

DISTRICT OF WEST VANCOUVER
750 17th STREET, WEST VANCOUVER, BC V7V 3T3

COUNCIL REPORT

Attachments for item **12.2**
provided under separate cover

Date: June 11, 2015 File: 1010-20-14-065
From: Lisa Berg, Senior Community Planner
Subject: **Development Variance Permit No. 14-065 for 1507 Haywood Avenue**

RECOMMENDED THAT:

1. Development Variance Permit No. 14-065 regarding 1507 Haywood Avenue to reduce the side yard setback and allow parking access from Haywood Avenue for a new single family dwelling, as described in the report dated June 12, 2015 from the Senior Community Planner, be considered at the July 20, 2015 Council meeting; and that the Municipal Clerk give notice of consideration of the proposed development variance permit.

Purpose

The purpose of this report is to report back to Council with additional information regarding proposed Development Variance Permit No. 14-065 for 1507 Haywood Avenue (see Appendix A – Context Map) to reduce the side yard setback from 7.6 metres to 2.8 metres and allow parking access from Haywood Avenue for a new single family dwelling.

The proposed Development Variance Permit will be considered by Council at its July 20, 2015 meeting.

1.0 Background

1.1 Prior Resolutions

At the March 30, 2015 Council meeting Council passed the following motion:

THAT staff report back to Council regarding submissions received at the March 30, 2015 Council meeting to allow Council to make a determination on Development Variance Permit Application No. 14-065 for 1507 Haywood Avenue.

1.2 History

At the March 30, 2015 Council meeting, correspondence from the adjacent neighbours was received that outlined concerns with the proposed application, namely the location of the new dwelling on the lot and parking. The new dwelling was proposed to be sited on the footprint of the old dwelling, placing it closer to Haywood Avenue than other houses on the same side of the street. A detached garage was to be constructed to the rear, with vehicular access from the lane.

Neighbours were concerned with the siting of the new dwelling due to view impacts, overlook and shadowing. Concerns were raised over parking as the detached double car garage did not accommodate off-street parking for the secondary suite or visitors. As this block of Haywood Avenue is not constructed through due to Vinson Creek to the west, the street can be subject to parking congestion.

Council directed staff to work with the applicant to address the concerns raised by the neighbours, and report back.

2.0 Policy

2.1 Policy – Not applicable.

2.2 Bylaw

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

The property is zoned RS5 (Single Family Dwelling Zone 5).

3.0 Analysis

3.1 Discussion

Revised Proposal

In response to the neighbour's concerns, the applicant has revised the proposal by:

- Moving the dwelling north on the lot, resulting in an increased setback from Haywood Avenue from 7.8 metres to 14.63 metres. This arrangement places it into closer horizontal alignment with the neighbour's dwelling to west;
- Adding an underground attached garage to the front of the property. The garage portion is below the elevation of the house, which will not impact the adjacent neighbour's view or access to sunlight. It is sited 11.14 metres from the south property line;

- Deleting the proposed garage and preserving the existing parking pad accessed from the lane (to accommodate parking for the secondary suite and visitors); and
- Eliminating the planter along the south property line.

The applicant has discussed the revised plans with their neighbours, and the neighbours have agreed that proposed revisions generally address their concerns.

The applicant confirms that the boulevard trees along 15th Street and the hedge along the western property line will be retained. Boulevard and on-site tree protection measures are included as a condition in the proposed development variance permit (attached as Appendix B). Existing trees on the property will be retained where possible.

Proposed Variances

a) Corner Flanking Lot

The applicant requests a side yard variance to create an appropriate building envelope. The request is to reduce the east side yard setback from 7.6 metres (25 ft) to 2.8 metres (9 ft). This distance has not changed from the first proposal.

b) Off-Street Parking

Due to eliminating the garage from the lane, the applicant requests a variance to allow parking access from Haywood Avenue to an underground attached garage. The RS5 zone requires that where an open and usable public lane exists, access to the site for parking and garage purposes shall be from the lane.

The detached garage from the lane was eliminated in order to accommodate the new location for the dwelling. Instead, the existing rear parking pad will be retained to address parking concerns related to the secondary suite and for visitors. Adding the underground garage and retaining the parking pad exceeds the minimum parking requirements in the Zoning Bylaw.

Conclusion

Subject to additional correspondence received by Council, staff supports the revised proposal and the variance requests as:

- a) Concerns raised by the neighbours have been satisfactorily addressed;
- b) The east side yard is next to a busy street and therefore will not negatively affect an adjacent property;

- c) Adding the underground garage in the front and retaining the parking pad in the rear exceeds minimum parking requirements and will help mitigate parking congestion on Haywood Avenue; and
- d) Eliminating the planter along the south property line to soften the landscape and remove negative impacts to boulevard tree root zones.

3.2 Sustainability – The applicant has submitted a completed “Green Home Checklist” and have indicated that their target ENERGUIDE rating is 77 to 80.

3.3 Consultation/Communications Process

Consistent with the Development Procedures Bylaw, property owners and occupants within 50 metres of the subject property will be notified of the revised application.

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 of the application pending the receipt of additional information; or
- d) reject the application.

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

- a) approve proposed Development Variance Permit No. 14-065; or
- b) approve issuance of a modified Development Variance Permit No. 14-065 (to be specified); or
- c) request more information; or
- d) reject the application.

Author:



Lisa Berg, Senior Community Planner

Concurrence

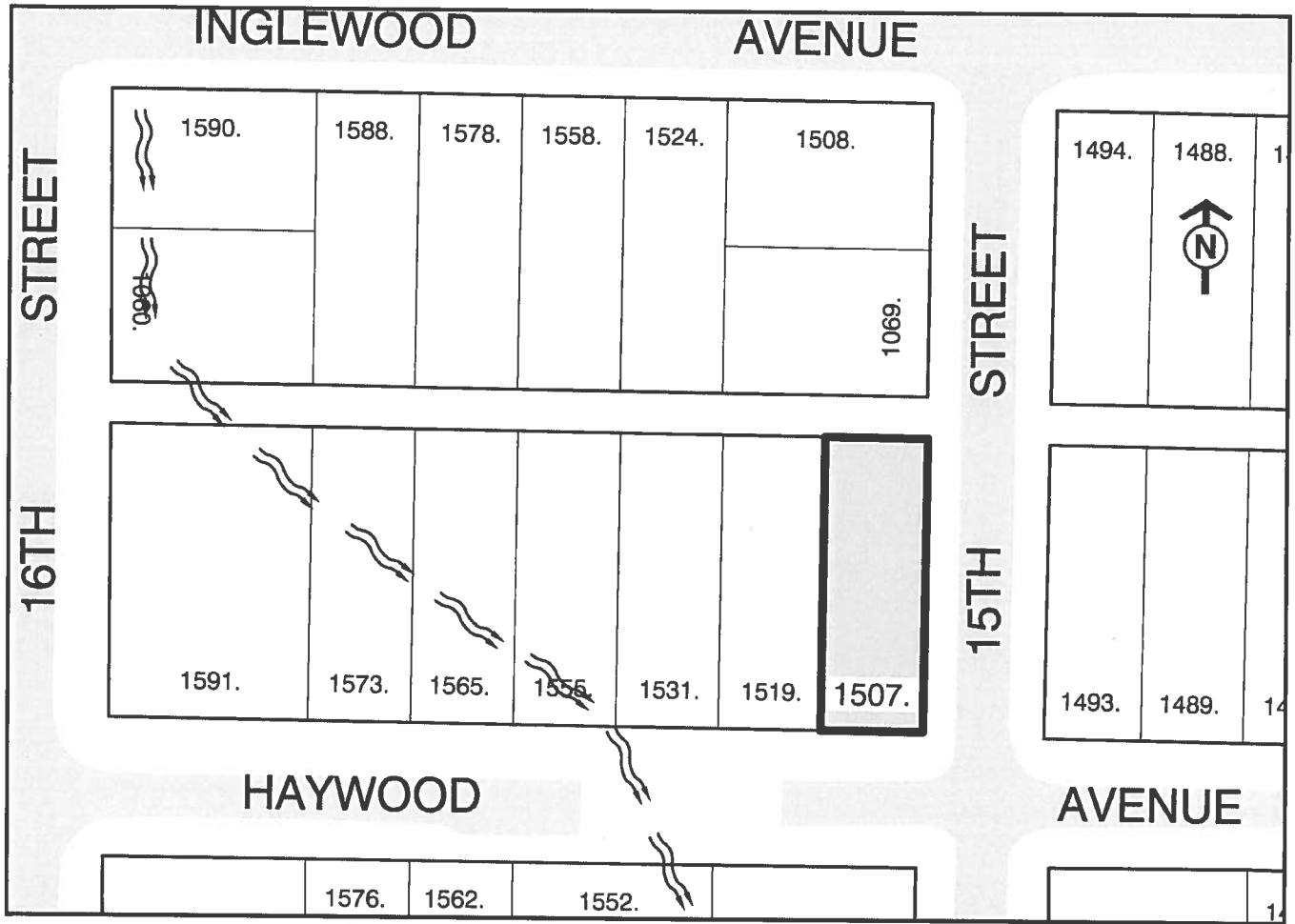


Chris Bishop, Manager of Development Planning

Appendices:

- A- Context Map
- B- Proposed Development Variance Permit No. 14-065 (including Schedule “A”)

APPENDIX A – CONTEXT MAP





District of West Vancouver
PROPOSED
Development Variance Permit No. 14-065

Current Owner: Crescent Holding Inc.

This Development Variance Permit applies to:

Civic Address: 1507 Haywood Avenue

Legal Description: 008-210-250
Lot 8 Block 1 North ½ of District Lot 1055 Plan 4180
(the "Lands")

For the purposes of this Development Variance Permit, the Lands shall be developed in accordance with the drawings attached and date stamped February 12, 2015, approved by Council, attached as Schedule "A", and specifically in compliance with the regulations and variances listed hereunder:

1. Zoning Bylaw No. 4662, 2010 is varied and supplemented for this development proposal in accordance with the following regulations:
 - i) Section 205.09(5) (Side Yard and Combined Side Yard – Corner Flanking Site) is varied to reduce the east side yard from 7.6 metres to 2.8 metres for the siting of a single family dwelling; and
 - ii) Section 205.13(b) (Off-Street Parking from a Lane) is varied to allow access to off-street parking from Haywood Avenue to an underground attached garage.
2. The Single Family Dwelling must be constructed and finished in substantial compliance with attached Schedule "A".
3. Prior to commencing site work or before issuance of a Building Permit, whichever occurs first:
 - a. submittal of a completed and detailed landscape plan for the boulevards for approval by the District; and
 - b. installation of tree and vegetation protective fencing around the boulevard and around retained trees on site to the satisfaction of the District's Environmental Protection Officer.
4. This Development Variance Permit lapses if construction of the additions and renovations 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 _____, 2015.

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 2, THIS PERMIT IS ISSUED ON _____.

Schedules:

A – Development Plans for 1507 Haywood Avenue prepared by CDS Chen Design Studio Ltd, dated stamped June 9, 2015.