COUNCIL REPORT

Date: November 9, 2015
From: James Allan, Community Planner
Subject: Proposed Subdivision of 821 Braeside Street (Development Permit No. 15-040)
File: 1010-20-15-040

RECOMMENDATION

THAT Proposed Development Permit No. 15-040 regarding 821 Braeside Street, to allow for the subject property to be subdivided into two new lots, as described in the report dated November 9, 2015 be considered at the December 14, 2015 Council meeting; and that the Municipal Clerk give notice of consideration of the proposed development permit.

1.0 Purpose

The purpose of this report is to provide information to Council regarding a proposed subdivision of 821 Braeside Street, and to request scheduling of the application's consideration.

2.0 Legislation/Bylaw/Policy

The Official Community Plan designates lands with steep slopes as a Development Permit Area and requires a Development Permit be considered by Council when a subdivision occurs on these lands.

Policy NE6 of the Plan aims to: “Recognize and manage environmentally sensitive areas”. The development permit designation under this policy aims to “avoid hazardous conditions and protect the natural environment in areas with steep slopes”.

The Zoning Bylaw regulates the form and location of development on individual lots, including minimum lot areas and widths.

3.0 Background

3.1 Previous Decisions

The Board of Variance approved an addition to the existing house in 1982.

3.2 History

The subject lot was created in 1940 and currently has an existing house constructed prior to 1952.
4.0 Analysis

4.1 Discussion

The subject property is one of the largest in the neighbourhood (see Appendix A) at 1170.6 m² (12,601 sq. ft.) in area and is zoned RS5. Other lots in the neighbourhood range in area from approximately 635 m² (6835 sq ft) to 1527 m² (16436 sq ft). The subject property fronts Braeside Street to the east and Leyland Park to the south, with residential lots to the north and west. The property contains an existing two storey house and garage.

The applicant is proposing to subdivide the subject property into two new lots; proposed Lot 1 with an area of 574 m² (6180 sq ft) and proposed Lot 2 with an area of 596 m² (6421 sq ft). New houses on each of the lots will comply with the Zoning Bylaw.

In assessing the application for subdivision, consideration was given to:

a) Driveway access from the street, down to the permitted building envelope in each lot;

b) Construction of retaining walls on each of the new lots; and

c) Transition between the site and Leyland Park.

Driveway Access

The land slopes steeply from the street down to the property at 810 Leyland Street. The proposal retains one driveway access onto the street, before splitting off into two driveways access each of the proposed new lots. This reduces:

a) site alteration and retaining wall construction within the boulevard (compared to retaining two separate driveway accesses);

b) potential traffic conflict by preventing another driveway access being located close to the intersection of the Braeside Street with Anderson Crescent.

Retaining Walls

In order to reduce the construction of retaining walls on the site, the proposed development permit prohibits the construction of retaining walls within 5 metres (16.4 ft) of the rear property line of both proposed lots, and within 1.5 metres (5 ft) of the side property line of proposed Lot 2 adjacent Leyland Park. This reduces the build up of grade via retaining walls, allows for landscaping of these areas to provide a buffer to the park and property at 810 Leyland Street and retention of a laurel hedge located in the park.

Transition to the Park and Neighbouring Properties

As discussed above, retaining walls within proposed Lot 2 cannot be constructed within 1.5 metres of the property line shared with the park.
This allows landscaping to be installed along the property line and retention of a large laurel hedge which minimizes construction impacts and views of walls and other structures from the park.

The proposed development permit requires new houses on each of the lots to provide an increased setback from the property lines shared with Leyland Park and the property at 845 Braeside Street (located adjacent to the north property of the site) of 2.3m rather than the 1.5 metres allowable.

In addition, the proposed driveway access onto the street was located as far north as possible balancing driveway grades and providing for a buffer between it and the entrance to Leyland Park.

4.2 Sustainability

The applicant has proposed that new houses on each of the proposed lots achieve a minimum Energuide Rating of 85 (see Schedule C of Appendix B). In addition the proposed development permit requires installation of electrical conduit for electric vehicle charging and roof mounted solar in new houses.

4.3 Public Engagement and Outreach

Neighbouring property owners and occupiers within 100 metres of the subject property will be notified of this application prior to the Public Meeting consistent with the Development Procedures Bylaw.

4.4 Other Communication, Consultation, and Research

The Parks Department and Development Engineering Department were consulted on the proposed subdivision and have no concerns.

5.0 Options

5.1 Recommended Option

The staff recommendation is to schedule the application for consideration and provide public notice for input to Council prior to consideration of the proposal.

When the application is considered by Council, subject to resident input received prior to and during the Council Meeting, staff recommend approval of the proposed development permit (attached as Appendix B).

5.2 Considered Options

Conditions contained in the proposed development permit restrict retaining wall construction and protection of a feature maple tree and laurel hedge located within Leyland Park. With these conditions, the proposed application complies with the Development Permit Guidelines for subdivisions on steep terrain and no other options were considered.
6.0 Conclusion

Staff support the proposed subdivision as:

a) The proposal complies with the requirements of the RS5 zone;

b) One driveway access to the street is maintained improving traffic safety and reducing retaining walls within the boulevard;

c) Retaining walls are reduced within the side yard to Leyland Park and within the rear yard;

d) A large feature maple tree located within the property, and a laurel hedge located within the park are to be retained and protected; and

e) the proposal complies with the development permit guidelines under Policy NE6.

Subject to written submissions to Council and Council consideration, staff recommend approval of the proposed development permit.

Author:

Appendices:

A – Context Plan for Subject Site
B – Proposed Development Permit No. 15-040
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District of West Vancouver

PROPOSED

Development Permit No. 15-040

Current Owners: David Harper

This Development Permit applies to:

Civic Address: 821 Braeside Street

Legal Description: Lot A (see 454600L) of Lot 4 Block B South East ¼ of District Lot 1050 Plan 6835
PID: 010-811-664
(collectively the ‘Lands’)

1. This Development Permit:

   (a) imposes requirements and conditions for the development of the Lands, which are designated by the Official Community Plan as a Development Permit Area to avoid hazardous conditions, ensure greater environmental compatibility of development on sloping sites, protect the natural environment on difficult terrain, minimize site disturbance; and are subject to Guidelines NE6 specified in the Official Community Plan; and

   (b) is issued subject to the Owner’s compliance with all of the Bylaws of the District applicable to the Lands, except as varied or supplemented by this Permit.

2. The following requirements and conditions shall apply to the Lands:

   1.1 Subdivision of the Lands shall take place in accordance with the attached Schedule ‘A’. Notwithstanding, the Approving Officer may determine that the subdivision plan conforms to the Development Permit plan if there is a minor difference between the Development Permit plan and Subdivision Plan that does not materially affect the intent of the plans attached to this Development Permit or is a technical requirement of the subdivision.

   1.2 Vehicular access to each lot must be constructed with a driveway grade not exceeding 20% at any point on its centerline and must be generally located as shown in Schedule ‘B’, unless written approval is obtained from the District’s Manager of Development Engineering for an alternative location.
1.3 Prior to commencing any site work or building permit issuance, whichever occurs first, the Owner shall:

(a) Submit a Tree Assessment and Protection Plan from a qualified arborist to the District’s Environmental Protection Officer, that:

i. complies with the Tree Protection Specifications in Schedule D;

ii. provides for protection of the “2.5 Maple” (the “Maple Tree”) located at an approximate elevation of 319.2 ft in the southeast corner of proposed lot 2, and the hedge located with Leyland Park to the south of the Lands as shown in Schedule A; and

iii. that the works detailed are not commenced without prior written approval from the District’s Environmental Protection Officer.

(b) Submit an Erosion and Sediment Control Plan to, and receive written approval from, the District’s Manager of Development Engineering.

(c) Install the Tree Protection Measures approved under 1.8 (c) to the satisfaction of the District’s Environmental Protection Officer and thereafter maintain the Tree Protection Measures, with modification as necessary to ensure effective protection throughout site preparation and development and building construction and only remove the Tree Protection Measures upon written approval by the District’s Environmental Protection Officer.

1.4 Prior to Building Permit issuance, a Section 219 Covenant shall be placed on the proposed new lots at the cost of the Owner requiring:

(i) New houses:

a. On Proposed Lot 1 to be located with a minimum side yard to the north property line of 2.3 metres.

b. On Proposed Lot 2 to be located with a minimum side yard to the south property line of 2.3 metres

(ii) New houses shall achieve a minimum Energuide Rating of 85 (attached as Schedule C) and install electrical conduit to allow for electric vehicle charging and roof mounted solar infrastructure.

(iii) Retaining walls on any lot must not be located within 1.5 metres of the side property line of Proposed Lot 2 adjacent to Leyland Park or within 5 metres of the rear property line of both Proposed Lots 1 and 2.

(iv) Driveway access to both lots be restricted to one entrance onto Braeside Street.
Security

2. As security for the due and proper completion of the measures to preserve, protect, restore or enhance the environment set forth in Section 1 of this Development Permit (the “Tree Protection Measures”), the Registered Owner shall:

(a) provide, prior to issuance of this Development Permit, security in the amount of $10,000 to the District in the form of cash or an unconditional, irrevocable auto-renewing letter of credit issued by a Canadian chartered bank or credit union;

(c) agree that in the event that the Tree Protection Measures are not completed and maintained as provided for in this Development Permit, the District may, at its option, enter upon, carry out and complete the Tree Protection Measures in such a manner as to satisfy the objectives and recover the costs of doing so from the security deposited, including the costs of administration and supervision.

3. This Development Permit lapses if the proposed subdivision authorized herein is not commenced within 24 months of the date this permit is issued.

In the event the Owner are delayed or interrupted or prevented from commencing or continuing the development 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 completion 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 the 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 3, THIS PERMIT IS ISSUED ON

Schedules:

A – Proposed Plan of Subdivision prepared by Chapman Land Surveying dated May 11, 2015

B – Driveway and House Plan prepared by Vesna J Molby and Co dated May 7, 2015


D - Tree Protection Specifications
Building Balance Consulting Inc
4540 James Street
Vancouver, BC V5V 3J3
604 351 5975
stan@buildingbalance.ca

Dave Harper
Sterling Pacific Developments Inc
5938 Marine Dr
West Vancouver, BC V7W 2S2
604 831 1351
sterlingpacificdev@gmail.com

Re: EGNH Plan Evaluation - 821 Braeside Dr, West Vancouver

Plans for the above mentioned house(s) have been reviewed using EnerGuide for New Houses (EGNH) evaluation procedures.

The base construction characteristics are the current building code minimum requirements and common building practices:

<table>
<thead>
<tr>
<th>Base Specifications</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Location/weather file</td>
<td>Metro Vancouver, BC</td>
</tr>
<tr>
<td>Ceiling</td>
<td>Trusses @ 24&quot; o/c, R-40 insulation</td>
</tr>
<tr>
<td>Cathedral/Flat Ceiling</td>
<td>2x10 @ 24&quot; o/c, R-28 insulation</td>
</tr>
<tr>
<td>Exterior walls above grade</td>
<td>2x6 @ 16&quot; o/c, R-20</td>
</tr>
<tr>
<td>Windows</td>
<td>Energy Star equivalent windows</td>
</tr>
<tr>
<td>Doors</td>
<td>Steel with foam core (Front: solid wood)</td>
</tr>
<tr>
<td>Exposed Floors</td>
<td>2x10 @ 16&quot; o/c, R-28 insulation</td>
</tr>
<tr>
<td>Foundation Walls</td>
<td>R-14 full height</td>
</tr>
<tr>
<td>Basement Floor</td>
<td>R-12 under slab</td>
</tr>
<tr>
<td>Airtightness</td>
<td>Conservative airtightness level (6.5 ACH @ 50 Pa with default ELA)</td>
</tr>
<tr>
<td>Heating</td>
<td>Gas boiler, 80% AFUE</td>
</tr>
<tr>
<td>Domestic Hot Water</td>
<td>Natural gas, conventional b-vented tank</td>
</tr>
<tr>
<td>Ventilation</td>
<td>None</td>
</tr>
<tr>
<td>Gas Fireplaces</td>
<td>Direct-vented, electronic ignition</td>
</tr>
</tbody>
</table>

Construction Upgrades

The following items should be upgraded from the base specifications to achieve the EGNH rating below.

<table>
<thead>
<tr>
<th>Upgraded Specifications</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Heating</td>
<td>Air source heat pump (HSPF 6.7) with 95% AFUE boiler</td>
</tr>
<tr>
<td>Hot Water</td>
<td>Indirect-fired hot water tank</td>
</tr>
<tr>
<td>-------------------</td>
<td>-------------------------------</td>
</tr>
<tr>
<td>Ventilation</td>
<td>HRV</td>
</tr>
<tr>
<td>Windows</td>
<td>TG, 2 x low-e, argon filled, insulated spacer, hinged or non-opening</td>
</tr>
<tr>
<td>Sliding doors</td>
<td>TG, 2 x low-e, argon filled, insulated spacer, hinged or non-opening</td>
</tr>
<tr>
<td>Lighting</td>
<td>75% Energy Star lighting</td>
</tr>
<tr>
<td>All Walls</td>
<td>2x6 frame, R-22 batt insulation (headers as well)</td>
</tr>
<tr>
<td>Airtightness</td>
<td>Conservative</td>
</tr>
<tr>
<td>Drain water heat recovery</td>
<td>&gt;1600kWh credit required (check with me)</td>
</tr>
</tbody>
</table>

**Upgrade Case Results**

**EGNH Rating: 85**

Design Heat Loss @ -9 °C: 15397 Watts (52535 BTU/h)

The specifications in this document must be followed precisely in order to reach the resulting Energuide rating. Even minor changes such as the door type or window opening can lower the rating.

Care must be taken when installing the air barrier (6 mil poly) to ensure that it is continuous throughout the building envelope. The actual airtightness will not be known until after the final air leakage test when it is too late to improve a poor result that has lowered your Energuide rating. Contact me prior to drywall installation if you would like me to conduct a pre-drywall blower door test to check for leaks in the air barrier.

The graph below shows a breakdown of the heat loss of the house with the given upgrades:

![Graph showing heat loss breakdown]

Heat Loss (GJ)

Please contact me if you have any questions.

[Signature]

Stan Jang, BSc, MSc
NRCan Certified Energy Advisor (ID: 5116/7903)
Building Balance Consulting Inc
Schedule D – Tree Protection Specifications

Tree Protection Specifications

Subject to any additional specifications imposed by a Director, all tree protection barriers that are required to be constructed pursuant to this bylaw must meet the following requirements:

1. The tree protection barrier must be 1.2 m in height.
2. 2"x 4"s must be used for vertical posts, top and bottom rails and cross-bracing (in an "X"); round, un-treated vertical posts may be used with a minimum diameter of 90 mm.
3. Spacing between vertical posts must be no further apart than 3.7 m on centre.
4. The structure must be sturdy with vertical posts driven firmly into the ground.
5. There must be continuous plastic mesh screening (e.g. orange snow fencing).
6. Signage must be displayed indicating that the area within the protection barrier is a "protection zone" and stating that no encroachment, storage of materials or damage to trees is permitted within the “protection zone”.
7. Located at distances based on tree diameter, using the table below:

<table>
<thead>
<tr>
<th>Trunk Diameter (DBH) measured at 1.4 m from the ground</th>
<th>Protection Zone minimum fence distance from the tree</th>
</tr>
</thead>
<tbody>
<tr>
<td>200 mm</td>
<td>1.2 m</td>
</tr>
<tr>
<td>250 mm</td>
<td>1.5 m</td>
</tr>
<tr>
<td>300 mm</td>
<td>1.8 m</td>
</tr>
<tr>
<td>350 mm</td>
<td>2.1 m</td>
</tr>
<tr>
<td>400 mm</td>
<td>2.4 m</td>
</tr>
<tr>
<td>450 mm</td>
<td>2.7 m</td>
</tr>
<tr>
<td>500 mm</td>
<td>3.0 m</td>
</tr>
<tr>
<td>550 mm</td>
<td>3.3 m</td>
</tr>
<tr>
<td>600 mm</td>
<td>3.6 m</td>
</tr>
<tr>
<td>750 mm</td>
<td>4.5 m</td>
</tr>
<tr>
<td>900 mm</td>
<td>5.4 m</td>
</tr>
<tr>
<td>1000 mm</td>
<td>6.0 m</td>
</tr>
</tbody>
</table>

If There Are Obstacles to Installation of Trees Protection Barrier
If the protection zone of any tree is within an existing building, asphalt or accessory building, an independent certified Arborist must be on-site during demolition. The barrier then must be constructed at the appropriate distance.

Shared Ownership Trees and Neighbour’s Trees
♦ The distance table above must be used to determine location of tree protection fencing for shared trees and trees on properties adjacent to the development, of any size.
♦ Barriers for shared trees and trees on adjacent property must be installed to the property line.