
BOARD OF VARIANCE / PARKING VARIANCE BOARD
APPEAL DECISION

Appeal Decision: 1145 Union Street

Appeal Section: 573(1)(b) - Appeal of Regulation (Min. Site Width & Area, FSR)
Legal Description: Lot 25, Block 21, District Lot 182 and Plan VAP 355
Lot Size: Lot Area = 3,053 sq. feet
Zone: RT-3
Related By-Law Clause: Section 3.1.2.(d) – Min. Site Area to build an Infill Building

Appeal Description:

Requesting relaxations of the Minimum Site Area (to build an Infill Building) and the Floor Space Ratio (FSR to 0.95 FSR) regulations of the RT-3 District Schedule and a request to construct a new Infill Building at the rear of this existing two-family dwelling site.

Name of Appellant(s): **W. Neil Robertson, Daniel Silver**
Stuart Howard Architects Inc.
405 – 375 West 5th Avenue
Vancouver, B.C. V5Y 1J6

This appeal was heard by the Board of Variance on **February 13th, 2024** and was **ALLOWED in PART**, thereby **ONLY granting a relaxation for the Minimum Site Area (to build an Infill Building)** at this RT-3 District zone site with an approval for the City's Director of Planning to consider the construction of a new Infill Building at this existing two-family dwelling site, and subject to the following conditions:

(1) **that the Board of Variance did NOT grant any FSR (floor area) relaxation and ONLY granted a zoning relaxation for the 'Minimum Site Area'** so that the City's Director of Planning can consider a proposed Infill Building at this site.

(2) 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 did find a site hardship to grant a 'minimum site area relaxation' and to allow the City's Director of Planning to consider a proposed Infill Building at this site.

-the Board did NOT consider the FSR (floor area) proposal to 0.95 FSR and that the final design and form of development for the proposed Infill Building must be considered by the Director of Planning's group.

-the Board also understood that the Owners must apply for a 'Heritage Alteration Permit (HAP)' and further noted that the Board does NOT have any jurisdiction or any authority to consider and/or accept an appeal if the Owners are denied (refused) in obtaining a Heritage Alteration Permit.

-No opposition from the neighbourhood – this was from the board's neighbourhood notification mailout prior to the meeting.

Note: Unless otherwise ordered by the Chief Building Official in writing, the owner(s) **must obtain a Development & Building Permit(s) within one-year from the hearing date** (on successful appeals / allowed appeals).


Signed:
Secretary to the Board of Variance