

January 24, 2024

Planning and Development Department
Resort Municipality of Whistler
4325 Blackcomb Way
Whistler BC V0N 1B4

RE: 2913 Kadenwood Dr , Covenant Modification Application for
Sideyard Setback

To Whom it May Concern,

The Owners of 2913 Kadenwood Dr, Mr. Floyd Henry and Mrs. Alyssa Henry would like to apply for a Covenant Modification to modify the Building Envelope Plan of LMP 54256, to be able to create a livable covered outdoor area on the ground floor of their home that includes both the hottub, a sitting area and a new Sauna.

As well, to be able to achieve this, the Owners must also apply for a Covenant Modification to the Tree Preserve Area.

The primary reason for this application is that currently the house does not have any usable covered living area for the cold winter months besides the area occupied by the hottub. Mr. and Mrs. Henry would like to create a more livable covered environment for their home by moving the hottub 12.0' to the west, so that the existing covered patio area can then be used in the winter for enjoying the outdoors.

In tandem with the new covered outdoor area, Mr. And Mrs. Henry would like to add a small Sauna addition that is in keeping with the existing architecture and would enhance the livability of this new outdoor covered area.

To be able to create a covered area for the hottub and the Sauna addition, the Sideyard Setback Bldg. Envelope needs to be modified for the area of new construction only. This would also entail modifying the existing Tree Preserve Area Plan, but with a resultant net gain in area.

We believe the variances applied for support the intent of the Zoning Bylaw RTA11, Section 21 (15), "Setbacks", as well as the intent for the Tree Preservation Covenant 219.

Firstly, the Setbacks are dependant on the Site Area of the property, the intent being a large sized property can accommodate a larger Sideyard Setback. We maintain that the irregular shape of the Henry's



property, specifically the triangular SW section, causes a legitimate hardship. This triangular SW section sticks out from the Henry's property and in front of their Neighbour's property (S.L. 2) and as such, combined with the Tree Preserve, is unusable. The area of this unusable irregular portion of property "makes" the Henry's total Site Area be calculated over 1399m². If the area of this unusable irregular portion of property is deducted from the property the resultant Site Area is less than 1399m². In RTA11 the minimum Sideyard Setback required for a property with a Site Area less than 1399m² is 4.0m.

It is worth noting that the neighbouring properties to the west of the Henry's (S.L. 2 & 3) both have 4.0m Sideyard Setbacks. As well, it is also worth noting that other lots in Kadenwood have had similar applications approved (specifically Lot 12).

Secondly, the area of Tree Preserve the Henry's would like removed currently has no trees in it at all. It has been a lawn for over 20 years. The Henry's would like to add area to the Tree Preserve to protect the existing trees on the north side of the property, as well as protect the proposed new landscape plan in the south side of the property. This would result in a net gain of Tree Preserve Area of 68.19 m² which would provide a better community benefit than the extent of the existing Tree Preserve Area is now.

The Covenant Modifications applied for only effects the Neighbour to the West (S.L. 2) and the Henry's have reached out to them through the Strata Property Manager to seek their feedback on the proposed project. The Neighbour replied that they would not oppose the work proposed, as long as the Henry's included some form of sound mitigation in their design. As such, the west side of the covered Hottub area has a full height glass wall to block sound and vertical privacy slats to provide visual privacy. As well, currently the underside of the concrete suspended slab Sundeck is bare concrete. The Henry's propose to finish the underside soffit in a T&G softwood like fir, cedar or hemlock which will help dampen and mitigate the sound. The proposed Landscape Plan from High Country Landscaping Ltd will provide further visual and sound mitigation to enhance the project.

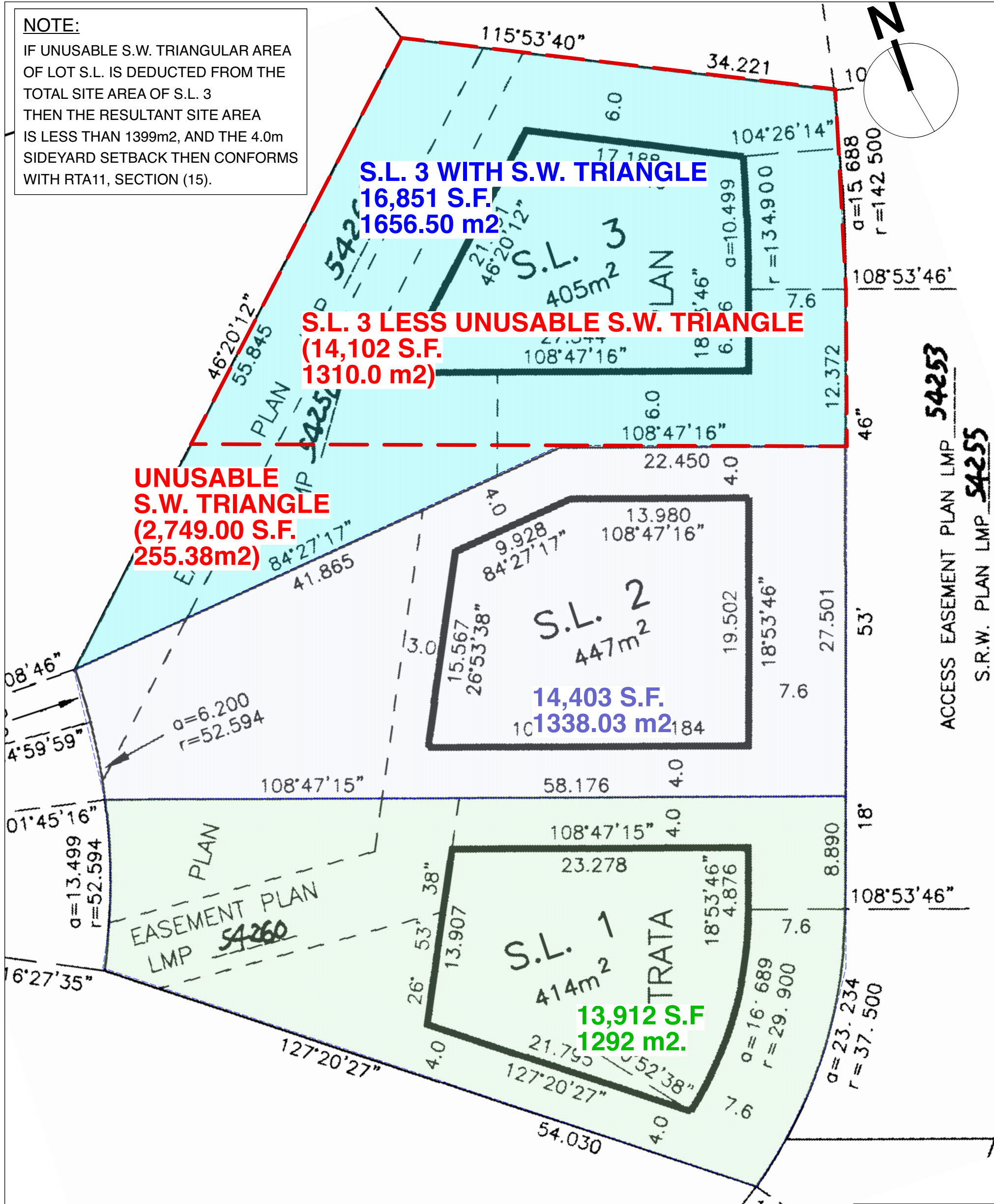
As the following Covenant Modifications will greatly improve the outdoor livability of the Henry's home and the design has mitigated and increased the privacy between the Henry's and their neighbour, they ask for the Council's support in approving this Covenant Modification Application.

Regards,


John Medland Architect AIBC



NOTE:
IF UNUSABLE S.W. TRIANGULAR AREA
OF LOT S.L. IS DEDUCTED FROM THE
TOTAL SITE AREA OF S.L. 3
THEN THE RESULTANT SITE AREA
IS LESS THAN 1399m2, AND THE 4.0m
SIDEYARD SETBACK THEN CONFORMS
WITH RTA11, SECTION (15).



**PART 12, SECTION 21 (15) - RTA 11 SIDEYARD SETBACKS:
NEIGHBOURING LOTS**

SITE AREA = 1399 m² OR LESS = 4.0m
SITE AREA = MORE THAN 1399 m² = 6.0m

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| Project: Henry Addition 2913 Kadenwood Dr. Whistler, BC | |
| Drawing Title: Sideyard Setbacks Comparison | |
| Date: 12.02.22 | Project No: 0007 |
| Scale: NTS | Drawing No: |
| From: JDM | A1.1c |