
BOARD OF VARIANCE / PARKING VARIANCE BOARD
APPEAL DECISION

Appeal No. Z36066 - 3019 Point Grey Road **BOV Decision UPDATED on Sept. 26th, 2023**

Appeal Section: 573(1)(b) - Appeal of Regulation – Building Line
Legal Description: Lot A, Block 24, District Lot 192 and Plan VAP 9538
Lot Size: Irregular site
Zone: RS-2
Related By-Law Clause: Zoning By-law and Tree By-law (Tree removal)

Appeal Description:

Requesting zoning relaxations for new development beyond the Building Line (New proposal includes: new swimming pool & hot tub, stepped terraces and stairs, & new landscaping) on the North portion of 3019 Point Grey Road (New construction at this site).

Related to Development Application No. DB-2022-04243: To construct a two-storey with cellar, one-family dwelling with an attached garage providing five (5) parking spaces, and having vehicular access from Point Grey Road and a proposed new swimming pool, hot-tub, stepped terraces and patios in the rear yard at this site (and BOV's approval is required for development the building line).

Previous Board decision (from February 14th, 2023):

This appeal was heard by the Board of Variance on February 14h, 2023 and was ALLOWED in PART, thereby ONLY approving the removal and the replacement of trees as presented at the appeal hearing, and subject to the following conditions:

(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: The Owners must comply with the Tree-By-law and shall remove and replace the existing trees on-site at a 1 to 1 ratio, and shall be to the satisfaction of the Director of Planning.

Name of Appellant(s): **Kalli Niedoba and David Battersby**
Battersby Howat Architects Inc.
#230 – 49 Dunlevy Avenue
Vancouver, B.C. V6A 3A3

This appeal was heard by the Board of Variance on **September 26th, 2023** and was **ALLOWED**, thereby granting further zoning relaxations for new development beyond the Building Line (New proposal approved by the Board of Variance to permit: a new swimming pool & hot tub, stepped terraces and stairs, & new landscaping) on the North portion of 3019 Point Grey Road, and subject to the following condition (including the board's conditions imposed on February 14th, 2023 – related to Appeal No. Z35936):

(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 and related to Appeal No. Z35936 (Feb. 14th, 2023): **The Owners must comply with the Tree-By-law and shall remove and replace the existing trees on-site at a 1 to 1 ratio, and shall be 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