
**BOARD OF VARIANCE / PARKING VARIANCE BOARD
APPEAL DECISION**

Appeal No. Z35772 - 320 East 43rd Avenue

Appeal Section: 573(1)(a) - Appeal of Decision
Legal Description: Lot 3, Block 2, District Lot 644 and Plan VAP2583
Lot Size: Irregular Lot.
Zone: RS-1
Related By-Law Clause: Sections 4.6 (Rear Yard), 4.7 (FSR), 4.8 (Site Coverage) and 4.16 (Building Depth).

Appeal Description:

Appealing the decision of the Director of Planning who refused Development Application No. DP-2020-00528 and a request to add approx. 409 square foot fixed canopy to the rear of this existing one-family dwelling house with a 'family daycare operation' (limited to 8-children) located in the basement at this site.

Development Application No. DP-2020-00528 was refused for the following reasons:

-This proposal creates non-conformities to rear yard, total FSR, above grade FSR, site coverage and building depth.

(Note to Applicant: The Director of Planning does not have the authority to relax FSR).

Name of Appellant(s): Premadasa Edirisinghe and Manel Swarnalatha Edirisinghe
Bright Owllet Childcare Learning Centre
320 East 43rd Avenue
Vancouver, B.C.
V5W 1T3

This appeal was heard by the Board of Variance on **January 26th, 2021** and was **ALLOWED**, thereby **overturning** the decision of the Director of Planning who refused Development Application No. DP-2020-00528 and approved alterations and to add approx. 409 square foot fixed canopy to the rear of this existing one-family dwelling house with a 'family daycare operation' (limited to 8-children) located in the basement at this site, and subject to the following conditions:

(1) the approval is for the exclusive use of "Bright Owllet Childcare Learning Centre" and shall be operated by Premadasa Edirisinghe and Manel Swarnalatha Edirisinghe; 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.

***** 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 26th, 2022**. Once the Board's decision expires, then the Owners are required to appeal (again) to request an extension.

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

Signed: _____

Secretary to the Board of Variance

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