
BOARD OF VARIANCE / PARKING VARIANCE BOARD
APPEAL DECISION

Appeal No. Z36038 - 2991 East 5th Avenue

Appeal Section: 573(1)(a) - Appeal of Decision (DP Refusal)
Legal Description: Lot 23, Block 60, District Lot Section 31 THSL, and Plan 5090.
Lot Size: Lot Area = 4,092 sq. feet.
Zone: RS-1
Related By-Law Clause: Sections 3.2.2.6, 3.2.2.8, and 3.2.2.9.

Appeal Description:

Appealing the decision of the Director of Planning who refused Development Application No. DP-2023-00055 and a request to permit exterior alterations to validate the rear deck (built without permits) at the rear of this existing single-detached house on this site.

Name of Appellant(s): **John Defazio**
1690 Ellesmere Avenue
Burnaby, B.C.
V5B 3T5

This appeal was heard by the Board of Variance on **September 26th, 2023** and was **ALLOWED**, thereby overturning the decision of the Director of Planning who refused Development Application No. DP-2023-00055 and approved exterior alterations to validate the rear deck (built without permits) at the rear of this existing single-detached house on this site, 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 found site hardship to warrant the zoning relaxations (the lower open sundeck extension has minimal impact to the neighbourhood).

-The Board also received Four (4) Support Letters and one (1) Petition with 16-Support Signatures and one (1) Opposition letter from the neighbourhood (from the Board's neighbourhood notices)

-The Owners confirmed that they will continue working with the City and obtain all the required City's Development – Building permits to the satisfaction of the Director of Planning.

***** IMPORTANT NOTE to the Appellants:**

The Board's decision is valid for one-year and the Owner(s) are required to obtain the City's Development-Building Permit **by September 26th, 2024**. Once the Board's decision expires, then the Owners are required to appeal (again) to request an extension.

Signed:



Secretary to the Board of Variance

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