



# **BOARD OF VARIANCE** **PLANNING COMMENTS SUMMARY SHEET**

<b>BV #</b>	6410	<b>Address</b>	7466 Whelen Court
<b>X-Reference</b>	BOV # 20-00018	<b>Hearing</b>	2020 September 03

<b>Project</b>	A new single family dwelling with secondary suite and detached garage
<b>Zoning</b>	R1 Residential District
<b>Neighbourhood</b>	Buckingham Heights - single family neighbourhood
<b>Appeals to vary:</b>	<ol style="list-style-type: none"> <li><b>Section 101.7(b) – “Depth of Principal Building”</b> from 18.29 m (60.00 ft.) to 21.53 m (70.64 ft.). The allowable 1.2 m (3.94 ft.) projection of a porch/deck and its supporting structures is excluded from the building depth calculation.</li> <li><b>Section 101.8 – “Front Yard”</b> from 9.00 m (29.50 ft.) to 7.30 m (23.94 ft.). The allowable 1.2 m (3.94 ft.) projection of a porch/deck and its supporting structure is permitted into the front yard setback.</li> </ol>
<b>Zoning Bylaw Intent:</b>	<ol style="list-style-type: none"> <li>Limiting building depth prevents the construction long, imposing building walls that impacts neighbouring properties.</li> <li>Front yard setbacks help to provide light and privacy for adjacent dwellings and establish a consistent block frontage along the street.</li> </ol>
<b>Variance Descriptions:</b>	<p>The proposed single family dwelling includes a front porch/second floor deck at the centre of the front façade. The deck floor would be 3.8 m (12.49 ft.) above the proposed grade surrounding the new dwelling. The 3.24 m (10.64 ft.) deep by 5.48 m (18.00 ft.) wide central front porch/deck would project 4.44 m (14.58 ft.) from the front building face. The proposal requires the following variances:</p> <ol style="list-style-type: none"> <li>Building Depth – the porch/deck exceeds the permitted building depth by 3.96 m (10.64 ft.).</li> <li>Front Yard – the outermost 1.69 m (5.56 ft.) deep by 5.48 m (18.00 ft.) wide portion of the porch/deck encroaches into the required front yard.</li> </ol>

## **Comments**

<b>Subject Site Considerations</b>
<ul style="list-style-type: none"> <li>The elongated subject property is centrally located at the end of Whelen Court. The subject dwelling is sited south of Whelen Court and the statutory right-of-way (the northern area of the lot is largely undevelopable as it is intersected by First Beach Creek and a Streamside Protection and Enhancement Area).</li> <li>The front property line includes the narrower 6.1 m (20.00 ft.) portion line fronting the south side of Whelen Court, which gives the subject property its “L” shape appearance. The front yard setback is measured from this property line to the line set back 1.2 m (3.94 ft.) from the front porch/deck face.</li> <li>The dwelling is on the high point of the site, as the land slopes downwards 3.45 m (11.32 ft.) towards the north over 42.17 m (138.35 ft.).</li> </ul>

**Comments from the Planning Department**

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**Neighbourhood Context Considerations**

- The generous side yard setbacks of 11.48 m (37.67 ft.) and 11.86 m (38.91 ft.) from the porch/deck to the west and east property lines, respectively, will help to mitigate the impacts (such as overlook/reduction of privacy) of the proposed porch/deck on the neighbouring properties.
- The porch/deck will be set 8.23 m (27.00 ft.) away from the front building corners, the appearance of a long wall would not be created when the building is viewed from the sides.
- The main body of the proposed dwelling would have a setback of 10.54 m (34.58 ft.), which would be approximately 0.79 m (2.58 ft.) behind the neighbouring dwelling at 7488 Whelen Court (east).
- This variance would not be relevant to the neighbouring residence at 7437 Burris Street (west), which is located farther to the south and does not overlap with the subject site.
- Given the “L” shape lot configuration in relation to the western terminus of the Whelen Court block, the proposed siting of the new dwelling would not create direct impacts on the Whelen Court streetscape.

**Specific Project Considerations**

- Although it is a design choice to have a deck in this location, and a house of this size (774 square m (8,332 square ft.) Above Grade Floor Area with an additional 382 square m (4,117 square ft.) cellar and secondary suite), the unique lot dimensions of the subject property and the surrounding block pattern mitigate any negative impacts of the proposal on the fronting street or the neighbouring properties.
- Changes to bring the proposed dwelling into conformance with the Zoning Bylaw would likely involve a narrower porch projection, resizing components of the house, and/or moving the dwelling farther back.

  
E.W. Kozak, Director  
PLANNING AND BUILDING

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