



WHISTLER

REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED: April 20, 2021
FROM: Resort Experience
SUBJECT: DVP01209 - 3254 ARBUTUS DRIVE - FRONT SETBACK VARIANCE

REPORT: 21-041
FILE: DVP01209

COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

That the recommendation of the General Manager of Resort Experience be endorsed.

RECOMMENDATION

That Council approve the issuance of Development Variance Permit DVP01209 for the proposed development located at 3254 Arbutus Drive to:

1. Vary the front setback from 7.6 to 7.3 metres for a portion of the dwelling's foundation wall;

all as shown on the Architectural plans A1, A2, A3, A4, A5, A6, A7, A8 dated March 5, 2021 prepared by C.S. Clark attached as Appendix B to Administrative Report to Council No. 21-041.

REFERENCES

Location: 3254 Arbutus Drive
Legal: PID: 007-286-406 Lot 20 Block I District Lot 4750 Plan 17377
Owner(s): Justina C. Armstrong

Zoning: RS1 (Single Family Residential One)

Appendices: A – Location Map
B – Architectural Plans

PURPOSE OF REPORT

This Report seeks Council's consideration for a variance to "Zoning and Parking Bylaw No. 303, 2015" for a front setback variance for a dwelling's foundation wall at 3254 Arbutus Drive.

Council has the authority to vary "Zoning and Parking Bylaw No. 303, 2015" through Section 498 of the *Local Government Act*.

DISCUSSION

The subject property is located in the Brio neighbourhood as shown on the location map attached as Appendix A. This property has an active building permit application and recently received approval for front setback variances through DVP01195 (October 6, 2020) as part of an extensive renovation project planned for the dwelling.

As shown in Appendix B, the design proposes comprehensive building renovations and upgrades to the existing single family dwelling including adding an auxiliary suite, covered entryway, carport and upper floor deck above the carport. When work began on the site it was realized that an existing column was located approximately 23 centimetres over the front setback line, which is where the new foundation wall is to be located. As a result, the corner of the dwelling would also extend beyond the front setback by 23 centimetres. This foundation wall needs to be in this location for the overall integrity of the building as the column being replaced holds up the house and cannot be out of alignment. The new foundation has not yet been poured. The table below summarizes the variance request.

Variance Request	Zoning and Parking Bylaw No. 303, 2015 Regulation
1. Vary the front setback from 7.6 metres to 7.3 metres for a dwelling foundation wall.	Part 12.1: <u>Setbacks</u> (13) The minimum permitted front setback is 7.6 metres.

POLICY CONSIDERATIONS

Development Variance Permit Criteria

Staff have established criteria for consideration of development variance permits. The proposed variances are considered to be consistent with these criteria as described in the table below.

Potential Positive Impacts	Comment
Complements a particular streetscape or neighbourhood.	The new foundation wall will be in roughly the same location as the existing support column and as this is located only 23 cm into the front setback it is considered a very minor variance request.
Works with the topography on the site, reducing the need for major site preparation or earthwork.	This variance will permit the project to go ahead as planned and avoid having to redesign the entire renovation since the variance is needed to keep all structures aligned.
Maintains or enhances desirable site features, such as natural vegetation, trees and rock outcrops.	Not applicable.
Results in superior siting with respect to light access resulting in decreased energy requirements.	Not applicable.
Results in superior siting with respect to privacy.	Not applicable.
Enhances views from neighbouring buildings and sites.	Not applicable.

Potential Negative Impacts	Comments
Is inconsistent with neighbourhood character.	No changes are proposed from the design shown in DVP01195 approved October 6, 2020.
Increases the appearance of building bulk from the street or surrounding neighbourhood.	Not applicable.

Requires extensive site preparation.	Not applicable.
Substantially affects the use and enjoyment of adjacent lands (e.g. reduces light access, privacy, and views).	Not applicable.
Requires a frontage variance to permit greater gross floor area, with the exception of a parcel fronting a cul-de-sac.	Not applicable.
Requires a height variance to facilitate gross floor area exclusion.	Not applicable.
Results in unacceptable impacts on services (e.g. roads, utilities, snow clearing operations).	Not applicable.

Zoning and Parking Bylaw No. 303, 2015

The property is zoned RS1. The requested variances to “Zoning and Parking Bylaw No. 303, 2015” are described in the Discussion section of this report.

The proposal meets all other regulations of “Zoning and Parking Bylaw No. 303, 2015.”

OCP POLICY CONSIDERATIONS

The recommended resolutions included within this Report are consistent with the goals, objectives and policies included within “OCP Bylaw No. 2199, 2018”. The development is not subject to development permit approval.

BUDGET CONSIDERATIONS

There are no significant budget implications with this proposal. Development Variance Permit application fees provide for recovery of costs associated with processing this application.

COMMUNITY ENGAGEMENT AND CONSULTATION

A sign describing DVP01209 is posted on the property.

Notices were sent to surrounding property owners in March, 2021. At the time of writing this report, no letters had been received from neighbours.

Any letters received following the preparation of this report will be presented to Council at the time of consideration of the application

SUMMARY

Development Variance Permit DVP01209 proposes to vary a front setback provision in “Zoning and Parking Bylaw No. 303, 2015” for a portion of a dwelling foundation at 3254 Arbutus Drive for Council’s consideration.

Respectfully submitted,

Brook McCrady
PLANNING ANALYST

for
Mike Kirkegaard
DIRECTOR OF PLANNING
for
Jessie Gresley-Jones
GENERAL MANAGER OF RESORT EXPERIENCE