District of West Vancouver
760 – 17th Street, West Vancouver, BC V7V 3T3

Council Report

Date: April 16, 2014
From: James Allan, Community Planner
Subject: Development Variance Permit No. 13-058 (3376 & 3378 Radcliffe Avenue)

Recommended That:

1. The Municipal Clerk give notice that Development Variance Permit Application No. 13-058 for 3376 and 3378 Radcliffe Avenue to allow for a new house with garage to be constructed, will be considered by Council at its meeting on May 26, 2014.

Purpose

The purpose of this report is to provide information to Council on Development Variance Permit Application No. 13-058 for 3376 and 3378 Radcliffe Avenue to allow a new house with garage to be constructed with a variance to the minimum side yard, combined side yard and waterfront retaining wall grade line.

The proposed Development Variance Permit will be considered by Council at the meeting on May 26, 2013.

1.0 Background

1.1 Prior Resolutions
N/A

1.2 History
N/A

2.0 Policy

2.1 Policy
N/A
2.2 Bylaw

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

3.0 Analysis

3.1 Description of Site

The subject site is comprised of two lots (3376 and 3378 Radcliffe Ave) zoned RS4 with a total area of 1423m². Both lots currently each have an existing house with detached garages currently located within the required front and side yards. Each lot also has an existing concrete patio partially encroaching in the foreshore, up to 6m beyond the waterfront property line.

3.2 The Proposal

The owners are proposing to demolish the two existing houses and garages, consolidate the two lots and construct a new two storey house with basement and garage. The existing garages are located between 0.45m and 2.65m from the front property line and 0 to 0.15m from the side property lines. A portion of the proposed new house (part of the garage) is located within the minimum side yard adjacent to 3384 Radcliffe Avenue. In order to construct the house, the owners are requesting the following variances:

<table>
<thead>
<tr>
<th></th>
<th>Bylaw</th>
<th>Proposed</th>
<th>Variance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Side Yard</td>
<td>3m</td>
<td>1.92m</td>
<td>1.08m</td>
</tr>
<tr>
<td>Minimum Combined Side Yard</td>
<td>7.62m</td>
<td>4.97m</td>
<td>2.65m</td>
</tr>
<tr>
<td>Waterfront Retaining Wall Grade Line¹</td>
<td>45° envelope inward over site from natural grade</td>
<td>Allow for retaining walls to exceed grade line by up to 0.9m</td>
<td>0.9m</td>
</tr>
</tbody>
</table>

3.3 Evaluation

*Proposed Side Yard and Combined Side Yards*

As detailed above, the owners are seeking variances to the minimum required side yard and combined side yard to allow an approximately 2.7m wide by 6.9m deep portion of the garage to be located closer to the western property line shared with 3384 Radcliffe Avenue.

The proposed house will comply with the front yard setback but it is located partially within the required side yard, 1.92m from the shared property line. In comparison, the existing garage on this side of the property (3378 Radcliffe Ave) is located with a 0.45m front yard and a 0m side yard and will be removed as part of the

¹ See Attachment 'B'
redevelopment. The existing garage on the eastern side of the property (3376); which is also located within the front and side yards (2.65m and 0.15m respectively), will be removed.

In June 2013, the Board of Variance approved an application to allow the owner of 3384 Radcliffe Avenue (located adjacent the western property line) to renovate the existing garage. The garage is currently located with a front yard of 5m and a side yard of 0.43m to the side property line shared with the subject property and is approximately adjacent to the proposed garage at the subject site (see page A-1.0 of the building plans under Appendix ‘C’). The owner of 3384 Radcliffe Avenue has given his written support of the proposal.

**Proposed Retaining Walls Located Within The Waterfront Yard**

Currently, both lots have concrete patios that extend beyond the waterfront property line by up to 6m, into the foreshore area. As part of the application, the owners have proposed to raise and landscape their waterfront yard to provide protection from coastal flooding and provide some privacy from foreshore users. This has resulted in some retaining walls that protrude above the allowable waterfront retaining wall grade line by up to 0.9m. None of the retaining walls located within the waterfront yard exceed 1.2m in height.

As part of the proposal, the owners have agreed to remove the concrete patio encroachments within the foreshore and naturalize this area. This will result in a more natural appearance of the shoreline and foreshore and also further mitigate wave action on property and foreshore.

3.4 Conclusion

Subject to additional comments or concerns being raised on the project at the Council meeting, staff support the proposal for the following reasons:

- The proposed garage located within the side yard is located adjacent the existing garage at 3384 Radcliffe Avenue that is already within the required front yard and side yard;
- The owner has provided written support from the neighbour at 3384 Radcliffe Avenue (adjacent to the proposed garage);
- The proposed variance to the waterfront retaining wall grade line is minor and any visual impact is mitigated by the proposed naturalization of the shoreline and foreshore;
- The removal of the existing foreshore encroachments and naturalization of the shoreline, significantly improve the foreshore environment at this location; and
- The owners have proposed a comprehensive landscaping plan for the property and adjacent boulevard, greatly reducing views of the proposed house and garage.

3.5 Sustainability

The owners are proposing to meet an Energuide Rating of 75. The proposed permit also requires pre-piping for roof-mounted solar and electric vehicle charging.
3.6 Consultation/Communication Process

Consistent 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.

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 Application No. 13-058; or
(b) approve issuance of a modified Development Variance Permit Application No. 13-058; or
(c) request more information; or
(d) reject the application.

Author:

Appendices:
A: Context Plan
B: Required Waterfront Retaining Wall Gradeline and proposed variance
C: Proposed Development Variance Permit No. 13-058 including building plans
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APPENDIX ‘B’

Required Waterfront Retaining Wall Grade Line and Proposed Variance
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District of West Vancouver  
Proposed  
Development Variance Permit No. 13-058

Current Owner: Shirin Bock

This Development Variance Permit applies to:

Civic Address: 3376 and 3378 Radcliffe Avenue

Legal Description: 011-265-434 (3376 Radcliffe Avenue)  
Lot 5, Block 3, District Lot 557, Plan 4979  
011-265-400 (3378 Radcliffe Avenue)  
Lot 4, Block 3, District Lot 557, Plan 4979  
(the “Lands”)

This Development Variance Permit No. 13-058 is issued to the Registered Owner to vary and supplement the District’s Zoning Bylaw No. 4662, 2010 as follows and on the conditions set out below:

1. Subject to the Lands being developed in accordance with the drawings and plans date stamped April 14, 2014 and attached as Schedule “B”, Zoning Bylaw No. 4662, 2010 is varied in:

   (a) Section 120.22 (2) (b) (Waterfront Retaining Wall Grade Line) to allow the proposed retaining walls located within the waterfront yard to project beyond the waterfront retaining wall grade line by a maximum of 0.9m.

   (b) Section 204.09 (Side Yard and Combined Side Yard) to allow the proposed house to be located 1.92m from the side property line and with a combined side yard of 4.97m.

2. Sustainability measures and commitments must take place in accordance with the attached Schedule “A”.

3. The Owner must install electrical conduit in the new house to enable roof mounted solar and electric vehicle charging in the garage.

4. Prior to any foreshore works being undertaken, written approval must be obtained from the Manager of Environment and Sustainability.

5. 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 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 2, THIS PERMIT IS ISSUED ON ______________.

Schedules:
A – Greening Your Home and Property: Checklist
B – Building and Landscaping Plans prepared by Lamoureux Architect Inc and Paul Sanga Landscape Architecture date stamped April 14, 2014
### GREENING YOUR HOME & PROPERTY: CHECKLIST

Please attach any additional comments and/or documentation if pertinent.

What is your target ENERGUIDE rating? **75**

Have you scheduled your ENERGY AUDIT? **If YES, Indicate Date Here:**

<table>
<thead>
<tr>
<th>PLEASE CHECK YES OR NO:</th>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>BUILDING ENVELOPE</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>INSULATION: 2 x 6 wall construction and high-density batt insulation to achieve in-wall-cavity insulation value of RSI 3.85 (R22)</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>WINDOW PERFORMANCE: Maximum thermal conductance (U value) of 2.00 W/K•m² (Energy Star labelled)</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td><strong>ENERGY EFFICIENCY</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>LIGHT FIXTURES Install fixtures that do not accept incandescent or halogen bulbs in all non-living spaces (e.g. hallways, storage areas, patios, etc.)</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>ENERGY CONSUMPTION DISPLAY Energy usage display meter capable of calculating &amp; displaying electrical consumption on at least a monthly basis</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>FIREPLACES [No wood burning fireplaces.] Gas-fuelled fireplaces have electronic ignitions; are direct vented</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>HOT WATER Electronically powered hot water tanks are insulated to provide min RSI 1.76 OR on-demand hot water heater is installed</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>BUILDING ORIENTATION Building is oriented for solar design and/or supports passive solar heating. See Ideas Sheet for details</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td><strong>WATER CONSERVATION</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>FIXTURES &amp; TOILETS Low flow water fixtures, including dual flush design toilets, with max single flush consumption of 6 Litres</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td><strong>INDOOR ENVIRONMENTAL QUALITY</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>HEAT RECOVERY VENTILATOR Installation of a heat recovery ventilator. (Certified by a HRAI or HVC certified installer to meet CSA standards.)</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td><strong>CONSTRUCTION WASTE MANAGEMENT</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>WASTE MANAGEMENT PLAN Construction waste mgmt plan prepared and submitted. Target min 50% waste reduction; diversion rate to be documented, with disposal receipts</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td><strong>FUTURE PROOFING</strong> YOUR HOME</td>
<td>YES</td>
<td>NO</td>
</tr>
<tr>
<td>-------------------------------</td>
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</tr>
<tr>
<td>PRE-PIPE FOR ROOF MOUNTED SOLAR</td>
<td>Vertical service shaft extends from water heater room to attic space (min 2 50mm pvc pipes, capped at both ends, ≥20° angle.)</td>
<td>✓</td>
</tr>
<tr>
<td>PRE-WIRE FOR ELECTRIC VEHICLE(S)</td>
<td>Cable raceway leading from electricity circuit panel to enclosed outlet box in garage or carport.</td>
<td>✓</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>SENSITIVE SITE DEVELOPMENT</strong></th>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>STORMWATER MANAGEMENT</td>
<td>Permanent, low-impact development (LID) measures installed to manage stormwater run-off at pre-development rates.</td>
<td>✓</td>
</tr>
</tbody>
</table>

| **MINIMIZE SITE DISTURBANCE** | |
|-------------------------------| |
| No invasive\(^1\) plant species are introduced to the landscape | ✓ | |
| Established plant materials to have low water requirements\(^2\) | ✓ | |
| Storage tank or rain barrels for retaining rainwater for irrigation | ✓ | |
| Tree Preservation Plan prepared and submitted\(^3\) | ✓ | |
| 1 tree; four 5 gal (or equiv) shrubs; or 4.6m\(^2\) groundcover per 46m\(^2\) of unpreserved lot area. | ✓ | |
| Drought tolerant turf and/or landscaping species | ✓ | |
| Mulch\(^4\) or soil amendments added as appropriate | ✓ | |
| Topsoil maintained or enhanced to a minimum depth of 12 inches | ✓ | |

| **REDUCE LOCAL HEAT ISLAND EFFECTS** | |
|-------------------------------| |
| One or both of the following: | ✓ | |
| - Trees or other plantings provide shade to ≥50% of hard surfaces within 1.5m of home | ✓ | |
| - Light coloured materials for ≥50% of hard surfaces (e.g. white/grey concrete; open pavers; vegetated roof to cover garage and/or accessory buildings) | ✓ | |

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2 Visit [www.getwatersmart.com](http://www.getwatersmart.com) for water-conserving landscaping tips
3 A sample Tree Preservation Plan can be found at: [http://www.portlandonline.com/bds/index.cfm?a=72537](http://www.portlandonline.com/bds/index.cfm?a=72537)
4 Mulch is a covering placed around plants to reduce erosion and water loss and to help regulate soil temperature. Upon decomposition, organic mulches serve as soil amendments.
Mr. Mayor and Councillors,

This is our authorization for DWV Mayor and Council to receive and consider our letter of 8 April 2014 to the DWV Board of Variance regarding the subject property, and to act upon it as you deem appropriate.

Sincerely,

West Vancouver, BC
8 April 2014

District of West Vancouver
750 – 17th Street
West Vancouver, BC V7V 3T3

Attention: Board of Variance

Re: Hearing 26 May 2014 into Variance sought for new home at 3376/3378 Radcliffe Ave.

Attached is a copy of a form produced by Lamoureux Architect Inc. as executed by us and delivered to said architectural office this 8th day of April.

As nearby neighbours of the subject property, we were consulted by Brad Lamoureux on the two variances from Code proposed by him on behalf of the property owners. We have delivered to his office the certificate he presented executed by us giving our “conditional support” as indicated on the copy accompanying this letter.

It has been practical for neighbours to walk with care between the beach access along the foreshore to West Bay Park and its beach access when tide levels are somewhat less than maximum high water. We request that modifications to be made to the subject property retain such accessibility along the foreshore.

In every other respect we support the two proposed variances.

Sincerely,