

COUNCIL AGENDA	
Date: January 13, 2020 February 10, 2020	Item: 9.1 7

WV (P.V.)

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

COUNCIL REPORT

7/
R-1

Date:	December 17, 2019
From:	Lisa Berg, Senior Community Planner
Subject:	Development Variance Permit for 3742 Marine Drive
File:	1010-20-19-040

RECOMMENDATION

THAT proposed Development Variance Permit No. 19-040 for 3742 Marine Drive, as described in the report dated December 17, 2019, which would allow for amendments to Development Variance Permit No. 15-016 and Development Variance Permit No. 17-028, and authorize new variances for a single family dwelling be considered at the February 10, 2020 Council meeting; and that notice be given of consideration of the proposed development variance permit.

1.0 Purpose

The purpose of this report is to provide information to Council regarding a development variance permit for 3742 Marine Drive (Appendix A), and to request scheduling of consideration of the application.

2.0 Legislation/Bylaw/Policy

The site is zoned RS3 (Single Family Dwelling Zone 3).

3.0 Official Community Plan

The OCP contains policies respecting neighbourhood character and to advance community energy efficiency targets.

4.0 Financial Implications

There are no financial implications to the District.

5.0 Background

5.1 Previous Decisions

At the June 6, 2016 Council meeting, Council passed the following resolution:

THAT

1. all written and oral submissions regarding proposed Development Variance Permit No. 15-016 for 3742 Marine Drive up to and including the Council meeting held on June 6, 2016 be received for information; and

2. *proposed Development Variance Permit No. 15-016 for 3742 Marine Drive, which would allow for construction of a new two-storey house, be approved with the following revisions to the proposed Development Variance Permit:*

- a. *section 1. d) regarding Building Height: that "16.2 metres" be replaced with "15.58 metres"; and*
- b. *"Schedule A" be revised by replacing the landscaping plan prepared by Durante Kreuk Ltd. with the revised landscaping plan dated June 6, 2016 by Durante Kreuk Ltd."*

At the July 10, 2017 Council meeting, Council passed the following resolutions:

THAT all written and oral submissions regarding proposed Development Variance Permit 17-028 for 3742 Marine Drive up to and including the Council meeting held on July 10, 2017 be received for information.

THAT proposed Development Variance Permit 17-028 for 3742 Marine Drive, which would allow for amendment to approved Development Variance Permit 15-016, regarding variances for maximum retaining wall height, maximum percent impermeable surface within the front yard, and waterfront setback, be approved.

5.2 History

Council approved Development Variance Permit No. 15-016 for a new single family dwelling. The permit authorized reduced front and water yard setbacks, and increased building height, highest building face envelope and site coverage variances.

Following issuance of the first development variance permit, the owner applied for a building permit. It was revealed during building permit review that additional variances were required for the front yard, retaining walls under the deck, a deck located within the water front yard, and for maximum impermeable surface area in the front yard. Council considered these variances and approved Development Variance Permit No. 17-028. A third development variance permit is now required to address changes made during construction.

6.0 Analysis

6.1 Discussion

Site Context & Background

The site is 732 sq. m in area and is one of two lots in this location on the waterfront, below Marine Drive. The site is very wide (over 55 m) but not very deep, varying between 8.5 m and 13.7 m from the front property line to the waterfront property line. As a result, there is no permitted building envelope under zoning due to the front and waterfront yards overlapping each other. The site slopes steeply from Marine Drive to the waterfront, which is characterized by exposed bedrock.

The previously approved applications allowed for a two-storey single family dwelling with no basement and a floor area of 256 sq. m (2,756 sq. ft.), with an area containing a pool and hot tub covered by the upper floor. A building permit was issued and construction began. During a site inspection by District staff, it was observed that some construction was not consistent with the approved building permit and a Stop Work Order was posted. It was found that portions of the unauthorized construction created further zoning non-compliance.

The Proposal

The owner removed some of the unauthorized construction in an attempt to bring portions of the building into compliance with the approved plans, including the removal of a large roof overhang that projected into the reduced front yard setback, and roof and main floor extensions in the central area of the house. However, non-conforming construction remains. This includes an extension to the west side of the dwelling, other roof overhangs, a wing-wall to the east side of the property, and new retaining walls.

The extension that was added to the west side of the dwelling is not permitted as it would increase the maximum allowable floor area. To deal with this, the applicant proposes to backfill it rather than demolish it. While backfilling it would render the area unusable and would not count toward floor area, the structure of it would remain and affect setbacks, site coverage and front yard hard surface area, impacting the extent of the requested variances. The owner wishes to keep the structure as it allows for access to an extended lower deck. The top of the backfilled structure will be landscaped with groupings of native plantings and trees. The owner also requests amendments to the approved landscape plan. An updated rendering of the dwelling is shown in Figure 1.

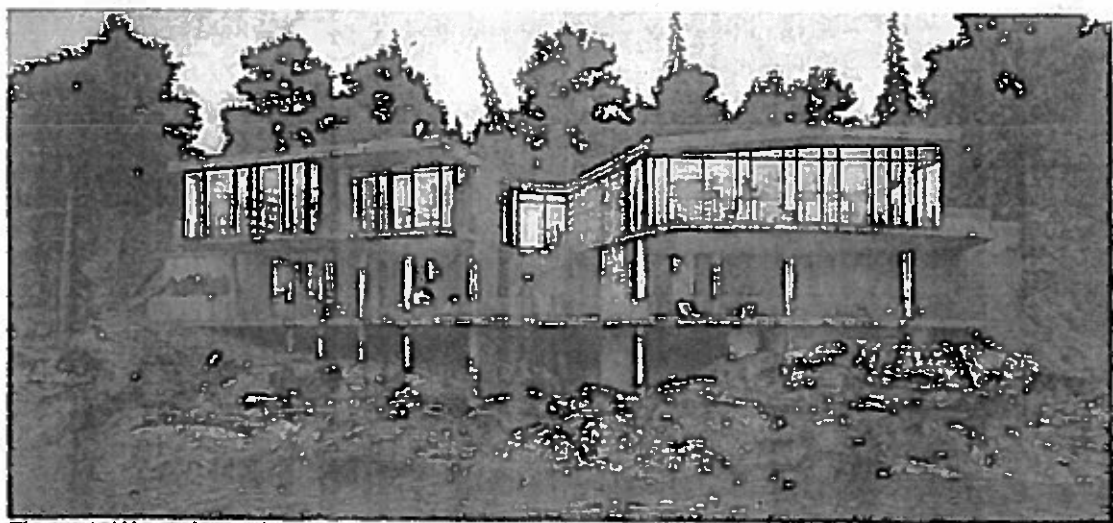


Figure 1: Water front view

Proposed Development Variance Permit No. 19-040 would amend four of the previously-approved variances and authorize four new variances. There are no changes to four other previously-approved variances.

The proposed variance amendments include the front yard setback, site coverage, hard surface area in the front yard, and a front yard retaining wall. The new variances that are proposed are for the west side yard setback, the combined side yard setback, a waterfront retaining wall and roof overhangs. A summary of the proposed variances are attached as **Appendix B**.

The owner moved forward with revisions to the approve plans during construction and has indicated the changes are primarily to improve livability of the house, prevent water ingress and deal with the steep slope.

Revised Landscape Plan

A revised landscape plan proposes to remove five and retain three boulevard trees, plus plant eight new boulevard trees and a privacy hedge along Marine Drive. The trees proposed for removal are in fair to poor condition and two of them conflict with the construction of the driveway. Four on-site trees and mass groupings of various shrubs will be planted throughout the site and boulevard.

6.2 Sustainability

The previously approved development variance permit requires that the owner achieve a minimum Energuide rating of 80 and install electrical conduit for roof-mounted solar and electric vehicle charging. The dwelling complies with the minimum grandfathered Flood Construction Level (FCL) of 4.5 metres.

6.3 Public Engagement and Outreach

Notification of the proposed application will be given consistent with District procedures.

6.4 Other Communication, Consultation, and Research – Not applicable.

7.0 Options

7.1 Recommended Option

It is recommended that Council set the date for consideration of the application for February 10, 2020.

7.2 Considered Options


- a) set the date for consideration of the application and request that additional information (to be specified) be provided and available to assist in consideration of the application; or
- b) defer further consideration pending receipt of additional information; or
- c) reject the application.

8.0 Conclusion

The proposed variances do not contribute to visible building bulk to surrounding properties or negatively affect public areas and should have the owner brought them forward during earlier reviews of the proposal, staff would have recommended support of them. The owner has made attempts to bring the building into compliance with the approved plans, and is seeking Council approval to allow the building to be constructed as shown in the proposed permit. The proposed landscape plans will see additional trees and plantings within the boulevard.


Subject to public submissions to Council and Council consideration, staff recommend that the proposed development variance permit be approved.

Author:



Lisa Berg, Senior Community Planner

Concurrence



Michelle McGuire, Manager of Current
Planning and Urban Design

Appendices:

- A. Context Map
- B. Summary of Variances
- C. Development Variance Permit No. 19-040

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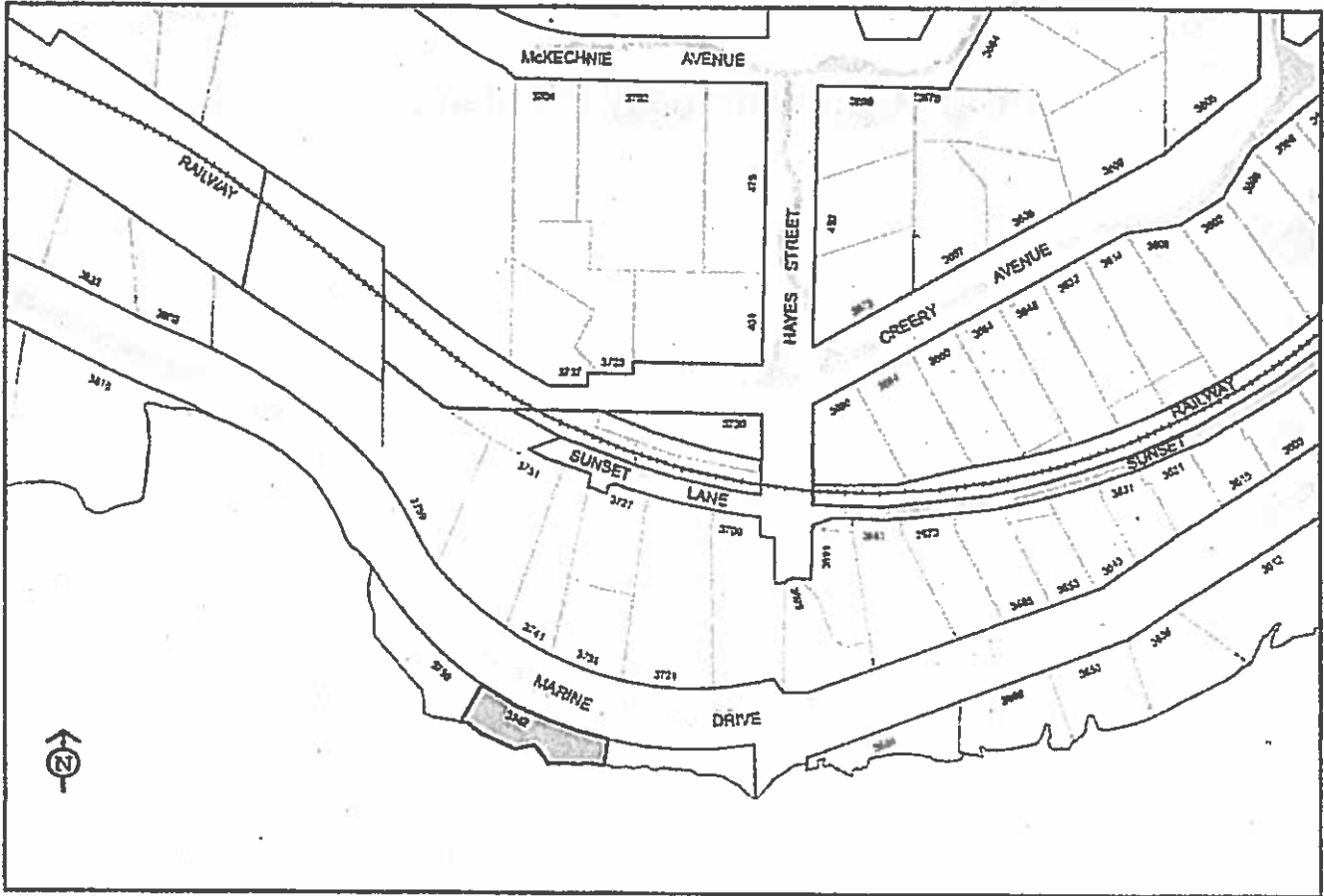


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APPENDIX A

Context Map



3742 Marine Drive shown shaded

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APPENDIX B

Summary of Variances

The following chart summarizes the previously approved and proposed variances:

	Particular	Bylaw	Varied	Note
DVP 15-016 (Approved)	Front Yard Setback	9.1 m	1.1	See DVP 19-040
	Water Yard Setback	9.1 m	1.3 m	See DVP 17-028
	Site Coverage	266 sq m	42%	See DVP 19-040
	Building Height	7.62 m	15.58 m	No change
	Highest Building Face Envelope	6.7 m	11.4 m	No change
	Particular	Bylaw/Varied	Varied	Note
DVP 17-028 (Approved)	Water Yard Setback	1.3 m	0 m	No change
	Front Yard Hard Surface	50%	58%	See DVP 19-040
	Front Yard Retaining Wall	1.2 m	6.1 m	See DVP 19-040
	Pool Wall	2.4 m	4.88 m	No change
	Particular	Bylaw/Varied	Proposed	Note
DVP 19-040 (Proposed)	Front Yard Setback	1.1 m	0.97 m	Amendment
	Site Coverage	42%	478 sq m (58%)	Amendment
	Front Yard Hard Surface	58%	79%	Amendment
	Front Yard Retaining Wall	6.1 m	6.5 m	Amendment
	West Side Yard Setback	1.52 m	1.4 m	New
	Combined Side Yard Setback	14.63 m	5.35 m	New
	Waterfront Retaining Wall	1.2 m	1.9 m	New
	Roof Overhang	0.6 m	1.5 m	New

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District of West Vancouver
Proposed
Development Variance Permit No. 19-040

REGISTERED OWNER: 3742 MARINE DRIVE HOLDINGS LTD.

THIS DEVELOPMENT VARIANCE PERMIT APPLIES TO:

CIVIC ADDRESSES: 3742 MARINE DRIVE

LEGAL DESCRIPTION: LOT B BLOCK B WST PART OF DISTRICT LOT 558
PLAN 11152
PID: 009-138-315
(the 'Lands')

1. This Development Variance Permit is issued and varies and supplements the District's Zoning Bylaw No. 4662, 2010, as amended, as follows:
 - a. Section 120.22 **Retaining Walls** for front and waterfront yards are varied as per Schedule A.
 - b. Section 120.27(9)(b) **Roof Overhang** is varied from 0.6 metre to 1.5 metres.
 - c. Section 130.15(7) **Site Landscaping** front yard hardscaping is varied from 50% to 79%.
 - d. Section 203.05(2) **Site Coverage** is varied to 478 square metres;
 - e. Section 203.07 **Front Yard** is varied to from 1.1 metres to 0.97 metres;
 - f. Section 203.09(b)(i) **Combined Side Yard** is varied from 14.63 metres to 5.35 metres; and
 - g. Section 203.09(2)(a)(i) **West Side Yard** is varied from 1.52 meters to 1.4 metres.
2. 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.

THE COUNCIL OF WEST VANCOUVER APPROVED THIS PERMIT BY
RESOLUTION PASSED ON _____.

MAYOR

CORPORATE OFFICER

FOR THE PURPOSES OF SECTION 2, THIS PERMIT IS ISSUED ON

[Insert Council report date & Document #])

Schedule:

A – Architectural Plans

SCHEDULE A
to DVP 19-040

**ISSUED FOR BUILDING
PERMIT - Nov. 1, 2019**

HARRI PONTARINI

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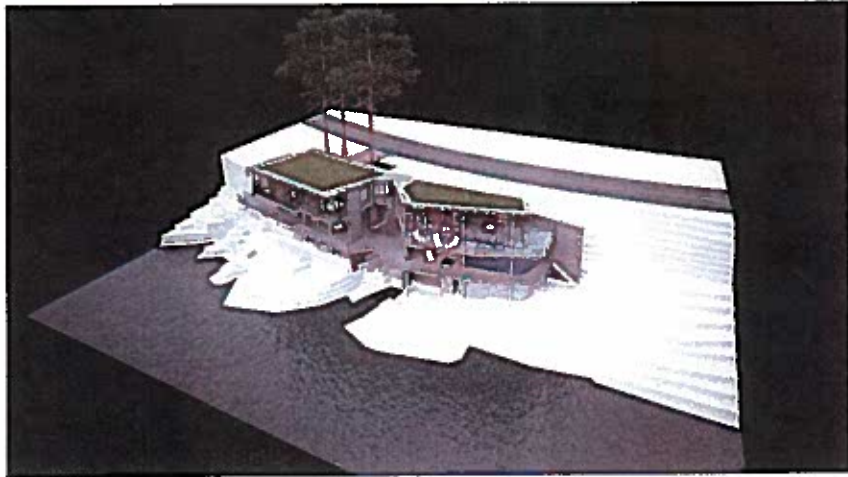
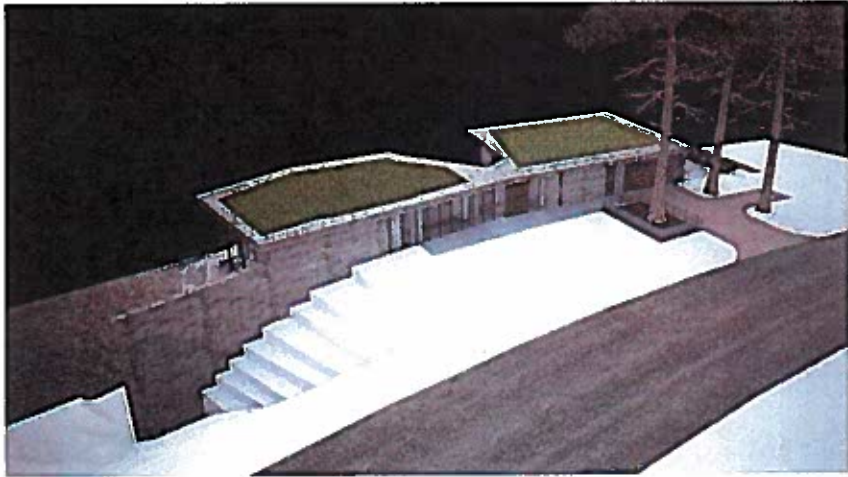


Drawing List

A001 RENDERINGS	N.T.S.
A002 SURVEY BY CHAPMAN LAND SURVEYING LIMITED	1/8" = 1'-0"
A100 SITE INFORMATION TYPICAL ASSEMBLIES	N.T.S.
A101 PROPOSED SITE PLAN	1/8" = 1'-0"
A200 FOUNDATION PLAN	1/4" = 1'-0"
A201 LOWER FLOOR PLAN	1/4" = 1'-0"
A202 UPPER FLOOR PLAN	1/4" = 1'-0"
A203 ROOF PLAN	1/4" = 1'-0"
A204 PARTIAL FLOOR PLAN (WEST WING)	1/4" = 1'-0"
A301 SOUTH ELEVATION	1/4" = 1'-0"
A302 NORTH ELEVATION	1/4" = 1'-0"
A303 EAST ELEVATION	1/4" = 1'-0"
A304 WEST ELEVATION	1/4" = 1'-0"
A401 NBS CROSS SECTION	1/4" = 1'-0"
A402 ESW LONGITUDINAL SECTION	1/4" = 1'-0"
A403 WEST SIDE, NBS AND SWY CROSS SECTIONS	1/4" = 1'-0"
A601 SPIRAL STAIR PLANS AND SECTION	1/2" = 1'-0"
L-1 LANDSCAPE DRAWING	1/8" = 1'-0"



3742 MARINE DRIVE RESIDENCE
WEST VANCOUVER, BRITISH COLUMBIA



1. The building is designed to be a multi-level structure with a green roof and a large white staircase leading up to it. The building is designed to be a multi-level structure with a green roof and a large white staircase leading up to it. The building is designed to be a multi-level structure with a green roof and a large white staircase leading up to it.

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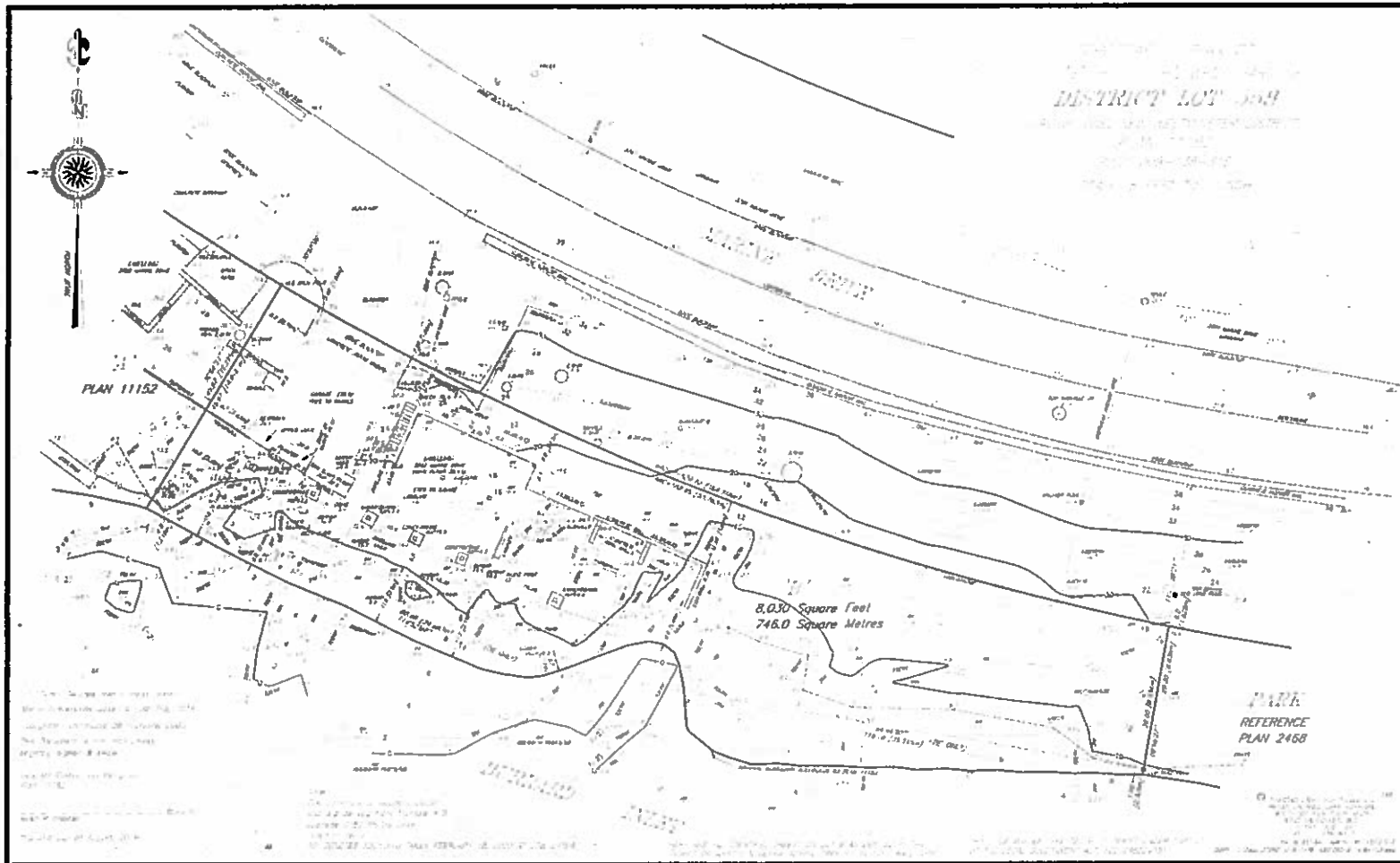


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MARNE PESCECE

PROFESOR

1955



NOTES:
 1. The Applicant is to be responsible for the design of the building to be constructed in accordance with the provisions of the Building Act 2004 and the Building Regulations 2006.
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Lot 102	100	Sq. M
Lot 103	100	Sq. M
Lot 104	100	Sq. M
Lot 105	100	Sq. M
Lot 106	100	Sq. M
Lot 107	100	Sq. M
Lot 108	100	Sq. M
Lot 109	100	Sq. M
Lot 110	100	Sq. M



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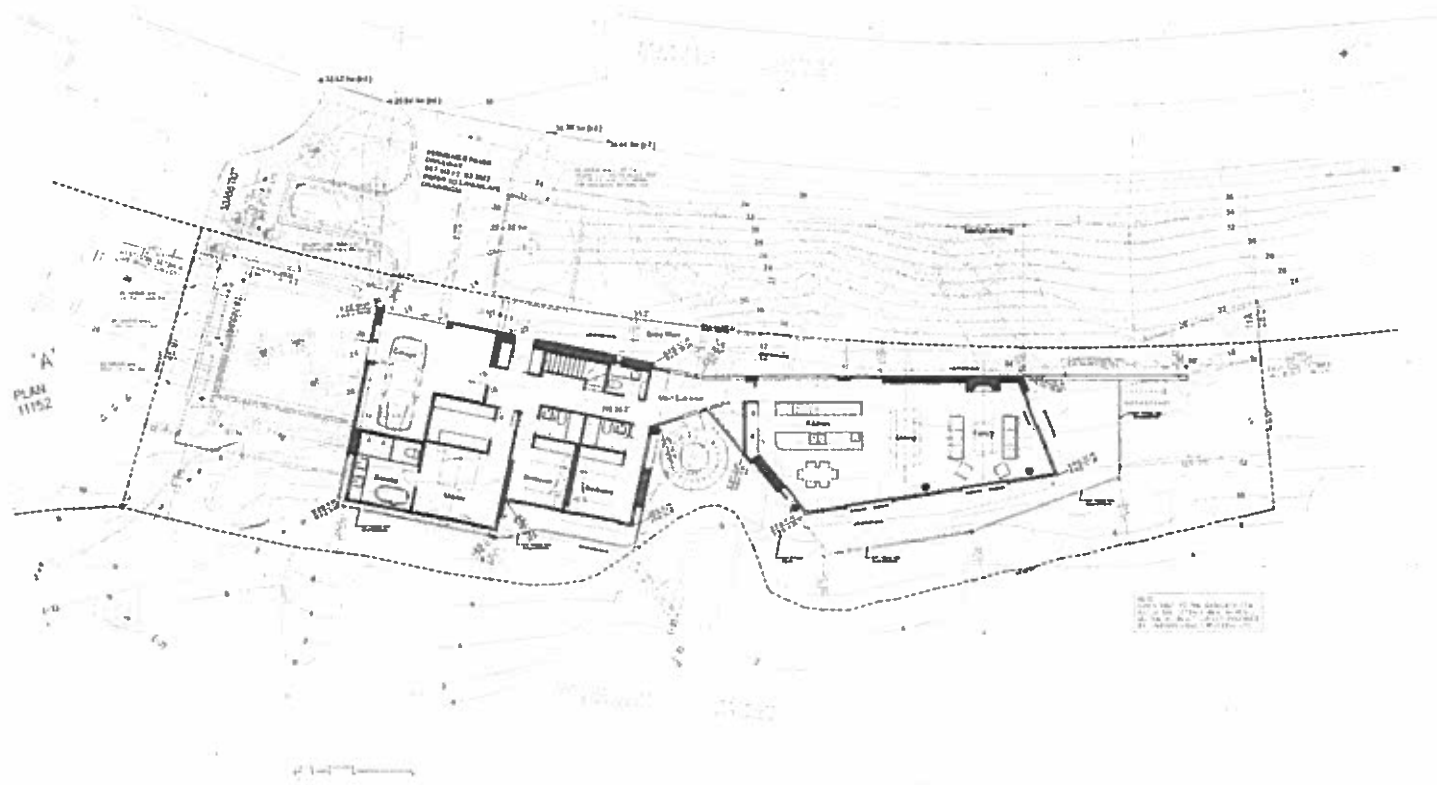
HARI RESIDENCE

DATE: 10/10/11

SCALE: 1:100

4002

1. This document is prepared on behalf of the Engineer. It is based on the information provided by the Client and is subject to the accuracy and completeness of the information provided. The Engineer is not responsible for the accuracy or completeness of the information provided by the Client.



Item	Quantity	Unit
1.000	1.000	m ²
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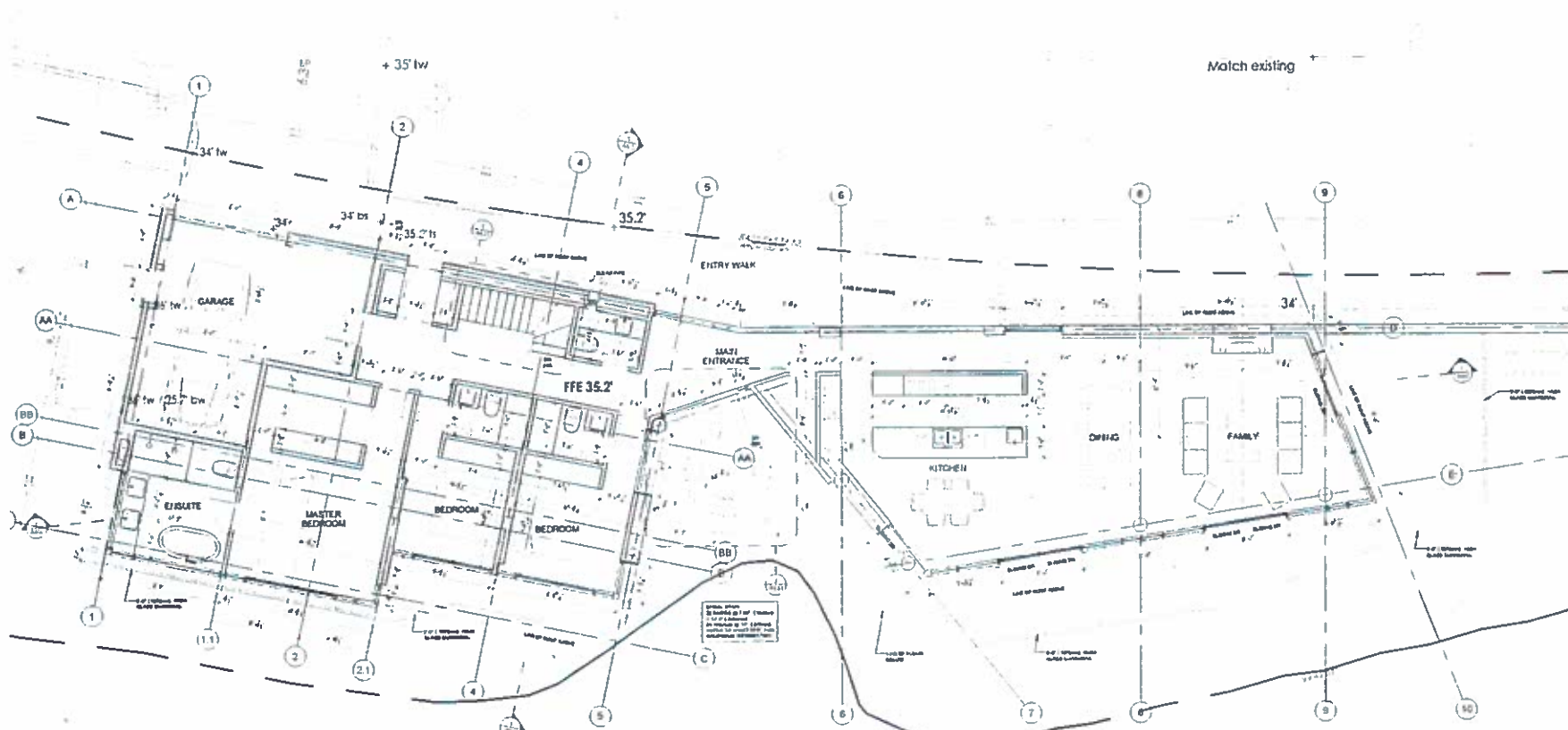
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MARINE RESIDENCE

11152

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10m



WALL TYPES

- 1 1/2" CMU BLOCK WALLS WITH 2" EPS INSULATION ON EXTERIOR FACE AND 1/2" GYPSUM BOARD ON INTERIOR FACE. ALL DOORS AND WINDOWS TO BE SET INTO 1/2" CMU BLOCK WALLS. ALL DOORS AND WINDOWS TO BE SET INTO 1/2" CMU BLOCK WALLS. ALL DOORS AND WINDOWS TO BE SET INTO 1/2" CMU BLOCK WALLS.
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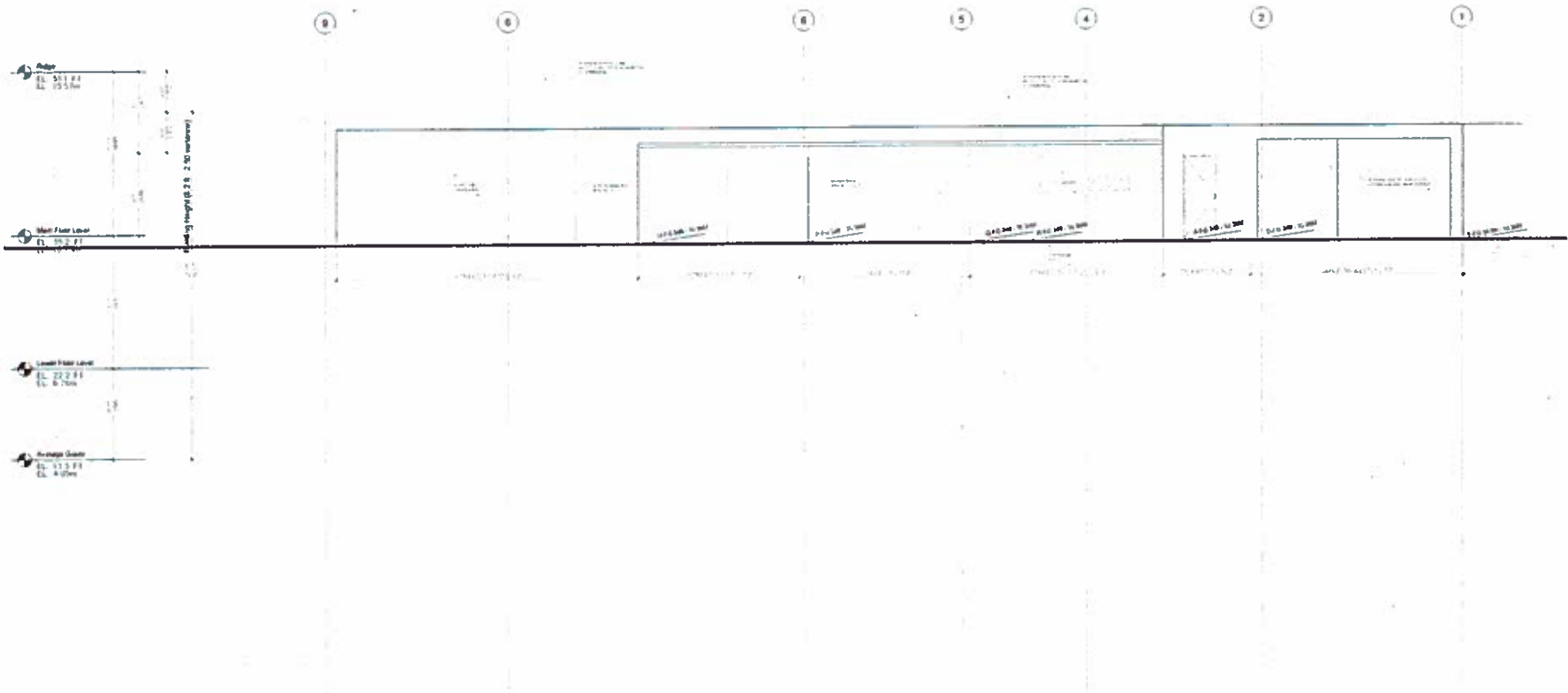
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MARKED RESIDENCE
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Notes:

1. This drawing is for the purpose of providing information only. It is not a contract document.
2. The client is responsible for providing all necessary data and information for the design.
3. The architect is not responsible for the construction of the building.
4. The architect is not responsible for the performance of the building.
5. The architect is not responsible for the safety of the building.
6. The architect is not responsible for the health of the building.
7. The architect is not responsible for the environment of the building.
8. The architect is not responsible for the social of the building.
9. The architect is not responsible for the economic of the building.

NO. 1	PROJEKSI ARSITEKTUR	1/20
NO. 2	PROJEKSI STRUKTURAL	1/20
NO. 3	PROJEKSI MEKANIKA	1/20
NO. 4	PROJEKSI ELEKTRIK	1/20
NO. 5	PROJEKSI AIR BERSIH	1/20
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NO. 8	PROJEKSI AIR BERSIH	1/20
NO. 9	PROJEKSI AIR BERSIH	1/20
NO. 10	PROJEKSI AIR BERSIH	1/20



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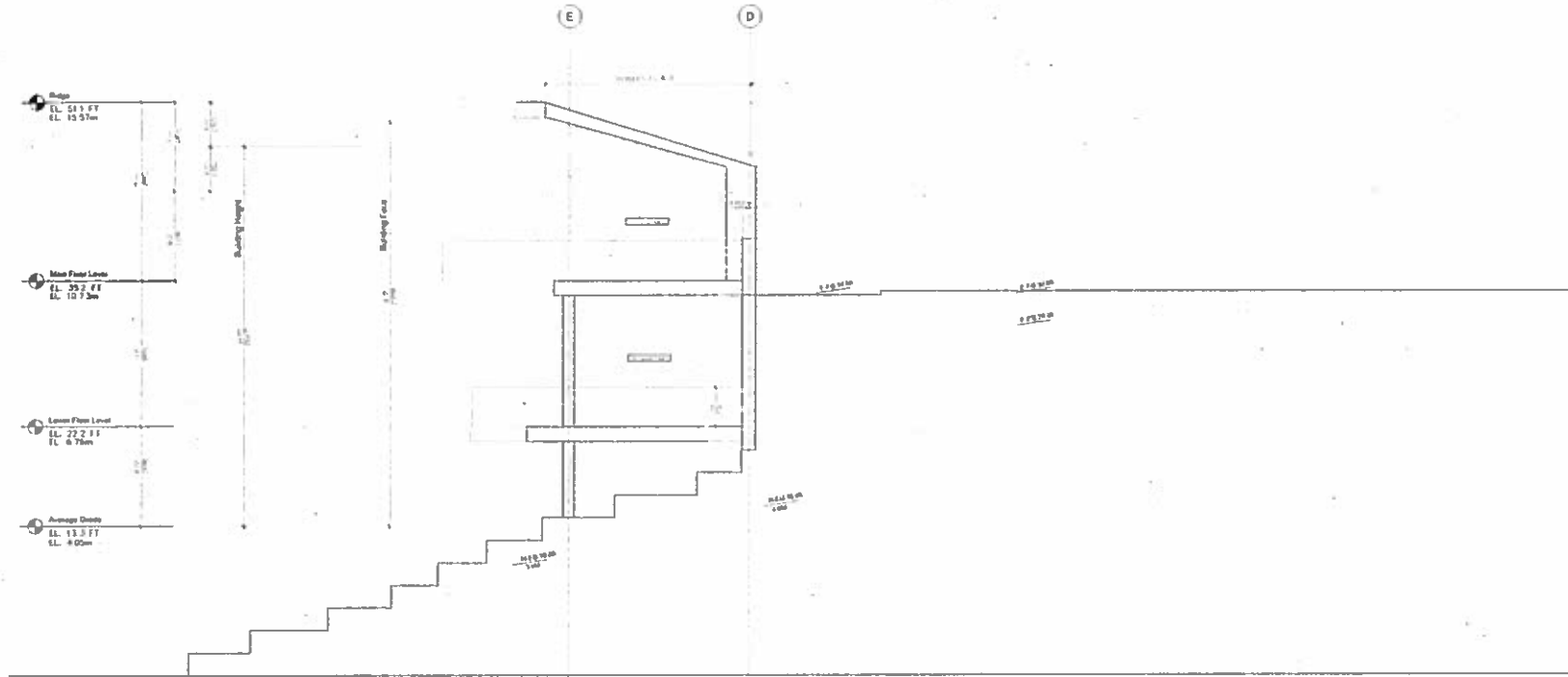
MARIE RESIDENCE

1/20

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SECTION OF WALL OF 25' GLASS SPANNING IN ELEVATION VIEW, OF WALL 250

DATE, NAME OF ARCHITECT OR OTHER PERSON	DATE DRAWN	REVISIONS	DATE CHECKED
11/27/08 BY A.S.P.	11/27/08 BY A.S.P.	11/27/08 BY A.S.P.	11/27/08 BY A.S.P.



NOTES:
 1. This section is to be used in conjunction with the other sections of this drawing.
 2. All dimensions are in meters unless otherwise indicated.
 3. All dimensions are to be taken from the finished face of the work unless otherwise indicated.
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NO.	DESCRIPTION	DATE
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3	ISSUED FOR PERMITS	11/27/08
4	ISSUED FOR PERMITS	11/27/08
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6	ISSUED FOR PERMITS	11/27/08
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9	ISSUED FOR PERMITS	11/27/08
10	ISSUED FOR PERMITS	11/27/08



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BARBARA PERCENNE

11/27/08

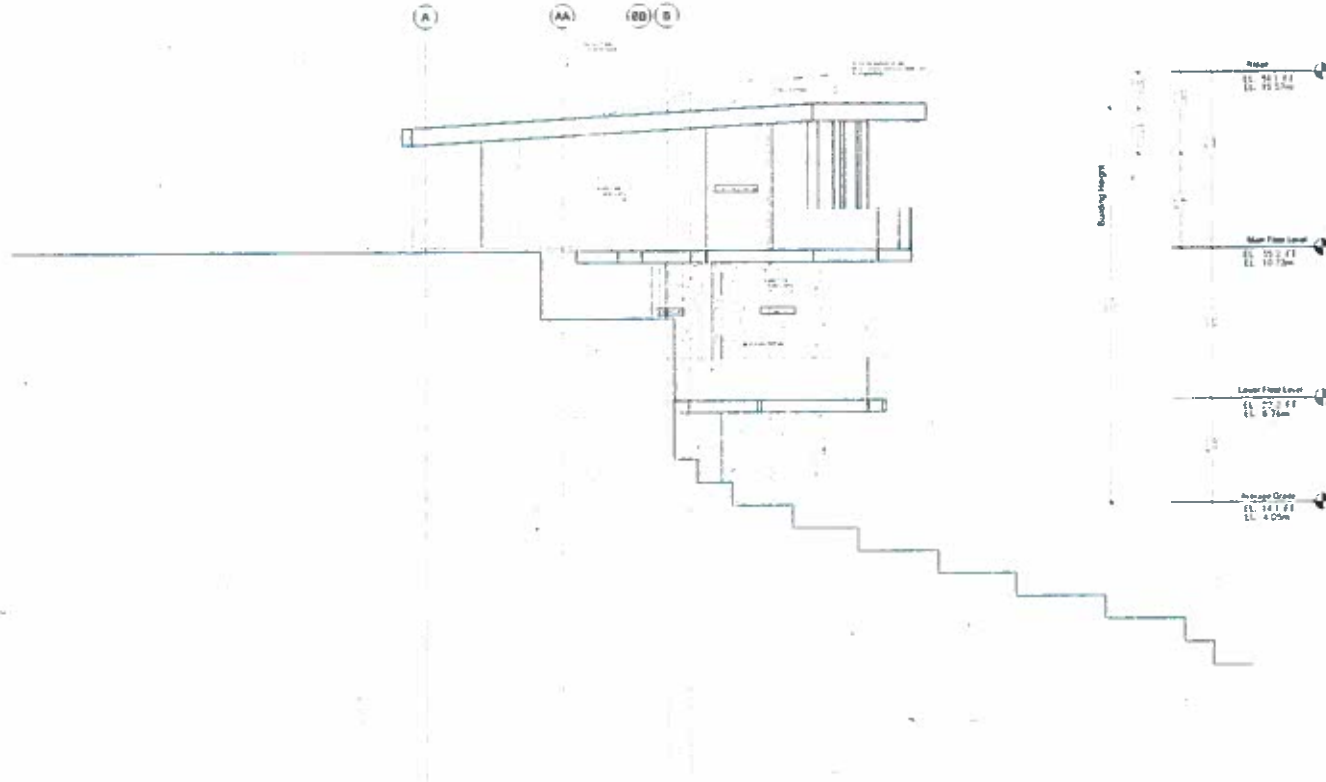
11/27/08

11/27/08

A3.03

General Note: (1) Check elevation to 1/16"=1'-0" scale of notes & map Table B (1) A & B.

Leveling notes of adjacent Building F.O.S.	Adjacent building to which level is referred	Reference elevation of adjacent building to which level is referred	Reference elevation of adjacent building to which level is referred
1175.50 at 1175.50	1175.50 at 1175.50	1175.50 at 1175.50	1175.50 at 1175.50



NOTES:
 1. All elevations are to mean sea level unless otherwise noted.
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NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMITS	08/11/11
2	ISSUED FOR PERMITS	08/11/11
3	ISSUED FOR PERMITS	08/11/11
4	ISSUED FOR PERMITS	08/11/11
5	ISSUED FOR PERMITS	08/11/11
6	ISSUED FOR PERMITS	08/11/11
7	ISSUED FOR PERMITS	08/11/11
8	ISSUED FOR PERMITS	08/11/11
9	ISSUED FOR PERMITS	08/11/11
10	ISSUED FOR PERMITS	08/11/11

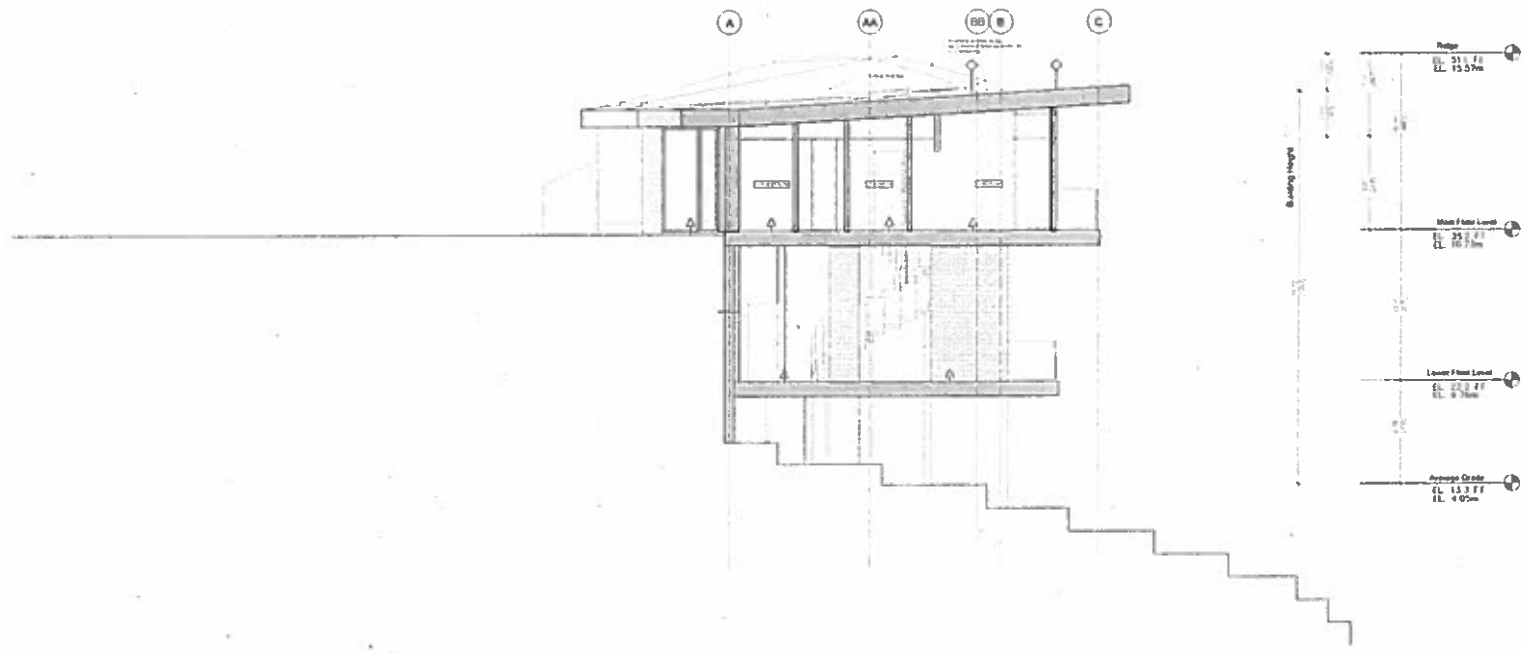


HARIRI PONTARINI
 Licensed Professional Engineer
 State of Michigan
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REVISIONS

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMITS	08/11/11
2	ISSUED FOR PERMITS	08/11/11
3	ISSUED FOR PERMITS	08/11/11
4	ISSUED FOR PERMITS	08/11/11
5	ISSUED FOR PERMITS	08/11/11
6	ISSUED FOR PERMITS	08/11/11
7	ISSUED FOR PERMITS	08/11/11
8	ISSUED FOR PERMITS	08/11/11
9	ISSUED FOR PERMITS	08/11/11
10	ISSUED FOR PERMITS	08/11/11

Notes:
 1. This section is drawn on the basis of the data provided in the drawings and is subject to the availability of the materials of construction. The contractor is to check the availability of the materials and to advise the architect in writing if any material is not available or if any material is to be substituted.
 2. The contractor is to check the availability of the materials and to advise the architect in writing if any material is not available or if any material is to be substituted.
 3. The contractor is to check the availability of the materials and to advise the architect in writing if any material is not available or if any material is to be substituted.
 4. The contractor is to check the availability of the materials and to advise the architect in writing if any material is not available or if any material is to be substituted.



Roof	EL. 211.40 EL. 15.00m
Main Floor Level	EL. 207.40 EL. 10.00m
Lower Floor Level	EL. 203.40 EL. 6.00m
Basement Floor	EL. 199.40 EL. 2.00m

Site Area	1000.00
Plot Area	1000.00
Building Area	1000.00
Basement Area	1000.00
Staircase Area	1000.00
Other Area	1000.00



HARIRI PONTARINI
 Architects
 1000.00
 1000.00
 1000.00
 1000.00
 1000.00

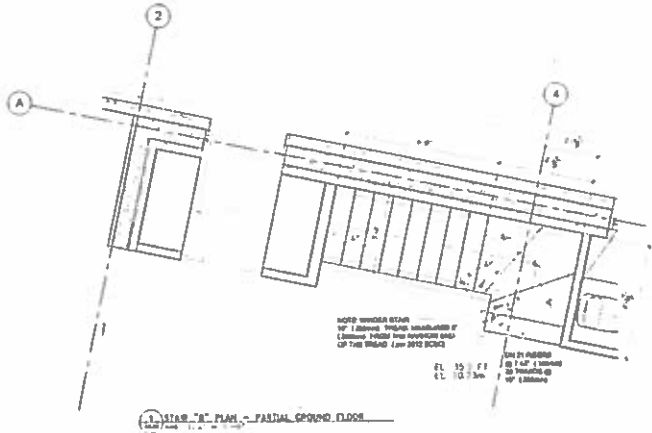
BARAK RESIDENCE

Phase 01

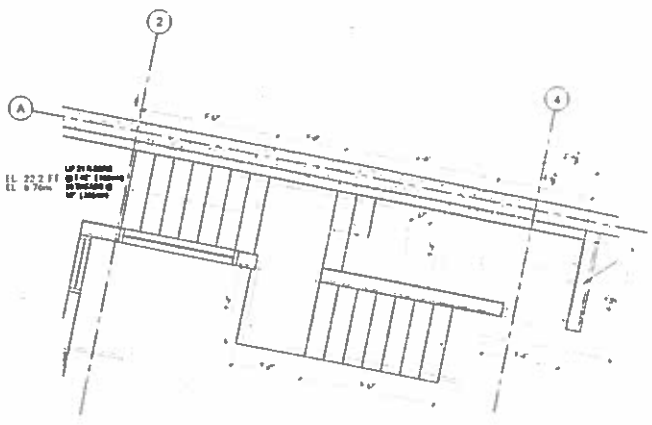
1.674-2474
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Scale: 1/50

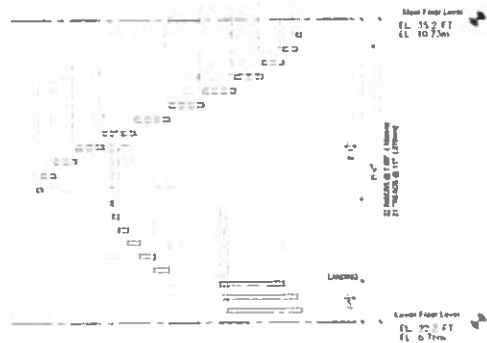
A4.01



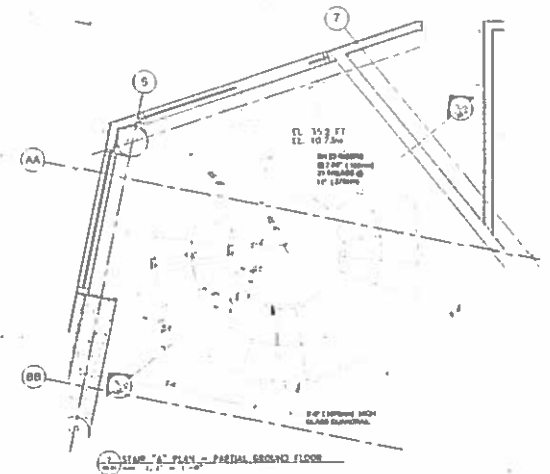
STAR 'A' PLAN - PARTIAL GROUND FLOOR



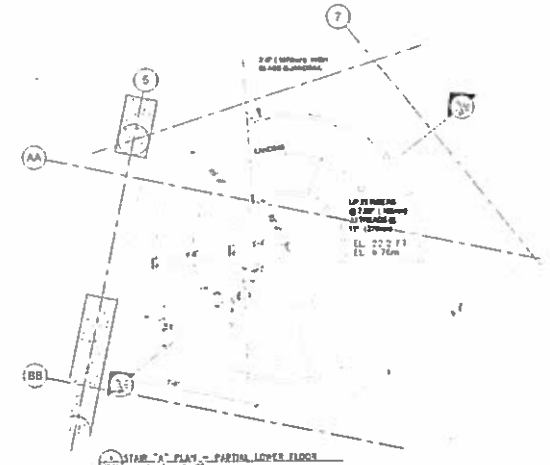
STAR 'B' PLAN - PARTIAL LOWER FLOOR



STAR 'C' SECTION



STAR 'A' PLAN - PARTIAL SECOND FLOOR



STAR 'A' PLAN - PARTIAL LOWER FLOOR

NOTES:
 1. This set of Plans, by the date of issue, has a 10% allowance for the extra work to be done in the event of a 10% increase in the quantity of work to be done.
 2. The Contractor shall be responsible for the accuracy of the information provided in the Plans and for the accuracy of the work done.
 3. The Contractor shall be responsible for the accuracy of the work done and for the accuracy of the information provided in the Plans.
 4. The Contractor shall be responsible for the accuracy of the work done and for the accuracy of the information provided in the Plans.
 5. The Contractor shall be responsible for the accuracy of the work done and for the accuracy of the information provided in the Plans.
 6. The Contractor shall be responsible for the accuracy of the work done and for the accuracy of the information provided in the Plans.
 7. The Contractor shall be responsible for the accuracy of the work done and for the accuracy of the information provided in the Plans.
 8. The Contractor shall be responsible for the accuracy of the work done and for the accuracy of the information provided in the Plans.
 9. The Contractor shall be responsible for the accuracy of the work done and for the accuracy of the information provided in the Plans.
 10. The Contractor shall be responsible for the accuracy of the work done and for the accuracy of the information provided in the Plans.



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SKETCH SHOWING LOCATION OF POINTS SET ON UPPER FLOOR OF DWELLING UNDER CONSTRUCTION ON

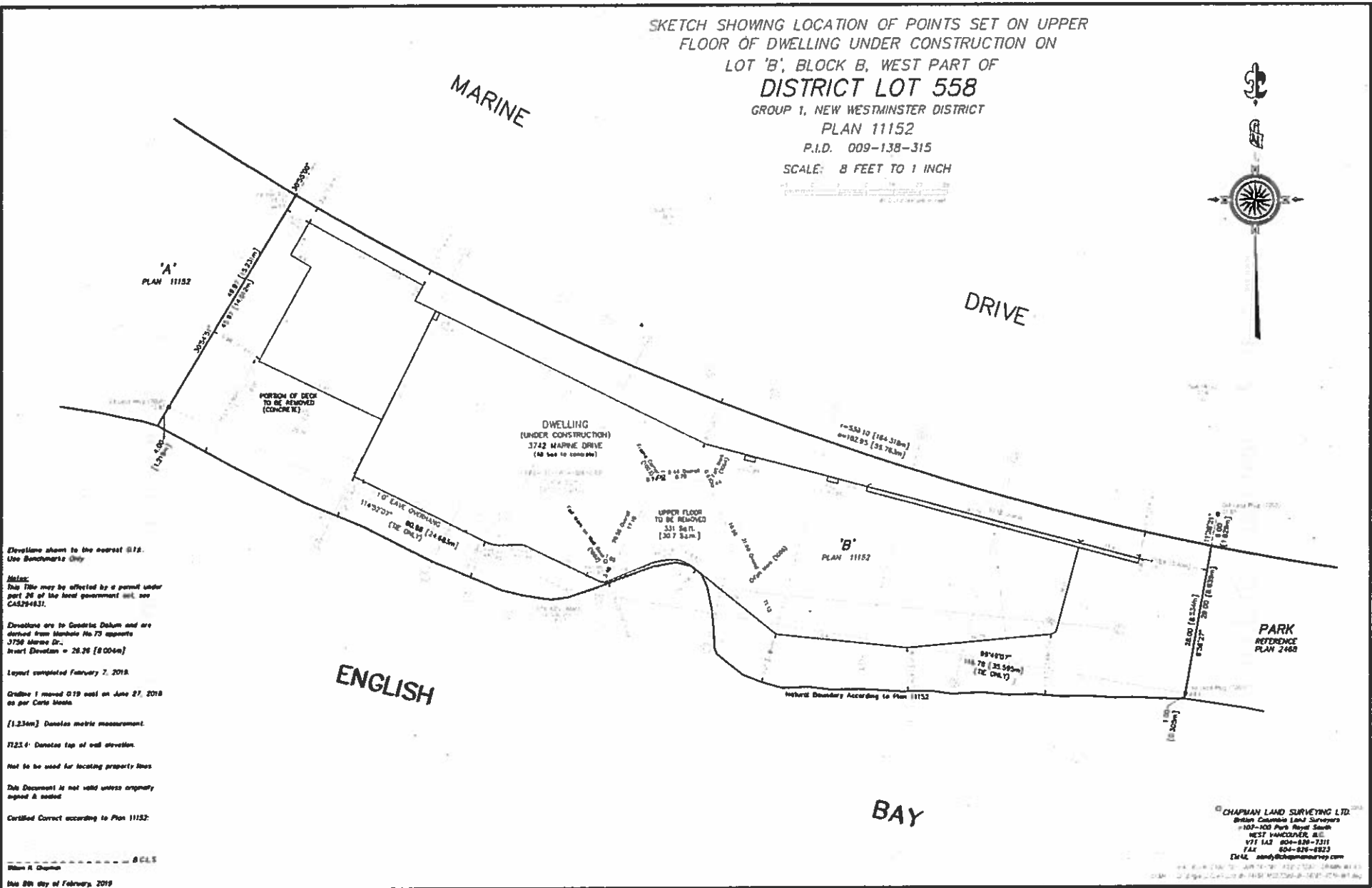
LOT 'B', BLOCK B, WEST PART OF DISTRICT LOT 558

GROUP 1, NEW WESTMINSTER DISTRICT

PLAN 11152

P.I.D. 009-138-315

SCALE: 8 FEET TO 1 INCH



Elevations shown to the nearest 0.1 ft. Use Benchmarks Only.

Notes:
This Title may be affected by a permit under part 26 of the local government act, see C4539-031.

Elevations are to Geodetic Datum and are derived from Maritime No. 73 appears 3750 Marine Dr., Invert Elevation = 26.26 (8.004m)

Layout completed February 7, 2018.

Gridline 1 moved 0.19 east on June 27, 2018 as per Carte bleue.

[1.23m] Denotes metric measurement.

7251' Denotes top of wall elevation.

Not to be used for locating property lines.

This Document is not valid unless originally signed & sealed.

Certified Correct according to Plan 11152.

B.C.L.S.
Blair R. Chapman

This Day of February, 2019

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