

2871 Point Grey Road - Board Minutes and Decision

Appeal Section: 573(1)(b) - Appeal of Regulation (Over-height Fence)
Legal Description: Lot B, Block 24, District Lot 192 and Plan EPP 52823
Lot Size: Irregular Lot Area
Zone: RS-1 / RT-2
Related By-Law Clause: Fence height

Appeal Description:

Requesting a zoning relaxation of the fence height (to exceed the maximum height of 4.0 feet) at this proposed new development to construct a two-storey, one-family dwelling with an attached garage and providing three-parking spaces, with vehicular access from Point Grey Road, and includes a new pool and terrace at the rear of the home (Related to Development Building No. DB451540).

Technical Information:

Permitted Fence Height: 4.00 feet
Proposed new Fence Height: 6.41 feet.

Discussion:

Mr. Paul Sangha was present to speak in support of the appeal.

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 they're requesting a two foot variance in the fence. There has been safety concerns since they moved in there two years ago. There had been dozens of loud parties, vandalism, theft, and potential drug use. They were told by the police to contact the rangers and document the issues.

The Director of Planning's Representative

Ms. Erichsen's initial comments were that this is an appeal of decision for an over height fence in the front and side of the yard. The fence is about 6'5". There is support for the 6 foot high fence that is adjacent to the park. However, it is not supported for the 6 foot fence in the front. This came to the Director Of Planning by way of complaint in regards to the over height fence. There seems to be an unwillingness to comply. The Director Of Planning does not see a hardship, and cannot support the appeal.

The Board Chair stated that the Board's site office received thirteen (13) letters in Support and no (0) 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.

There were no comments.

Final Comments:

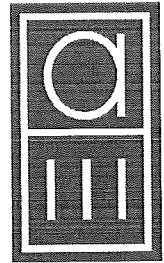
Ms. Erichsen 's final comments were that this was a complaint that was brought forward to the Director Of Planning and after consideration, they're in support of the 6 foot fence adjacent to the park, but not the front of the house.

The appellant's final comments were that they're not doing this aesthetic reason, this is to protect his family and he would appreciate the Board's support

This appeal was heard by the Board of Variance on January 11th, 2022 and was ALLOWED in part thereby permitting a maximum fence height of 4.0 feet in the front yard with landscaping (hedges) located behind the fence (and the hedging/landscaping permitted to grow and exceed beyond 4.0 feet behind the 4.0 feet high fence), and also permitting a maximum fence height up to 6.0 feet along the side yards at this approved two-storey, one-family dwelling with an attached garage and providing three-parking spaces, with vehicular access from Point Grey Road, and includes a new pool and terrace at the rear of the home (Related to Development Building No. DB451540), 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.

NOTE: AUDIO recording of this appeal is available upon request and please contact the Secretary to the Board of Variance at (604) 873-7723.



DECEMBER 17, 2021

DESIGN RATIONALE – FRONT YARD FENCE, 2871 POINT GREY ROAD

The property at 2871 Point Grey Road is a single-family home, located next to Volunteer Park in the Kitsilano area. The property was built once granted the Development & Building Permit No.DB451540 from the City of Vancouver.

Streetscape Character / Context

Point Grey Road is a residential road, lined with unique single-family homes of varying styles and sizes. Many of the properties have fences, gates and driveways providing security to the homeowners. The Street is a very popular walking route and has a high pedestrian traffic footfall, as its lead to Jericho Beach, Jericho Beach Park and Spanish Banks beach, with locals and residents from other neighbourhoods frequenting the Road. In addition, the adjacent park sees many visitors who sit with friends & family, play outdoor games and exercise.

Design Approach

The property is located next to Volunteer Park, which is used by both locals from the neighbourhood and visitors looking to enjoy the views. The 2' extension to the fence is in keeping with over 40 other properties in the area, which also have a discreet increase to the standard 4ft fence height, providing them with privacy and security. Some examples of these can be seen on the drawings LDE-1.02, & LDE-1.03 submitted with the application.

Security Concerns

There have been significant safety issues over the 18 months that they have maintained residence at the property which have not improved despite their best efforts. A few people occasionally live/sleep in Volunteer Park sometimes in tents right next to their property for prolonged periods of time. There have been loud disputes and potential drug use contributing to the issues. As a result, our client has had to increase security at the property. To date, our client has made over 45 contacts/complaints to VanConnect from ranging from loud parties to fires in the adjacent park and, more disturbingly, numerous occasions where trespass from the users of that park have come onto the property. In one incident a group was threatening and looking for material to burn in their bonfire and another two people banged on and threw objects at their windows. Police, rangers, and the fire department have regularly had to respond to deal with the issues without any long-term improvement of the overall situation. There have also more recently been incidents of arson in the park, with the bench that backs onto the property being set on fire, creating serious safety concerns.

the Airey Group
400 – 2695 Granville Street
Vancouver, British Columbia
V6H 3H4

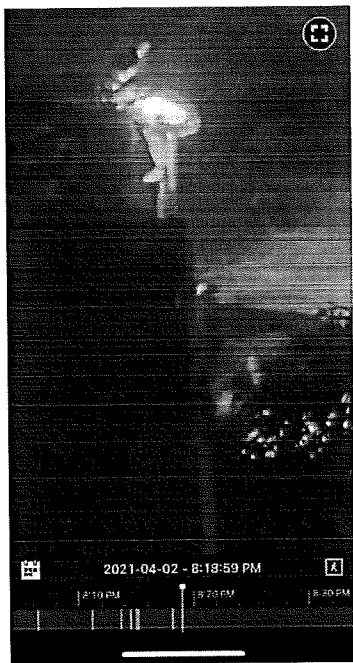
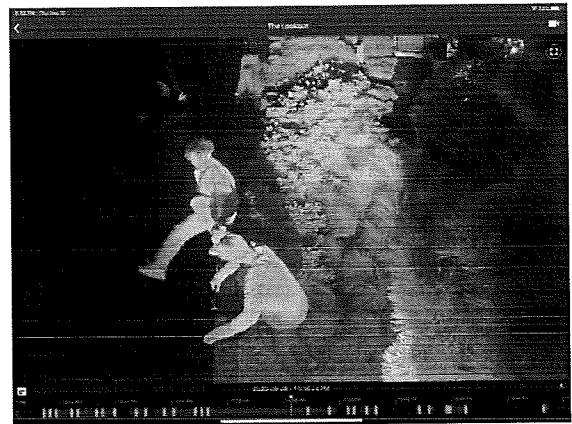
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Our client has had numerous conversations with the Head of the Parks Board, Head of Parks Board Operations and Councillor Pete Fry, to see how the incidents can be addressed and what can be done to improve security for themselves and the park.

Below are a selection of images showing security breaches that have taken place at the property. These have all taken place where the fence height is at 4', allowing trespassers to climb over.



Relaxation Rationale

Based on all the points outlined above, and the serious safety concerns that our client and family has been facing, we request that the Board of Variance Committee consider the mitigating circumstances in granting approval of the Over-height Fence application.

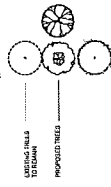
LEGAL DESCRIPTION
 PLANNED UNIT DEVELOPMENT 24, DISTRICT LOT 102
 GROUP 1, NEW WESTMINSTER DISTRICT
 PLAN OF 2022

OWNER ADDRESS
 2071 POINT GREY RD., WASHINGTON, DC
 20711

LOT LABELS - 12, 110 S.F.T.

LEGEND

- TOP OF WALL
- TOP OF POST
- TOP OF FENCE
- TOP OF RAIL
- BOTTOM OF POOL
- WATER TABLE
- PROPOSED DRIVE
- PROPOSED DRIVE
- PROPOSED DRIVE
- EXISTING DRIVE

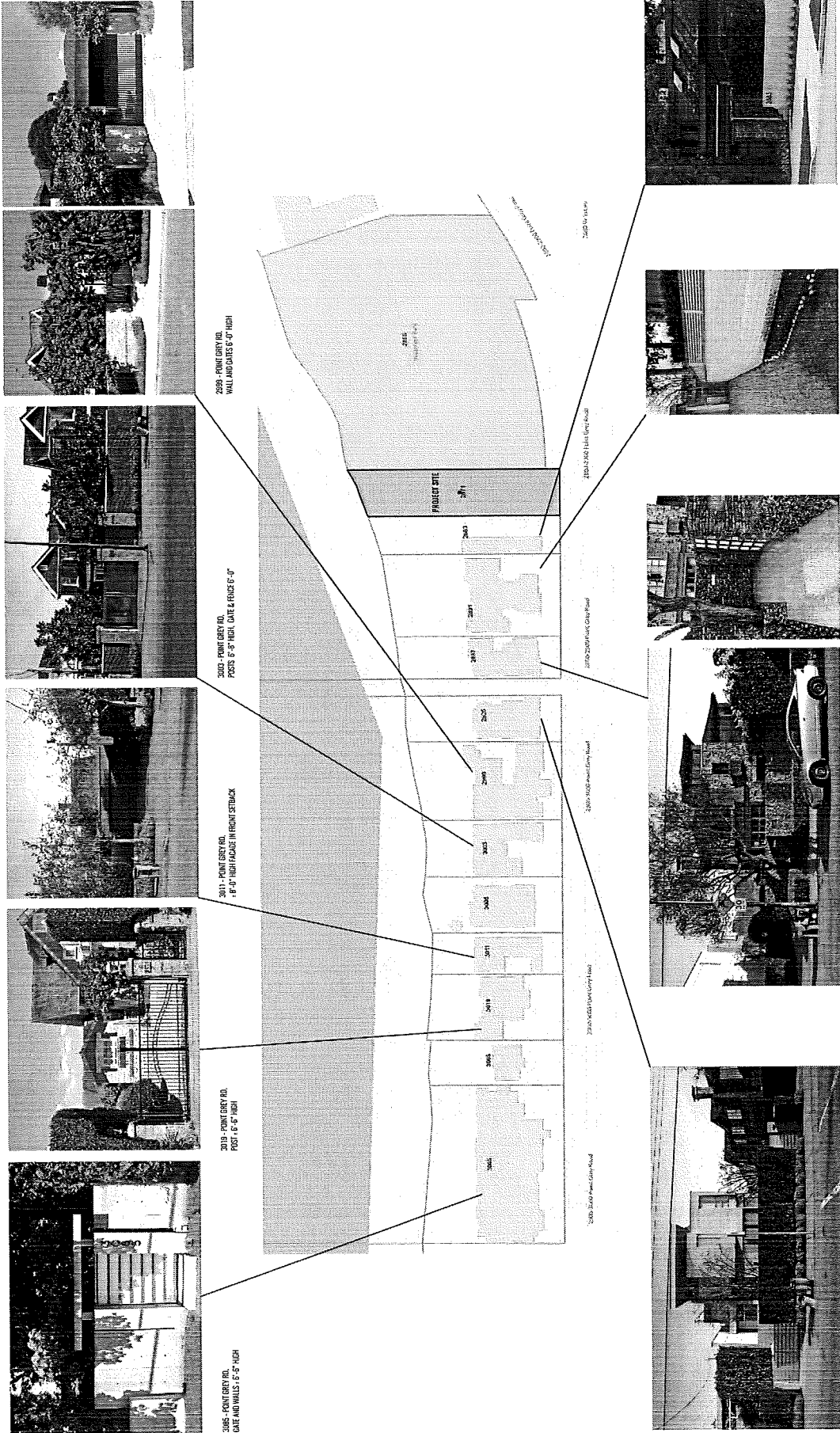


DATE	DESCRIPTION
7/27/22	100% PLAN WALL LINE UP

DATE	DESCRIPTION

PAUL SAUGHIA CONSULTING
 10000 WASHINGTON AVENUE, SUITE 100
 WASHINGTON, DC 20007
 (202) 462-1100
 paul@saughia.com

PAUL SAUGHIA CONSULTING
 10000 WASHINGTON AVENUE, SUITE 100
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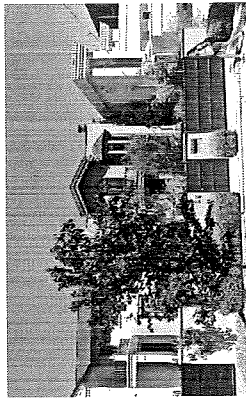


2085 - POINT GREY RD. FENCE AND GATE - 6' HIGH

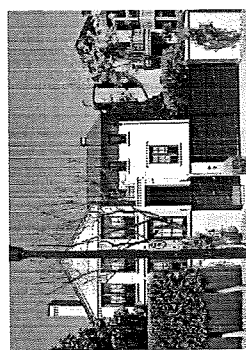
2086 - POINT GREY RD. FENCE & GATE 6' HIGH

2087 - POINT GREY RD. FENCE & GATE - 6' HIGH

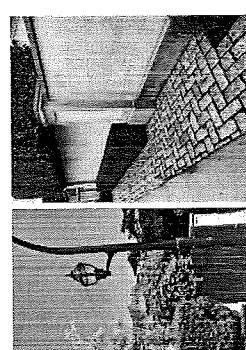
2088 - POINT GREY RD. STONE WALL IN FRONT SETBACK - 7' HIGH



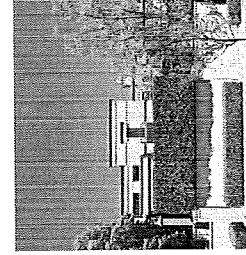
3257 - POINT GREY RD.
WALL AND GATES - 6'-0" HIGH



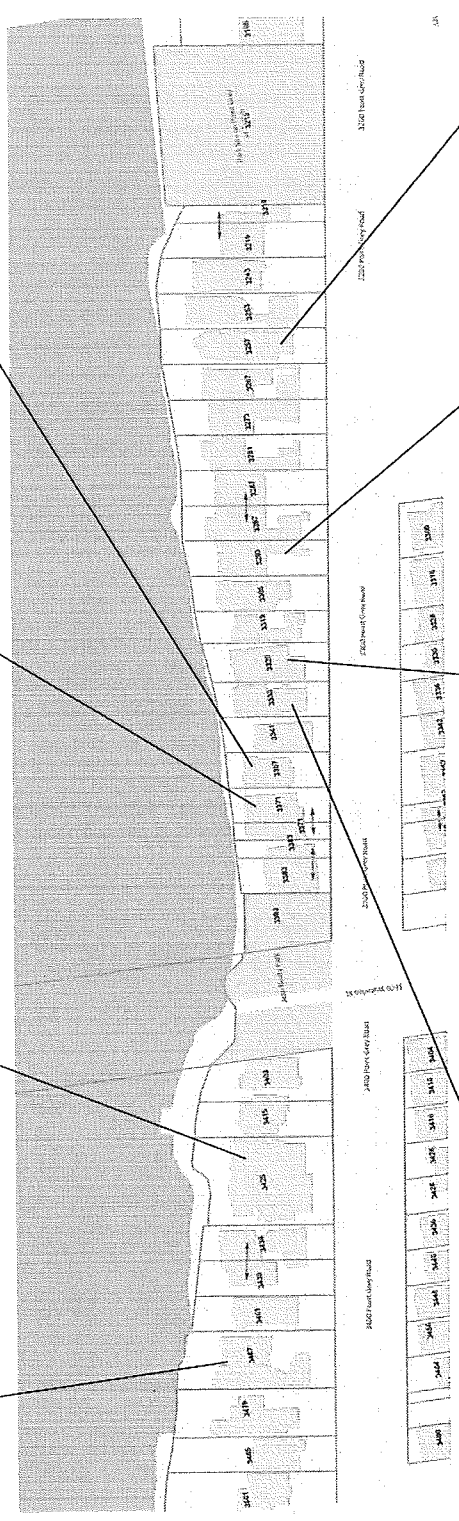
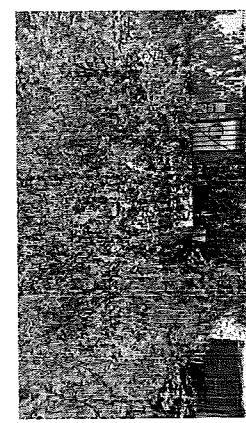
3201 - POINT GREY RD.
WALL AND GATES - 6'-5" HIGH



3105 - POINT GREY RD.
WALLS & POSTS - 7'-0" HIGH



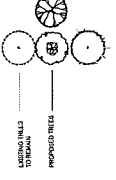
3487 - POINT GREY RD.
GATE AND WALLS - 6'-0" HIGH



LOCAL DESCRIPTION
 PLAN OF LOT 10 & WIDE 24' INTEREST OF THE
 GROUP 1, NEW WESTMINSTER DISTRICT
 PLAN OF 5-2-2023

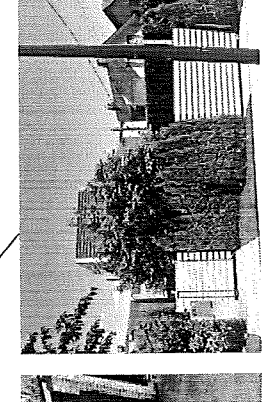
EXISTING ADDRESS
 2871 POINT GREY RD., VANCOUVER, B.C.
 LOT LEVELS - 12, 108, 107, 7.

- LEGEND - METERS**
- TOP OF WALL
 - TOP OF POST
 - TOP OF FENCE
 - TOP OF DRIVE
 - TOP OF POOL
 - WATER LEVEL
 - PROPOSED DRIVE
 - PROPOSED GROUND
 - EXISTING DRIVE
 - 12, 108, 107, 7

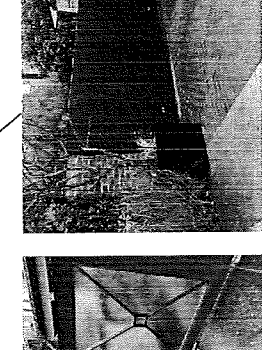


NO.	DATE	DESCRIPTION

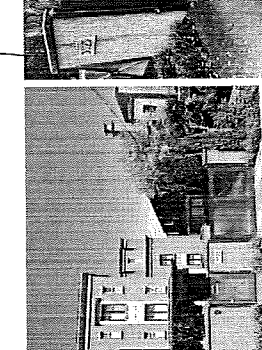
PAUL SAUGHBA CONSULTING
 2771 POINT GREY RD.
 VANCOUVER, B.C. V6T 1C6
 TEL: 604-271-1111
 FAX: 604-271-1112
 WWW.PSAUGHBA.COM



3257 - POINT GREY RD.
GATES - 6'-0" HIGH



3259 - POINT GREY RD.
WALL & GATE IN FRONTYARD - 6'-5" HIGH



3255 - POINT GREY RD.
WALLS & POSTS - 6'-0" HIGH



3333 - POINT GREY RD.
WALLS & POSTS - 6'-0" HIGH

