DVP 61 Rockridge Place Variances (Lots 1, 2, 3, 4, 5, and 6)

DISTRICT OF SQUAMISH

REPORT TO: Council FOR: Regular
PRESENTED: April 20, 2010 FILE: 3090.20.61
FROM: Planning Department
SUBJECT: Development Variance Permit No. 61 (41205, 41195, 41185, 41175, 41165, 41155 Rockridge Place)

Recommendation:

THAT Council of the District of Squamish authorize issuance of Development Variance Permit No. 61 to:

- W. Dowad Ltd. as owner of 41205 Rockridge Place and legally described as Strata Lot 1 Section 14 Township 50 New Westminster District Strata Plan BCS3472 (P.I.D. 027-949-010);
- W. Dowad Ltd. as owner of 41195 Rockridge Place and legally described as Strata Lot 2 Section 14 Township 50 New Westminster District Strata Plan BCS3472 (P.I.D. 027-949-028);
- W. Dowad Ltd. as owner of 41185 Rockridge Place and legally described as Strata Lot 3 Section 14 Township 50 New Westminster District Strata Plan BCS3472 (P.I.D. 027-949-036);
- W. Dowad Ltd. as owner of 41175 Rockridge Place and legally described as Strata Lot 4 Section 14 Township 50 New Westminster District Strata Plan BCS3472 (P.I.D. 027-949-044);
- W. Dowad Ltd. as owner of 41165 Rockridge Place and legally described as Strata Lot 5 Section 14 Township 50 New Westminster District Strata Plan BCS3472 (P.I.D. 027-949-052);
- W. Dowad Ltd. as owner of 41155 Rockridge Place and legally described as Strata Lot 6 Section 14 Township 50 New Westminster District Strata Plan BCS3472 (P.I.D. 027-949-061);

as follows:

The District of Squamish Zoning Bylaw No.1342, 1995 (the Bylaw) is varied as follows:

Lot 1:

That Section 6.7 (a) Siting Requirements for Principal Buildings - Front Lot Line Setback be varied from 7.62 metres (25 feet) to 6.0 metres (19.7 feet) to any building face and further reduced to 4.5 metres (14.7 feet) to any building face measured perpendicular to the arc forming the property line at the adjacent cul-de-sac (Rockridge...
Lots 2, 3, 4, 5 and 6:

That Section 6.7 (a) Siting Requirements for Principal Buildings - Front Lot Line Setback be varied from 7.62 metres (25 feet) to 6.0 metres (19.7 feet) to any building face.

Lots 1, 2, 3, 4, 5 and 6:

That Section 6.4 Height of Principal Buildings be varied from 9.0 metres (29.5 feet) or three stories, whichever is less to the building height shall not exceed 7.62 metres (25 feet) or two stories, whichever is less, measured from the highest top of finished street curb facing the lot, to midpoint between ridge and eaves for the major pitched roof, or as otherwise defined in the Bylaw for various roof types and that the rear or side building height shall not exceed three stories measured from the lowest finished grade at the lowest face of the building.

Lots 1, 2, 3, 4, 5 and 6:

Notwithstanding Section 6.7(e) any storey within plus or minus 1.5 metres of the average grade adjacent to the front of the principal building is exempt from any required reduction in floor area, with respect to the floor area of the habitable space below, whether the lower space is a Basement or First Storey as defined in the Bylaw.

**CAO Recommendation:**
Concur with the Planning Department report and recommendations.

Kevin Ramsay, CAO

1. **Purpose:**
For Council to consider authorizing issuance of Development Variance Permit No. 61 to the owners of properties at 41205, 41195 and 41185, 41175, 41165, 41155 Rockridge Place. The location of the lots is shown on Figure 1.
2. **Time Critical:**
Yes, the applicant is seeking timely approval for height and setback relaxations on these lots to ensure that upon sale of any one of these lots building permits may be applied for.

3. **Background:**
The properties in question are part of a recent single-family strata subdivision adjacent to the Garibaldi Springs Golf Course. The land in this area is on a hillside, with varied topography.

4. **Project Information:**
The lots, which are the subject of this variance application, are located on moderate to severely sloped terrain adjacent to the Garibaldi Springs golf course. Generally speaking, Rockridge Place traverses the hillside at a steady contour line and this therefore results in a relatively level road grade. However, due to the localized topography, the lots on the street are necessarily either downhill or uphill in nature. This topographic difference is, in some cases, extreme.

The variances requested are for both building setbacks and building heights. Firstly and
on a lot-by-lot basis and as detailed below and in the proposed resolution, the applicant has requested that for each lot the front setback be relaxed from the standard 7.62 metres to either 6.0 metres or a combination of 6.0 metres and 4.5 metres in the case of Lot 1 (due to the location of the cul-de-sac). The intention is that by allowing a building face to be closer to the front property line, this will help to mitigate the steeply sloped nature of the lots and will minimize retaining walls, rock stack and fill at the rear of the properties. This will make the homes more economical to construct (by the elimination of extensive foundations).

Secondly, the applicant has requested that the allowable height be varied from the current bylaw standard and the method of height calculation be modified to better accommodate the various topographic conditions on site. Given the nature of the downward sloping lots, the applicant has requested that the calculation of height be based off of the finished curb elevation (street level). The current method of height calculation references the use of natural grade on any given lot and in the case of this subdivision, the natural grade has been sufficiently disturbed through servicing and lot creation as to be meaningless. In moving to a common reference point such as the finished curb, the appearance from the street grade will be relatively consistent from one lot to the next. Further, in doing this, the ability to have a reasonably level driveway grade (avoiding downward sloping vehicle access avoids drainage problems) is created rather than a steeply descending driveway down to the dwelling. A maximum of three storeys is permitted at the side or rear of a building to avoid overly tall structures when reviewed from the side or rear of the properties.
<table>
<thead>
<tr>
<th><strong>Legal Description</strong></th>
<th><strong>Variance Request</strong></th>
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<tbody>
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<td><strong>Strata Lot 1</strong> Section 14 Township 50 New Westminster District Plan BCS3472, (P.I.D. 027-949-010)</td>
<td>That Section 6.7 (a) Siting Requirements for Principal Buildings - Front Lot Line Setback be varied from 7.62 metres (25 feet) to 6.0 metres (19.7 feet) to any building face, and further reduced to 4.5 metres (14.7 feet) to any building face measured perpendicular to the arc forming the property line at the adjacent cul-de-sac (Rockridge Place).</td>
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<td>Notwithstanding Section 6.7(e) any storey</td>
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BCS3472 (P.I.D. 027-949-010); **Strata Lot 2** Section 14 Township 50 New Westminster District Plan BCS3472, (P.I.D. 027-949-028) and **Strata Lot 3** Section 14 Township 50 New Westminster District Plan BCS3472 (P.I.D. 027-949-036); **Strata Lot 4** Section 14 Township 50 New Westminster District Strata Plan BCS3472 (P.I.D. 027-949-044); **Strata Lot 5** Section 14 Township 50 New Westminster District Strata Plan BCS3472 (P.I.D. 027-949-052); and **Strata Lot 6** Section 14 Township 50 New Westminster District Strata Plan BCS3472 (P.I.D. 027-949-061) within plus or minus 1.5 metres for the average grade adjacent to the front of the principal building is exempt from any required reduction in floor area, with respect to the floor area of the habitable space below, whether the lower space is a Basement or First Storey as defined in the Bylaw.

### Public Notice and Input
The notice requirements for the DVP have been met including delivery of notices to neighbours within 100m and a development sign relating to the properties. A single sign with a location map showing the lots was posted rather than duplicating the same sign on each lot. No public comments on the DVP application have been received at the time of writing the report, and any written correspondence received will be circulated to Council under separate cover.

5. **Department Comments:**
Staff support issuance of a Development Variance Permit for both setback and height variances on the lots as detailed. The land is zoned Residential 1 (RS-1) and the variances requested are reasonable given the topography of the lots. Adjacent uses are either residential or recreational in nature and the development of these lands will likely not unduly impact these uses.

Future variances to other properties on Rockridge Place are likely given the topography of the lots created and will be considered upon application and on their individual merit.

8. **Staff Recommendation and Alternatives:**

Staff Recommendation:

THAT Council of the District of Squamish authorize issuance of Development Variance Permit No. 61 to:

- W. Dowad Ltd. as owner of 41205 Rockridge Place and legally described as Strata Lot 1 Section 14 Township 50 New Westminster District Strata Plan BCS3472 (P.I.D. 027-949-010);
- W. Dowad Ltd. as owner of 41195 Rockridge Place and legally described as Strata Lot 2
as follows:

The District of Squamish Zoning Bylaw No.1342, 1995 (the Bylaw) is varied as follows:

Lot 1:

That Section 6.7 (a) Siting Requirements for Principal Buildings - Front Lot Line Setback be varied from 7.62 metres (25 feet) to 6.0 metres (19.7 feet) to any building face and further reduced to 4.5 metres (14.7 feet) to any building face measured perpendicular to the arc forming the property line at the adjacent cul-de-sac (Rockridge Place).

Lots 2, 3, 4, 5 and 6:

That Section 6.7 (a) Siting Requirements for Principal Buildings - Front Lot Line Setback be varied from 7.62 metres (25 feet) to 6.0 metres (19.7 feet) to any building face.

Lots 1, 2, 3, 4, 5 and 6:

That Section 6.4 Height of Principal Buildings be varied from 9.0 metres (29.5 feet) or three stories, whichever is less to the building height shall not exceed 7.62 metres (25 feet) or two stories, whichever is less, measured from the highest top of finished street curb facing the lot, to midpoint between ridge and eaves for the major pitched roof, or as otherwise defined in the Bylaw for various roof types and that the rear or side building height shall not exceed three stories measured from the lowest finished grade at the lowest face of the building.

Lots 1, 2, 3, 4, 5 and 6:

Notwithstanding Section 6.7(e) any storey within plus or minus 1.5 metres of the
average grade adjacent to the front of the principal building is exempt from any required reduction in floor area, with respect to the floor area of the habitable space below, whether the lower space is a Basement or First Storey as defined in the Bylaw.

Implications:
The DVP will be approved and registered on the properties as specified.

Alternative Recommendation No. 2

THAT Council of the District of Squamish not authorize issuance of Development Variance Permit No. 61 for the properties noted as detailed in the report and resolution.

Implications:
DVP will not be approved and registered on the property.

Chris Bishop,
PLANNER

Appendix A: Development Variance Permit No. 61
DISTRICT OF SQUAMISH

DEVELOPMENT VARIANCE PERMIT NO. 61

1. This Development Variance Permit is issued pursuant to Section 922 of the Local Government Act to:

W. DOWAD LTD. as owner of:

Strata Lot 1 Section 14 Township 50 New Westminster District Strata Plan BCS3472 (P.I.D. 027-949-010)

located at 41205 Rockridge Place, Squamish, British Columbia, as shown shaded on the map below.

Strata Lot 2 Section 14 Township 50 New Westminster District Strata Plan BCS3472 (P.I.D. 027-949-028)

located at 41195 Rockridge Place, Squamish, British Columbia, as shown shaded on the map below.

Strata Lot 3 Section 14 Township 50 New Westminster District Strata Plan BCS3472 (P.I.D. 027-949-036)

located at 41185 Rockridge Place, Squamish, British Columbia, as shown shaded on the map below.

Strata Lot 4 Section 14 Township 50 New Westminster District Strata Plan BCS3472 (P.I.D. 027-949-044)

located at 41175 Rockridge Place, Squamish, British Columbia, as shown shaded on the map below.

Strata Lot 5 Section 14 Township 50 New Westminster District Strata Plan BCS3472 (P.I.D. 027-949-052)

located at 41165 Rockridge Place, Squamish, British Columbia, as shown shaded on the map below.

Strata Lot 6 Section 14 Township 50 New Westminster District Strata Plan BCS3472 (P.I.D. 027-949-061)

located at 41155 Rockridge Place, Squamish, British Columbia, as shown shaded on the map below.
2. The District of Squamish Zoning Bylaw No. 1342, 1995 is varied as follows:

**Lot 1:**

Section 6.7: Siting Requirements for Principal Buildings

(a) Front Lot Line Setback

FROM: 7.62 metres (25 feet)
TO: 6.0 metres (19.7 feet) to any building face, and reduced to 4.5 metres (14.7 feet) to any building face measured perpendicular to the arc forming the property line at the adjacent cul-de-sac.
Lots 2, 3, 4, 5 and 6:

Section 6.7: Siting Requirements for Principal Buildings

(a) Front Lot Line Setback

FROM: 7.62 metres (25 feet)
TO: 6.0 metres (19.7 feet) to any building face.

Lots 1, 2, 3, 4, 5 and 6:

Section 6.4 Height of Principal Buildings

FROM: No principal building shall exceed a height of 9.0 metres (29.5 feet), or three stories whichever is less.

To: No principal building shall exceed a height of 7.62 metres (25 feet) or two stories, whichever is less, measured from the highest top of finished street curb facing the lot, to midpoint between ridge and eaves for the major pitched roof, or as otherwise defined in the Bylaw for various roof types and that the rear or side building height shall not exceed three stories measured from the lowest finished grade at the lowest face of the building.

Lots 1, 2, 3, 4, 5 and 6:

Notwithstanding Section 6.7(e)

A storey within plus or minus 1.5 metres for the average grade adjacent to the front of the principal building is exempt from any required reduction in floor area, with respect to the floor area of the habitable space below, whether the lower space is a Basement or First storey as defined in the Bylaw.

3. No works shall be performed upon the lands that are the subject of this Development Variance Permit, the lands shall not be subdivided, no building or structure shall be erected, constructed, repaired, renovated or sited and no use shall be conducted, except in accordance with this Development Variance Permit, the terms of which shall remain in full force except to the extent that they are specifically amended by this Development Variance Permit.

4. This permit is not a building permit or a development permit. While development on the lands described in paragraph 1 of this permit is subject to the conditions and requirements set out in this permit, this permit does not authorize development or any construction.

IN WITNESS WHEREOF this permit has been executed under seal of the District of Development Variance Permit No. 61
Squamish on the day of April 2010.

________________________________________)
Greg Gardner, Mayor)
)
)
Robin Arthurs, Director of Administrative Services)

I, W. DOWAD LTD. having read and understood the terms and conditions of this Development Variance Permit, hereby agree to abide by such terms and conditions.

W. DOWAD LTD.

___________________________________________
Per: Kathie Smillie

Development Variance Permit No. 61