

# DUNBAR RESIDENTS' ASSOCIATION

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January 30, 2008

Mayor Sullivan and Councillors  
Vancouver City Hall  
453 West 12<sup>th</sup> Avenue  
Vancouver, B.C. V5Y 1V4

Dear Mayor and City Councillors:

## RE: BOARD OF VARIANCE


We are writing to request that Council initiate the process to amend the Vancouver Charter to reinstate third party appeals to the Board of Variance. One of the purposes of zoning, as we understand it, is to ensure that similarly situated property owners within a zone are treated similarly. All property owners need to know that they and their neighbours will be able to use their land as permitted by the bylaws and that only in exceptional circumstances will they and their neighbours be permitted to do something contrary to the bylaws.

We are not suggesting that the City return to the same situation that existed prior to the court decision that removed third party appeals, but we consider it essential that in certain circumstances third parties should have the right to appeal decisions of staff. Examples might be where neighbors, aggrieved by a decision of staff, officials or Boards or their delegates, can show that their own interests in their land will be adversely affected. Also where a conditional use is allowed or a relaxation is permitted or where an interpretation of the bylaws is challenged, an appeal to the Board is appropriate. The law should clearly define who is aggrieved and what kinds of third party interests are to be protected.

We request that you refer this matter to staff to prepare suggested amendments to the Charter that would then be offered to the public for response and suggestions.

Thank you for your attention to this matter.

Yours truly,

  
Susan Chapman  
Co-President, Dunbar Residents' Association

Cc Brent Toderian