

2157 West 57th Avenue - Board Minutes and Decision

Appeal Section: 573(1)(b) - Appeal of Regulation - Laneway House
Legal Description: Lot N, Block 2, District Lot 36 and Plan 21936
Lot Size: Lot Area = 12,001.69 sq. feet
Zone: RS-1
Related By-Law Clause: Section 11.17.3 (Laneway House provisions)

Appeal Description:

Requesting a relaxation of Section 11.17.3 (Laneway House provisions) of the Zoning and Development By-law and a request to permit the construction of a new Laneway House at this corner site without a rear lane. Access to this proposed Laneway House will be from Beechwood Street (and there is an existing curb-cut from Beechwood Street).

Additional information:

Section 11.17 Laneway House

11.17.3 A laneway house is not permissible except in conjunction with a one-family dwelling or one-family dwelling with secondary suite on:

- (a) a site served by an open lane;*
- (b) a site located on a corner served by an open or dedicated lane; or***
- (c) a double-fronting site served by a street at both the front and rear of the site.*

Discussion:

Allan Diamond,
the appeal.

t were present to speak in support of

At the request of the Chair, the appellant agreed to dispense with the reading of the submission, which had been in the Members' possession prior to the meeting.

The appellant's initial comments were that there is no laneway since this is a corner house. There is no issue with parking as there are multiple parking spaces from within.

The Director of Planning's Representative

Mr. Chen's initial comments were that this appeal is for a new laneway house to be built on a corner site that doesn't have a lane. The existing house is to be retained. The Director of Planning cannot permit laneway houses on sites without a lane. The Director of Planning cannot support the appeal due to the lot not having a lane.

The Board Chair stated that the Board's site office received no (0) letter in Support and one (1) letter in opposition to this appeal.

The Chair stated that if there were any interested parties in the audience who wished to speak to this appeal, they should raise their hand to be recognized and when recognized, state their full name and address and spell their surname for the record.

John ([REDACTED]) is not in support of the appeal.

Final Comments:

Mr. Chen's final comments were that the Director of Planning is unable to support this appeal as it is beyond the jurisdiction of what they can approve.

The appellant's final comments were that they're looking to build a 740 square feet laneway house in a 11,000 square feet lot. The laneway house is designed to keep the privacy with the neighbours around.

This appeal was heard by the Board of Variance on August 09th, 2022 and was ALLOWED, thereby granting a zoning Requesting a relaxation of Section 11.17.3 (Laneway House provisions) of the Zoning and Development By-law and APPROVED the construction of a new Laneway House at this corner site without a rear lane. Access to this proposed Laneway House will be from Beechwood Street (and there is an existing curb-cut from Beechwood Street), and subject to the following condition:

(1) that the development shall otherwise comply with the requirements and regulations of the Zoning and Development By-law to the satisfaction of the Director of Planning.

Board's summary and decision based on the following:

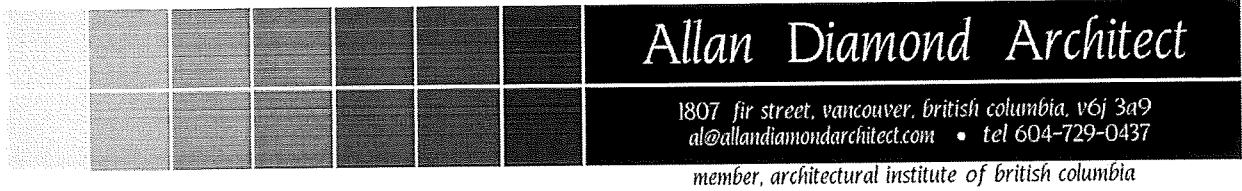
-The Board allowed the appeal with 3-0 votes in support of a zoning variance to allow the construction of a new 'single-storey' Laneway House with vehicular access from Beechwood Steet (Corner lot with no lane at this existing site).

-The Board received an opposition letter from the [REDACTED] - and the Board also heard the owner's concerns 'at the appeal hearing' on August 09th, 2022

-The Board accepted the proposed Laneway House design and shall be limited to a "single-storey design" with the height presented on August 09th, 2022 (see attached drawings). This design was accepted with the least impact (noise and privacy) to the adjacent Neighbour [REDACTED]

-The Board accepted the Laneway House design and proposed at 792 sq. feet (see attached drawings) – the City confirmed that this site can accommodate a maximum size of 900 sq. feet.

-The Owners are required to work with the City – and obtain all the City permits to the satisfaction of the Director of Planning.



October 01, 2022

The Board of Variance,
The City of Vancouver,
453 West 12th Avenue,
Vancouver, BC

Attention: Mr. Louis Ng,
Secretary to the Board of Variance

Application for Board of Variance Hearing
2157 West 57th Avenue,
Vancouver, BC
Zoning and Development Bylaw Section 11.17.3

Dear Chair and Members of the Board of Variance,

This letter is written to acknowledge the position of the owner / occupant of the above noted residential site in the expression of "hardship" imposed by the City of Vancouver Zoning and Development Bylaw on the development of the site with the construction of a new "laneway house".

The specifics of the Zoning and Development Bylaw, Section 11.17.3 (pertaining to construction of a "laneway house") are noted below:

- 11.17.3 A laneway house is not permissible except in conjunction with a one-family dwelling or one-family dwelling with secondary suite on:
- (a) a site served by an open lane;
 - (b) a site located on a corner served by an open or dedicated lane; or
 - (c) a double-fronting site served by a street at both the front and rear of the site.

Description of the Subject Site:

<i>Civic Address:</i>	<i>2157 West 57th Avenue</i>
<i>Legal Description:</i>	<i>Lot N, Block 2, Plan 21936, DL 36, NWD</i>
<i>Lot Dimensions:</i>	<i>28.918 m x 36.558 m</i>
<i>Lot Area:</i>	<i>1 057.18 m²</i>
<i>Current Zoning:</i>	<i>RS-1</i>
<i>Current Development:</i>	<i>One single family dwelling / Two Storey + Basement</i>
<i>Site Peculiarities:</i>	<i>Fronting Street / Flanking Street / No Rear Lane</i>

Proposed Development:

The proposal described to the Enquiry Centre (Director of Planning) that not withstanding the fact that this site is not serviced by either an open lane or dedicated lane, the applicant be allowed to construct a "laneway house" as described in the City of Vancouver Zoning and Development Bylaw in the rear yard of the subject site.

The intent is to construct a single storey home of some 5.48 m x 13.41 m or some 73.49 m², well under the maximum allowable buildable floor area of 83.60 m²

The development of "laneway house" would be in compliance with "all other" Lane Way House Provisions as noted in Section 11 of the Zoning Bylaw

Variance Requested:

That the Board of Variance approve the project application to proceed on the basis that the requirement for an "open" or "dedicated" lane be dismissed

Argument in Favour of Approval of the Request for a Variance:

The principal argument for the requested variance is that although the subject property is not served by either a "dedicated" or an "open lane" the site is currently served by a fronting street and a flanking street. Current access to the rear yard and the parking for the development is from Beechwood Street (flanking street) and the flanking street rear access also serves as the pick-up point for City of Vancouver sanitation and garbage department.

Thus, the existing driveway access in fact serves as an "on site" laneway. Any lane, (open / dedicated / or otherwise) as a requirement for the construction of "laneway house" for this property would be redundant.

To penalize the very small and incremental development of this site (with the construction of new 73.50 m2 lane house) where the site area is some 1 057.18 m2 (11,379 sf) and the site is well accessed by a standard municipal infrastructure should be considered a "hardship". The current access and street system serves the existing property in an appropriate manner and will continue to serve the "proposed" minor alterations to the development of the site.

The construction of this small residence is intended to be a quiet, incremental, and appropriate response to the current City of Vancouver Council and Planning Department desire to improve rental residential accommodation.

On behalf of the owners of the residential property at 2157 West 57th Avenue, I thank you in advance for your time and consideration of this application to present an appeal to the Board of Variance.

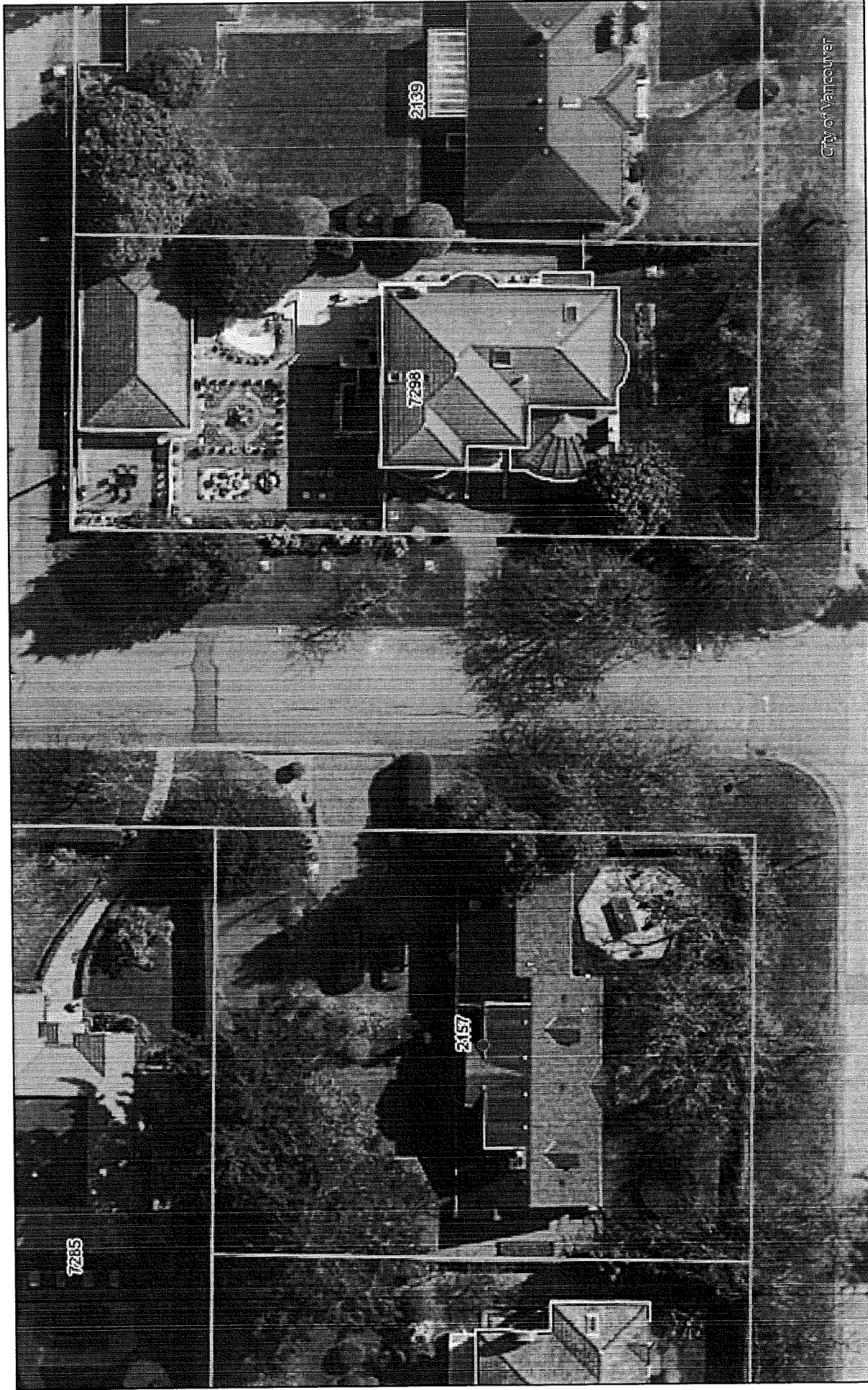
Respectfully submitted,

*Allan Diamond / AIBC
Principal,
Allan Diamond / Architect*

cc: Scott Elliott
cc: Kathryn Gardiner

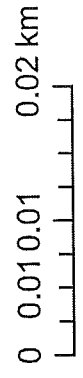
Allan Diamond, Architect

VanMap Viewer



6/7/2022, 11:25:30 AM

Scale: 1:564



- Public Street
- Property Parcel Lines
- Property Parcels
- Property Address Numbers

DWG. NO.

Allan Diamond Architect

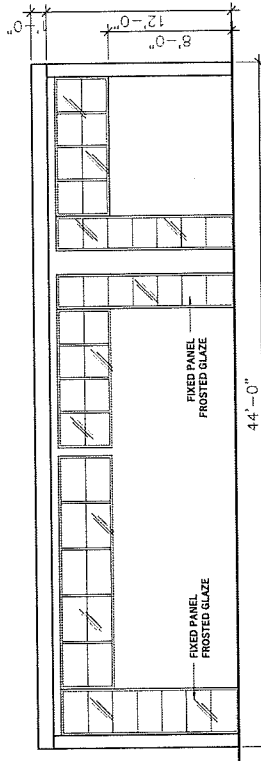
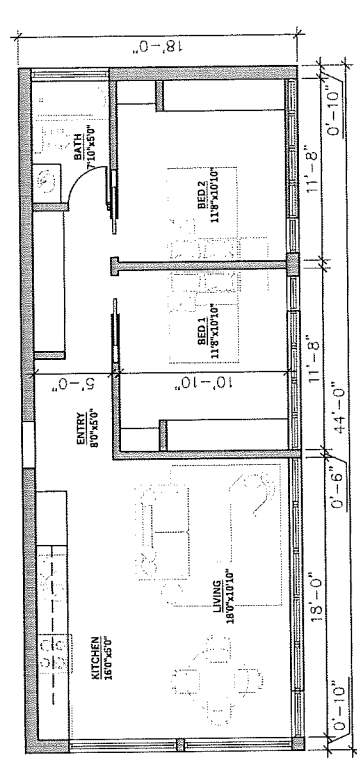
1807 1st Street, Vancouver, British Columbia
 Tel: 738-8842 Fax: 604-234-2004
 member, architectural institute of british columbia

DATE 2022.05.18
 SCALE 1/16" = 1'-0"

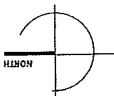
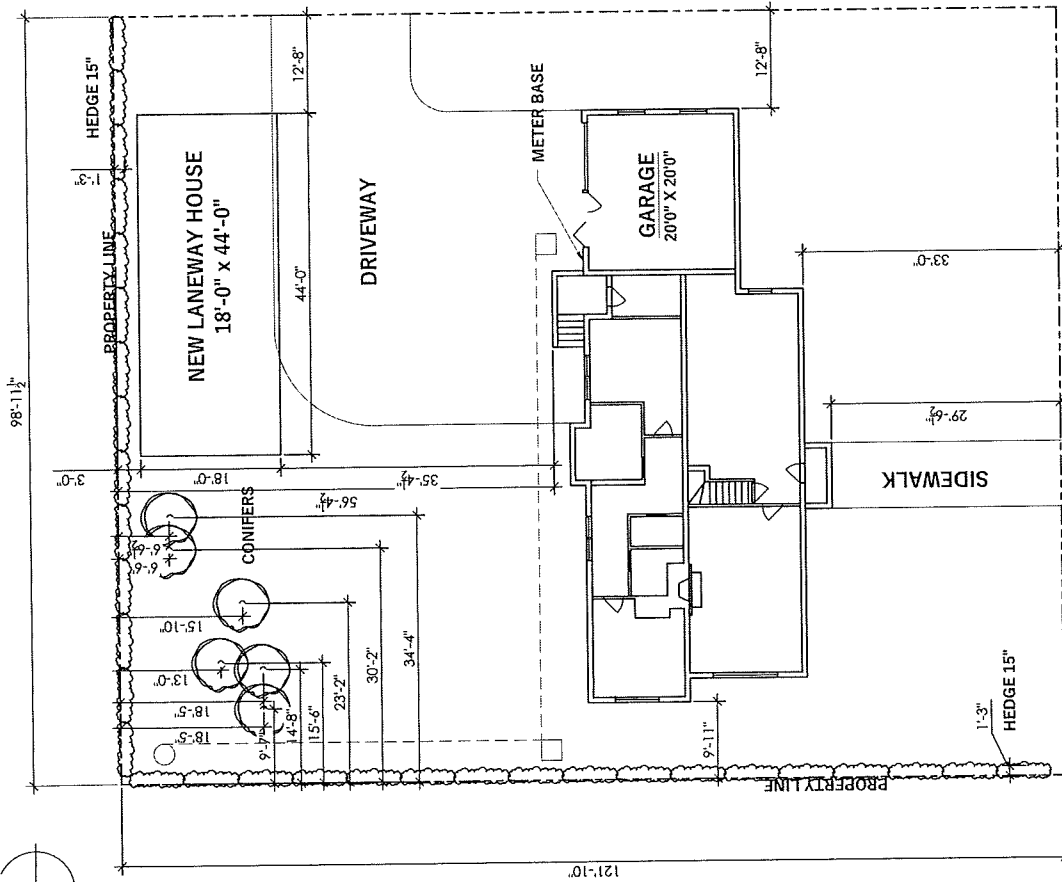
SITE PLAN
 EXISTING A-01

PROJECT

2751 WEST 57TH AVE.,
 VANCOUVER, BC



BEECHWOOD STREET



CIVIC ADDRESS:	2157 WEST 57TH AVENUE, VANCOUVER, BC
LEGAL DESCRIPTION:	LOT N, BLOCK 2, PLAN 21936, DL 36, NWD
PROPERTY ZONING:	RS-1
SITE DIMENSIONS:	28.918 M X 38.558 M 94.875' X 126.50'
SITE AREA:	1,115.02 M2 12,001.69 SQUARE FEET
FRONTING STREET:	WEST 57TH AVENUE
FLANKING STREET:	BEECHWOOD STREET

57TH AVENUE

1 SITE PLAN EXISTING
 scale: 1/16" = 1'-0"