:

- A: Context Plan
- B: Project Profile
- C: Proposed Development Variance Permit, including plans



APPENDIX A

GLENEAGLES  
GOLF COURSE



DATE: JAN 26/09 | REV: 0

SK-1

CONTEXT PLAN

6165 Gleneagles Drive

TITLE:

DISTRICT OF WEST VANCOUVER  
THE WATERFRONT COMMUNITY

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**PROJECT PROFILE**

<b>Application:</b>	<b>DEVELOPMENT VARIANCE PERMIT No. 09-003</b>
<b>Applicant:</b>	William R Chapman for Owners
<b>Address:</b>	6165 Gleneagles Drive

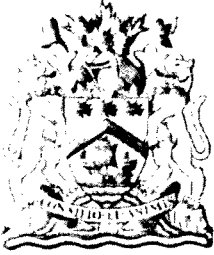
**Zone: RS4**

	<b>BYLAW</b>	<b>PROPOSED<sup>1</sup>:</b>
1. <b>Site Area:</b>	9000 sq. ft. min.	6640 sq. ft.
2. <b>Floor Area Ratio:</b>	0.38	0.46
3. <b>Net Building Area:</b>	2551 sq. ft. max.	3082 sq. ft.
4. <b>Site Coverage:</b>	40.0%	27.7%
5. <b>Setbacks:</b>		
<b>Front Yard:</b>	30 ft. min.	19.9 ft. to house 23.2 ft to deck
<b>Rear Yard:</b>	30 ft. min.	19.15 ft. to house 21.4 ft (to 3 <sup>rd</sup> storey) 22.05 ft to deck
<b>Side Yard-Least:</b>	8.35 ft. min.	7.0 ft.
<b>Side Yard-Combined:</b>	20.88 ft. min.	21.95 ft. (to deck) 38.75 ft (to house)
6. <b>Building Height:</b>	25 ft. max.	27.05 ft
7. <b>No. of Storeys:</b>	2 + basement max.	3 + basement

<sup>1</sup> Source: Information provided by applicant

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on-table

# District of West Vancouver

## Development Variance Permit No. 09-003

Registered Owner(s): Tannis Dee Turner

APPENDIX C

This Development Variance Permit applies to:

Civic Address: 6165 Gleneagles Drive

Legal Description: PID: 004-174-101  
Lot 37, Block 3 District Lot 771, Plan 6025  
(the "Lands")

This Development Variance Permit No. 09-003 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 as follows and as set out on the survey prepared by Chapman Land Surveying Ltd and date stamped November 3, 2009 attached as Schedule "A":
  - (a) The siting of the existing dwelling by varying:
    - (i) Section 32-406 (Front Yard) to reduce the front yard to a minimum 19.9 feet; and
    - (ii) Section 32-407 (Rear Yard) to reduce the rear yard to a minimum 19.15 ft; and
    - (iii) Section 32-408.2 (Side Yard) to reduce the minimum side yard to 7.0 ft.
  - (b) The third storey dormer addition by varying:
    - (i) Section 31-112.4 (Floor Area Ratio) to allow a maximum Floor Area Ratio of 0.46 or 3082 sq. ft.; and
    - (ii) Section 32-409 (Height of Building) to allow a maximum house height of 27.05 ft.
  - (c) The covered deck addition by varying:
    - (i) Section 32-406 (Front Yard) to reduce the front yard to a minimum ~~25.5~~ <sup>23.2 ft.</sup> feet; and
    - (ii) Section 32-407 (Rear Yard) to reduce the rear yard to a minimum ~~22.85~~ <sup>22.05</sup> ft.
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 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

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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 – Survey prepared by Chapman Land Surveying Ltd and date stamped November 3, 2009

SKETCH SHOWING LOCATION OF DWELLING WITH ELEVATIONS FOR AVERAGE GRADE CALCULATIONS ON

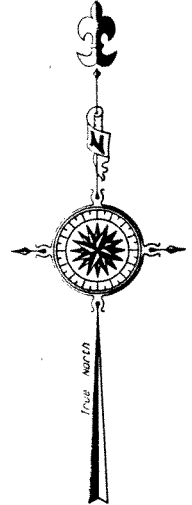
SHEET 1 OF 2 SHEETS

LOT 37, BLOCK 3  
**DISTRICT LOT 771**

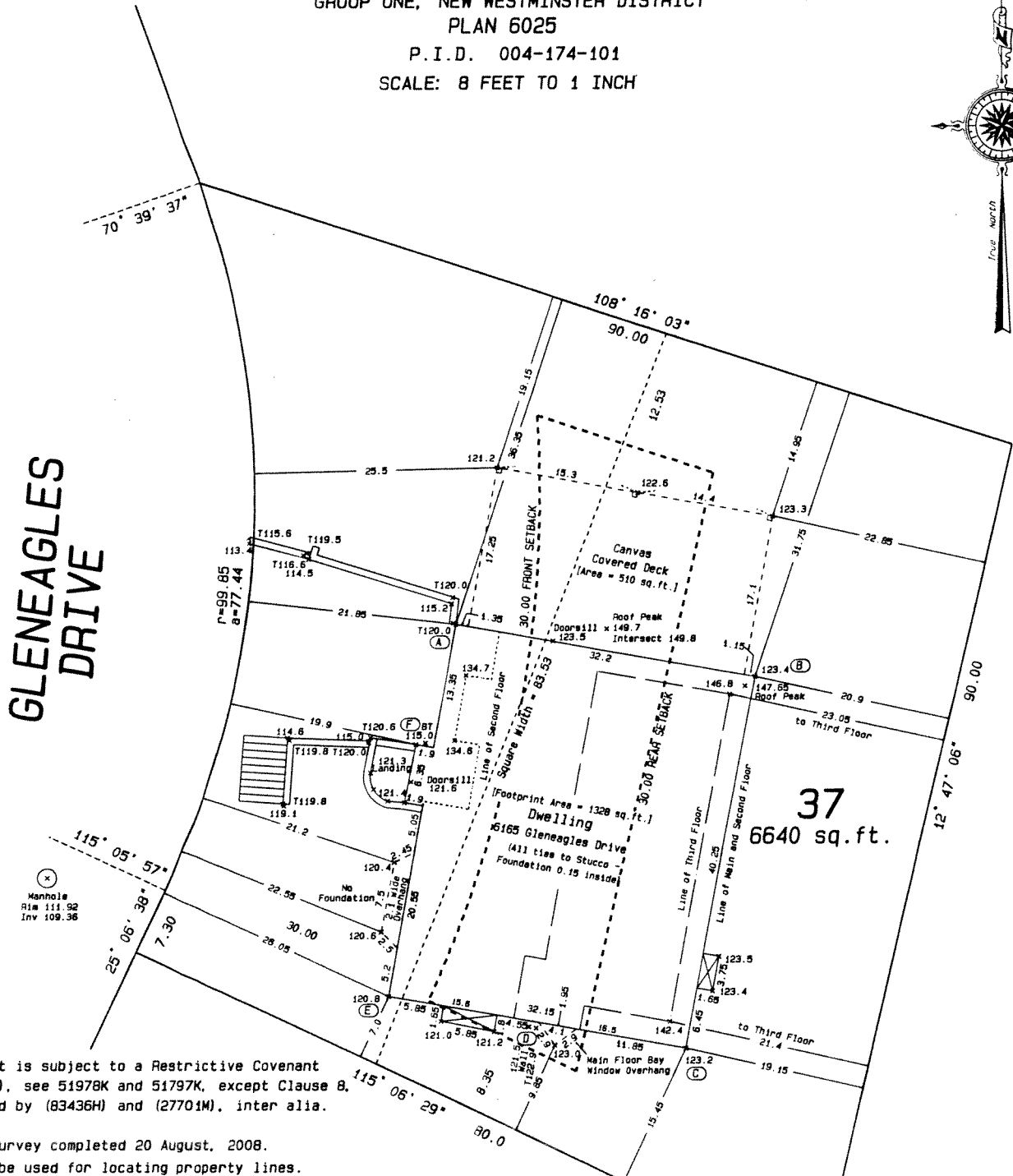
GROUP ONE, NEW WESTMINSTER DISTRICT  
 PLAN 6025

P.I.D. 004-174-101

SCALE: 8 FEET TO 1 INCH



**GLENEAGLES DRIVE**



**NOTE:**

This lot is subject to a Restrictive Covenant (65514H), see 51978K and 51797K, except Clause B, modified by (83436H) and (27701M), inter alia.

Field survey completed 20 August, 2008.  
 Not to be used for locating property lines.

This Document is not valid unless originally signed and sealed.

Certified Correct according to Plan 6025, an unregistered Posting of Lot 34 in 1961, and Field Survey:

**36**  
**PLAN 6025**

© CHAPMAN LAND SURVEYING LTD. 2009  
 British Columbia Land Surveyors  
 107-100 Park Royal South  
 WEST VANCOUVER, B.C.  
 V7T 1A2 604-926-7311  
 FAX 604-926-6923

**NOTE:**

Elevations are to Geodetic Datum and are derived from Sanitary Manhole fronting 6165 Gleneagles Drive; Invert Elevation = 109.36 feet

----- B.C.L.S.

this \_\_\_ day of \_\_\_\_\_ 2009.

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