



WHISTLER

REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED: October 6, 2020
FROM: Resort Experience
SUBJECT: DVP01195 – 3254 ARBUTUS DRIVE – CARPORT, COVERED ENTRYWAY AND UPPER FLOOR DECK SETBACK VARIANCES

REPORT: 20-093
FILE: DVP01195

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 DVP01195 for the proposed development located at 3254 Arbutus Drive to:

1. Vary the front setback from 5.0 metres to 3.1 metres for a carport;
2. Vary the front setback from 7.6 metres to 6.0 metres for the covered entryway; and
3. Vary the front setback from 7.6 metres to 5.0 metres for an upper floor deck on the carport roof;

all as shown on the Architectural Plans A1, A3 and A7 prepared by C.S. Clark & Associates, dated June 19, 2020 and August 20, 2020, attached as Appendix “B” to Administrative Report to Council No. 20-093

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 variances to “Zoning and Parking Bylaw No. 303, 2015” to facilitate development of a new covered entryway, carport and upper floor deck above the carport, all located in the front setback area of a detached dwelling 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

Site Context

As shown in Appendix “A”, the subject parcel at 3254 Arbutus Drive is located on the south side of Arbutus Drive in the Brio neighbourhood. The existing detached dwelling on the site was constructed under Building Permit BP 727-80 in 1980. The lot is zoned RS1 (Single Family Residential One). The existing home is necessarily located close to the front of the lot since the terrain slopes steeply upwards to the rear parcel line. Other homes along this street are located close to the front of the property due to similarly sloped terrain.

Description of Proposal

The owner is proposing to do full building renovations to the dwelling, including adding a covered entryway, carport and upper floor deck above the carport. A suite is proposed to be added at the lower level and accessed under the cover of the carport. The proposed upper deck will not be the full length of the proposed carport.

Development Variance Permit DVP01195 proposes that the new covered entryway, carport and upper floor deck would all be built within the front setback area, subject to Council’s consideration of the variances noted in this Report and illustrated on the Architectural Plans attached to this Report as Appendix “B”. The owner’s rationale for the variances notes that this is a steeply sloping site with limited space to expand the buildable area, especially at the rear of the site, as the existing home is sited toward the front of the parcel. Rather than tear down the dwelling, they plan on reusing the existing structure and have redesigned this dwelling with sensitivity to the streetscape and neighbours.

The requested variances can be described as follows:

1. Relax front setback for an attached carport from 5.0 metres to 3.1 metres
2. Relax front setback for a covered entry from 7.6 metres to 6.0 metres
3. Relax front setback for a roof top deck from 7.6 metres to 5.0 metres. A deck is permitted to project to 6.1 metres from the front parcel line per the General Regulations of the Zoning Bylaw (please see table below). Therefore the actual change is from 6.1 metres to 5.0 metres.

It is proposed that the front of the dwelling will be expanded forward to the front setback line of 7.6 metres to permit more buildable space, including space to accommodate a new suite. The gross floor area (GFA) is proposed to increase from 165.2 m² to 282.06 m². The proposal does not include any excluded GFA.

Proposed Development Variance

The requested variances are described below:

Variance Request	Zoning and Parking Bylaw No. 303, 2015 Regulations
1. Vary the front setback from 5.0 metres to 3.1 metres for a carport.	General Regulations Part 5 – Subsection 14., “Relaxation of Siting Limitations” (1) In all RS, RI and RT Residential zones, in the TB1 zone, and for detached and duplex dwellings in all RTA zones, an auxiliary or attached building for garage or carport use may be set back a minimum of 5 metres from the front parcel line.
2. Vary the front setback from 7.6 metres to 6.0 metres for the covered entryway.	RS1 Zone (Single Family Residential One) Part 12 – Subsection 1 (13) The minimum permitted front setback is 7.6 metres.

<p>3. Vary the front setback from 7.6 metres to 5.0 metres for an upper floor deck on the carport roof.</p>	<p>RS1 Zone (Single Family Residential One)</p> <p>Part 12 – Subsection 1</p> <p>(13) The minimum permitted front setback is 7.6 metres.</p> <p>General Regulations</p> <p>Part 5 – Subsection 7.(1), “Projections into Required Setback Areas”</p> <p>The following features are permitted in setback areas</p> <p>(b) unenclosed stairwells, balconies, porches, canopies and sunshades, provided such projections do not project more than:</p> <p style="padding-left: 40px;">(i) 1.5 metres into required front and side setback areas;*</p> <p>provided the foundations or supports for such projections do not encroach into a required setback area;</p> <p><i>*The deck is already permitted to be 6.1 metres from the front parcel line through application of Section 5.7(1)(b)(i)</i></p>
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POLICY CONSIDERATIONS

Development Variance Permit Criteria

The Resort Municipality of Whistler (RMOW) has 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	Comments
Complements a particular streetscape or neighbourhood.	The dwelling's proposed design complements the neighbouring dwellings' character and adds building amenities of a covered parking space and covered stairs at the entryway.
Works with the topography on the site, reducing the need for major site preparation or earthwork.	The steep sloping conditions resulted in the existing dwelling being located toward the front of the parcel. This application also responds to challenging topography by focusing on the front of the existing dwelling, where the parcel is level.
Maintains or enhances desirable site features, such as natural vegetation, trees and rock outcrops.	Not applicable, this proposal does not affect natural site features.
Results in superior siting with respect to light access resulting in decreased energy requirements.	Not applicable, this proposal does not affect light access.
Results in superior siting with respect to privacy.	Not applicable, privacy may be affected by the inclusion of the roof top deck.
Enhances views from neighbouring buildings and sites.	The renovations will update the existing dwelling and increase curb appeal.
Potential Negative Impacts	Comments
Is inconsistent with neighbourhood character.	The dwelling will remain below the maximum density permitted, thereby respecting limits to growth. The design of the renovation would update this aging dwelling and is considered consistent with existing neighbourhood character.

Increases the appearance of building bulk from the street or surrounding neighbourhood.	The decision to choose a carport instead of a garage was due to the location in the front setback area as a carport has a lower perceived massing than a garage. The covered walkway roof ties in well with the upper floor roof and the carport roof as a series of flat roof extensions on the front façade.
Requires extensive site preparation.	Not applicable, the proposed works respond to site topography.
Substantially affects the use and enjoyment of adjacent lands (e.g. reduces light access, privacy, and views).	Privacy may be affected by the inclusion of the roof top deck. After the distribution of the Notice of Intention to Issue a Development Variance Permit, the proposed deck was reduced in size as a result of this concern. The request was originally to permit the deck to be located at 4.2 metres from the front property line; this has been revised to 5.0 metres from the front property line.
Requires a frontage variance to permit greater gross floor area, with the exception of a parcel fronting a cul-de-sac.	Not applicable, a frontage variance is not requested.
Requires a height variance to facilitate gross floor area exclusion.	Not applicable, a height variance is not requested.
Results in unacceptable impacts on services (e.g. roads, utilities, snow clearing operations).	Not applicable, services and snow clearing are not affected by this proposal.

Zoning and Parking Bylaw No. 303, 2015

The property is zoned RS1 (Single Family Residential One). 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” as demonstrated in the table below:

Massing	Zoning Bylaw No. 303/RS1 Zone	Proposed
Maximum GFA	325 m ²	282.06 m ²
Maximum Building Height	7.6 m	6.7 m
Site Coverage	35% maximum	9.8%
Parking	Required by Zoning Bylaw No. 303	Proposed
Parking Spaces (total)	3	3

Official Community Plan Bylaw No. 2199, 2018

The recommended resolutions included within this Report are consistent with the goals, objectives and policies included within “OCP Bylaw No. 2199, 2018”. The applicant is exempt from needing to obtain development permits prior to completing this project.

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 DVP01195 is posted on the property.

Notices were sent to registered owners and civic addresses of surrounding properties in September, 2020. At the time of writing this Report, no letters have been received.

A neighbour phoned and expressed a concern that privacy could be affected by the rooftop deck. In consideration of privacy concerns, staff have worked with the applicant regarding the size and siting of the proposed deck. At the time of the distribution of the Notice of Intention to Issue a Development Variance Permit, the proposal was to vary the front setback from 7.6 metres to 4.2 metres for an upper floor deck on the carport roof. The request is now to vary this front setback from 7.6 metres to 5.0 metres (although since the deck is permitted to project to 6.1 metres the variance is effectively for 1.1 metres). As a result of this change, the proposed deck will be somewhat smaller and will extend to be in line with the overhanging roof line. Additionally, the minimum permitted side setbacks are being maintained and mature trees provide screening to neighbouring properties.

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 DVP01195 proposes setback variances to “Zoning and Parking Bylaw No. 303, 2015” for Council’s consideration. The proposed variances are for a covered entryway, carport and upper floor deck on the carport roof, all located in the front setback area, at 3254 Arbutus Drive.

Respectfully submitted,

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PLANNING ANALYST

For
Mike Kirkegaard
DIRECTOR OF PLANNING

For
Toni Metcalf
GENERAL MANAGER OF RESORT EXPERIENCE