
BOARD OF VARIANCE / PARKING VARIANCE BOARD
APPEAL DECISION

Appeal Decision: 42 West 8th Avenue

Appeal Section: 573(1)(a) - Appeal of Decision (DP Refusal overturned)
Legal Description: Lot 4, Block 43, District Lot 200A and Plan 197
Lot Size: Irregular site
Zone: I-1 Zone
Related By-Law Clause: The Board of Variance overturned DP-Application No. DP-2023-00030 (granted parking & loading relaxations).

Appeal Description:

Appealing the decision of the Director of Planning who refused Development Application No. DP-2023-00030 and a request to permit interior alterations and to change the use of the south portion of the 2nd floor and the entire 3rd floor from Manufacturing Use to Club use.

Development Application No. DP-2023-00030 was refused for the following reasons:

-The proposed development does not comply with the regulation of the Zoning and Development By-law that affect the site.

-There are insufficient peculiarities of site or development to warrant the relaxation of the off-street parking facilities.

Name of Appellant(s): **Craig Mercs**
Diamond Group Architecture
#410 – 119 West Pender
Vancouver, B.C. V6B 1S5

This appeal was heard by the Board of Variance on **January 16th, 2024** and was **ALLOWED**, thereby overturning the decision of the Director of Planning who refused Development Application No. DP-2023-00030 and approved interior alterations and to change the use of the south portion of the 2nd floor and the entire 3rd floor from Manufacturing Use to Club use, and subject to the following conditions:

- (1) that the approval is for the exclusive use of Tonari Gumi (the main-operator) and operating the ‘Japanese Community Volunteers Association’ (Non-Profit Society); and
- (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 site hardship to support the proposed ‘change of use’ development and granting a parking relaxation with five (5) on-site parking spaces at 42 West 8th Avenue. The Board members were in an agreement with the Appellants’ submission – and that majority of the visitors are seniors and there are nearby transit stations and a future sky-train station to be located at Main Street & East Broadway, and all within a walking distance to the Japanese Community Association.

-The Board’s site office received five (5) letters in total, with five (5) support letters from the neighbourhood in support and no (0) opposition letters.

-The Appellants also confirmed that they will continue to work with the City – and obtain all the City permits including meeting the requirements of the Vancouver Building By-law & Building Codes 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 January 16th, 2025.** 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**