



COUNCIL AGENDA/INFORMATION		
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13.3

Special June 28, 2010 Item # 13.3

## DISTRICT OF WEST VANCOUVER

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

# COUNCIL REPORT

Attachments for item 13.3  
provided under separate cover

Date: June 16, 2010 File: 1010-20-09-032  
From: James Allan, Community Planner  
Subject: Development Variance Permit Application No. 09-032 (1395 Haywood Ave)

### RECOMMENDED THAT:

1. The Municipal Clerk give notice that Development Variance Permit No. 09-032 for 1395 Haywood Ave, to vary the Zoning Bylaw to allow construction of a new house and detached garage, will be considered on Monday, July 19<sup>th</sup>, 2010.

### Purpose

The purpose of this report is to provide information to Council on Development Variance Permit No. 09-032 for 1395 Haywood Ave which would vary the required Front Yard and Combined Side Yard to allow for construction of a new house and detached garage.

The proposed Development Variance Permit will be considered by Council on Monday, July 19<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 Balanced Scorecard

- 2.1 Corporate Objective – 1.3 Land Use and Infrastructure: Encourage diversity in housing, land use and innovative infrastructure within our distinct neighbourhoods to meet changing needs.
- 2.2 Strategic Initiative and 2010 Milestone – The review and processing of development applications is a significant component of the District's day-to-day operations, and is not reflected in the Balanced Scorecard as either a Strategic Initiative or annual milestone.

### 3.0 Analysis

#### 3.1 Description of Site

The subject site is zoned RS5 and contains an existing one storey house with attached single car carport. The property is 7485 sq. ft in size and slopes from the lane down to Haywood Avenue. The subject property is classified as a Corner Flanking Lot under the Zoning Bylaw. These lots are required to be 68 ft. wide rather than 50 ft. for a Regular or Corner Lot.

#### 3.2 Background

The existing house was built prior to 1947 with a Front Yard to Haywood of approximately 8.4 ft. The existing carport was added in 1955 with a Front Yard to Haywood Avenue of approximately 8.5 ft.

#### 3.3 The Proposal

The owner of the property would like to replace the existing dwelling with a new two storey house with a Secondary Suite and detached garage accessed off the lane. The subject lot is required to maintain Front Yards of 25 ft. to both Haywood Avenue and 14<sup>th</sup> Street and Side Yards of 5 ft. to the eastern property boundary and the lane. The required Combined Side Yards (to the lane and the eastern property boundary) is 12.5 ft.

In order to develop the property as proposed, the following variances are required:

	Bylaw	Existing	Proposed	Variance
Front Yard (from house to 14 <sup>th</sup> )	25 ft.	8.4 ft.	14.8 ft	10.2 ft.
Front Yard (from garage to 14 <sup>th</sup> )	25 ft.	n/a	23 ft.	2 ft.
Combined Side Yard (to garage)	12.5 ft.	Complies	10 ft.	2.5 ft.

#### 3.4 Implications

The requirements of the Zoning Bylaw result in a long, narrow building envelope only 20 ft. wide. A complying house would have to be narrower (approximately 20 ft wide) and located approximately 10.2 ft. further back from 14<sup>th</sup> Street than the proposed house. It would also be longer (north to south) to accommodate the same floor area.

The proposed house is a two storey and basement design compared to the existing one storey house. This results in the roof peak of the new house being approximately 3 ft. higher than the existing roof peak.

Planning staff have no concerns with the proposal as:

- (a) The design of the proposed house includes significant articulation in the façade fronting 14<sup>th</sup> Street;
- (b) A low pitch roof slope is proposed and, while this is a two-storey house, the peak is only approximately 3 ft. higher than that of the existing house thus minimizing the impact on views to the south;

- (c) The applicant has proposed extensive landscaping of the site and boulevard including a rain garden on the corner of 14<sup>th</sup> and Haywood. Six Globe Maple trees are proposed to be planted within the boulevard on 14<sup>th</sup> Street helping to minimize the view of the house from the street;
- (d) The proposed house includes a south facing Secondary Suite with an entrance from Haywood Avenue via a sunken patio which satisfies community desire for increased housing choice;
- (e) The location of the garage reduces the hard surfacing on the property compared to a complying garage (which would have to comply with the Front Yard to 14<sup>th</sup> Street and maintain a 7.5 ft. Side Yard off the lane) as it reduces the length of driveway required and maximizes landscaped space within the property.

### 3.5 Sustainability

The applicant has provided a letter (see Appendix B) describing the green elements of the project for the new house. These initiatives are appropriate for the proposed development.

### 3.6 Conclusion

Subject to additional comments or concerns being raised on the project at the public meeting, staff recommends approval of Development Variance Permit 09-032.

### 3.7 Consultation/Communication Process

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. The applicant has been encouraged to consult with neighbours during the application process.

## 4.0 Options

### 4.1 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.

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

- (a) approve issuance of the attached Development Variance Permit No. 09-032;  
or
- (b) approve issuance of a modified Development Variance Permit No. 09-032; or
- (c) request more information; or
- (d) reject the application.

Author:

  
\_\_\_\_\_

Concurrence:

  
\_\_\_\_\_

Manager, Community Planning

Appendices:

A: Context Plan

B: Proposed Development Variance Permit, including plans and statement of sustainability



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**District of West Vancouver**  
**PROPOSED**  
**Development Variance Permit No. 09-032**

Current Owner: Fedel Home Construction Inc.

This Development Variance Permit applies to:

Civic Address: 1395 Haywood Avenue

Legal Description: PID No. 012-547-719  
 Lot 11 North West ¼ of District Lot 1053 Plan 3604  
 (the "Lands")

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This Development Variance Permit No. 10-012 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 P.Y and Associates and date stamped June 14, 2010 and attached as Schedule "B", as follows:
  - a) Section 32-506 (Front Yard) to allow a minimum Front Yard of 14.8 ft to the house and 23 ft. to the garage;
  - b) Section 32-508.2 (Side Yard) to allow a minimum Combined Side Yard of 10 ft. to the garage.
2. Within 24 months of issuance of the Building Permit for the proposed new single family residential dwelling on the Lands contemplated by this Development Variance Permit, the area on Haywood Avenue and 14<sup>th</sup> Street between the travelled road carriageway and the property line shall be reconstructed generally as shown on the Landscaping Plan attached in Schedule 'B'.
3. Prior to issuance of a Building Permit:
  - (a) detailed drawings specifying the works (including landscaping, tree planting and the rain garden) set out in Section 2 of this Permit (the "Boulevard Landscaping") must be submitted to and approved by the District's Land Development Engineer; and
  - (b) the Registered Owner shall deposit with the District of cash or an irrevocable automatically renewing letter of credit issued by a Canadian chartered bank or credit union in a form satisfactory to the District's Manager of Development Engineering in the amount of \$10,000 (the "Deposit") to secure the due and proper completion of the construction and installation of the Boulevard Landscaping.
4. In the event that the Boulevard Landscaping is not completed as provided for in this Development Variance Permit or in the event that the Boulevard Landscaping is defective, the District may, at its option, enter upon, carry out and complete the Boulevard Landscaping, or cure any defects in the Boulevard Landscaping, and may recover the costs of doing so from the Deposit, including the costs of administration and supervision.

5. Sustainability measures and commitments shall take place in accordance with the attached Schedule "A".
6. This Development Variance Permit lapses if construction of the work permitted herein 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

\_\_\_\_\_  
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 6, THIS PERMIT IS ISSUED ON**

Schedules:

A – Statement of Sustainability date stamped May 19, 2010

B - Building Plans prepared by P.Y and Associates date stamped June 14, 2010

**SCHEDULE** A  
**RECEIVED**

MAY 19 2010

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

June 18<sup>th</sup> 2010

Dear Mr. Allan:

**RE: 1395 Haywood Ave.  
Statement of Sustainability**

In order to enhance the sustainability, the following green features will be integrated into the proposed house:

1. Use 2X6 wall construction and high-density batt insulation with insulation value of R22 to reduce the heat loss through the building envelope.
2. Use high energy saving windows with Energy Star<sup>TM</sup> label.
3. Install Heat Recovery Ventilator (HRV) to enhance indoor environmental quality.
4. Install Low-flow water fixtures, including dual flush design toilet.
5. Install pre-piping for roof mounted solar panel.
6. Install direct-vent gas fireplace
7. Install tank less water heater
8. The practices of construction waste management and site development comply to Green Building requirements
9. Install dedicated conduit or cable raceway from the electrical panel to the garage that will allow for future installation of an electrical circuit suitable for electric vehicle recharging

Yours truly

Jalal Edelhani

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