



BOARD OF VARIANCE/PARKING VARIANCE BOARD – SUMMARY MINUTES

DATE: Tuesday, January 13th, 2026
TIME: 1:15 PM
PLACE: Townhall, Main Floor, City Hall

PRESENT: Gilbert Tan – Board Chair
Peter Gee
Leah Karlberg
Namtez Sohal

ABSENT: Elizabeth MacKenzie

SECRETARY: Louis Ng

Assistant

SECRETARY: Carmen Lau

ALSO PRESENT: Joe Bosnjak, Supervisor (Director of Planning’s Representative)
Sonia Erichsen, Manager (Director of Planning’s Representative)
Justin Neal, Supervisor (Director of Planning’s Representative)

On January 13th, 2026 - The Appellants for the following sites appealed the City's decision (Director of Planning's written decision) **issued by the City's Development Services:**

3580 Point Grey Road – Board's summary minutes and decision

Appeal Description:

Appealing the decision of the Director of Planning who refused Development Application No. DP-2025-00522 and a request to permit the following exterior alterations:

1. An addition retractable awning has been installed on the roof deck.
2. A covered structure has been installed on the roof deck.

Development Application No. DP-2025-00522 was refused for the following reasons:

-Non-compliance to the proposed development does not comply with section 3.1.1 – Density and Floor Area of the RT-8 District Schedule of the Zoning and Development By-law that affect this site.

-Non-compliance to the proposed development does not comply with section 3.1.2.3 – Building form and placement of the RT-8 District Schedule of the Zoning and Development By-law that affect this site.

Technical Information:

Permitted FSR (RT-8): 0.75 (2,145 sq. ft.)

Existing: 0.74 (2,115 sq. ft.) [As per DP-2023-00207, from 2023.]

Proposed: 0.86 (2,477 sq. ft.)

332 sq. ft. or 15 % over maximum permitted

362 sq. ft. or 17 % over existing

Permitted Height: 35.10 feet

Existing: 35.28 feet [As per DP-2023-00207, from 2023.]

Proposed: 37.25 feet

Discussion:

Nathalie Baker and Katherine Gordon were present to speak in support of the appeal.

At the request of the Chair, the appellant agreed to dispense with the reading of the submission, which had been in the Members' possession prior to the meeting.

The appellant's initial comments were that the home was a new built. The awning was added in 2024 and complies with engineering requirement reviews. The awning puts over the FSR, even though the awning is retractable.

The Director of Planning's Representative (comments):

Mr. Bosnjak's initial comments were that this permit was brought in by way of complaint and work without permit. The density and floor area, as well as height, is not allowed. This awning is supported by post, therefore, it is included in the FSR. The Director of Planning does not see a site specific hardship, and cannot support the appeal.

The Board Chair stated that the Board's site office received six (6) letters in Support and (0) letter in opposition to this appeal.

The Chair stated that if there were any interested parties in the audience who wished to speak to this appeal, they should raise their hand to be recognized and when recognized, state their full name and address and spell their surname for the record.

There were no comments.

Final Comments:

Mr. Bosnjak's final comments were that this came in by way of complaint as this was a brand new built in 2022. The roof deck was approved, but without a covering of any sort. The Director of Planning does not see a hardship, and asks the Board to uphold their decision.

The appellant's final comments were that they have support from their neighbours.

This appeal was heard by the Board of Variance on January 13th, 2026 and was ALLOWED, thereby overturning the decision of the Director of Planning who refused Development Application No. DP-2025-00522 and APPROVED the roof-deck addition ('Retractable Awning Cover' with a permanent covered BBQ area) exterior alterations, and subject to the following condition:

(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.

Board's summary and decision based on the following:

-The majority of the Board members voted 3-1 in support of the appeal and found a site hardship to warrant a zoning relaxation for the 'retractable awning cover' (roof-deck addition). The board members agreed with the appellants' submission and that when the retractable awning cover is 'fully closed' and/or not in use – and a partial covered area with permanent posts (is approx. 30 sq. feet). The majority of the board members granted a FSR relaxation to 0.86 (332 sq. ft. overage), and a height variance of 2.15 feet.

-The Director of Planning's representative stated that the open roof-deck was approved with City permits. The City's rep. further stated that the roof-deck addition was built without any City permits and further explained that even if the retractable awning cover was 'fully closed' and not in use, the roof deck area with permanently posts (the entire structure) will be counted as useable floor area and thus, approx. 332 sq. feet over the maximum permitted density allowance (0.75 / 75%), and also the City noted that the overall height is over by approx. 2.15 feet.

-The Board's site office received six (6) support letters and no (0) opposition letters from the neighbourhood.

On January 13th, 2026 - The following sites were reviewed by the Board of Variance and **Zoning variances were reviewed ONLY for the specific regulations ('NOT' an appeal of decision).**

476 East 10th Avenue

This appeal was heard by the Board of Variance on January 13th, 2026 and was ALLOWED, thereby granting zoning variances (noted-above) and validating the existing unauthorized additions built without City permits (to 0.85 FSR under the current Development Application No. DP-2025-00979), and the Board APPROVED interior & exterior alterations to finish the basement and reconfigure the main floor at this existing Two (2) Unit Multiple Conversion Dwelling with One Unit being a Secondary Suite on this inside no lane site, and subject to the following condition:

(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.

Board's summary and decision based on the following:

-The majority of the Board members voted 3-1 in support of the appeal and found a site hardship to warrant zoning relaxations for this proposed development at this existing non-conforming home built in 1912. The existing house was built on a lot size at 33' x 84' (or at 2,791 sq. feet) and deemed to have 'character merits', and therefore the City can allow the density and FSR up to 0.75 (75%). The board accepted the proposal to 0.85 (85%) as submitted and presented on January 13th, 2026.

-The Director of Planning's representative stated that there was a recent zoning change to R3-2 but the plan-check analysis will be based on the R1-1 District zone site regulations. This site has character merits and therefore, the density and FSR can be up to 0.75 FSR but the existing non-conforming FSR is at 0.76 and the proposal is at 0.85 FSR (to 2,371 sq. feet). As well the City noted that this development proposal is for a 'Multiple Conversion Dwelling' and the owners require zoning relaxations for Density and FSR to 0.85 (85%), Rear Yard to 17.75 feet and also a relaxation required for a side entry area along the west side yard – into a sunken entry area.

-The Board's site office received three (3) support letters and no (0) opposition letters from the neighbourhood.

4722 Drummond Drive

This appeal was heard by the Board of Variance on January 13th, 2026 and was **DISALLOWED.**

Requesting a relaxation of Section 3.1.1 (Density and Floor Area, FSR) to permit the construction of a new one-family dwelling house with a proposed attached garage and with vehicular access from Drummond Drive (and this site has rear lane).

Note: The attached garage area cannot be excluded because this site has a rear lane, and therefore the proposed attached garage area (517 sq. feet) is included in the overall floor area.

Board's summary and decision based on the following:

-The Board members voted 2-2 and this appeal did not have a majority of the board in support of the appeal, and therefore the appeal was DISALLOWED on January 13th, 2026. The majority of the board members did NOT find a site hardship to warrant the density and floor area relaxation, and since this is new construction (15,000+ sq. feet proposal) and a re-design can be submitted to the City with a proposal to be in compliance to 0.60 (60%), and also allowing the Owners to keep and/or use the existing 'Northeast crossing' along Drummond Drive.

-The Director of Planning's representative (Mr. Justin Neal) stated that prior to attending the Appeal Hearing on January 13th, 2026 – and Mr. Neal confirmed with the City's Engineering Department and that the City accepts the retention and allowing the owners to keep the existing 'Northeast crossing' along Drummond Drive, but the City can not support a new crossing on the Northwest portion of the lot along Drummond Drive. Mr. Neal further stated that City staff members did not review this development application, and that the proposed attached garage area within the lower floor / basement level counts as additional floor area beyond 60%. And if approved by the board, then the parking area can only be used for parking (parking use only). Mr. Neal also noted that there is a potential Laneway House proposal and not part of this appeal, and any parking on-site is encouraged to be located at the rear of the site since there is a rear lane access.

-The Board's site office received no (0) support letters and no (0) opposition letters from the neighbourhood.

2587 Upland Drive

This appeal was heard by the Board of Variance on January 13th, 2026 and was **DISALLOWED**.

Requesting the removal of one existing tree (Tree #T2) from the site at 2587 Upland Drive in order to build a new Laneway House at this site. The existing tree (Tree #T2) is at the location where the Owners prefer the new laneway house to be built (the Owners prefer the laneway house location closest to Ashburn Street for safety and security reasons).

Board's summary and decision based on the following:

-The Board members voted 3-1 in opposition to the appeal, and this appeal did not have a majority of the board to allow the removal of Tree #2 (a Western Cedar Tree), and therefore the appeal was DISALLOWED on January 13th, 2026. The majority of the board members did NOT find a site hardship to allow the removal of Tree #2.

-The Director of Planning's representative (Mr. Justin Neal) stated that there is no site hardship for the removal of Tree #2 (a Western Cedar Tree) – since the Laneway House can be re-designed to retain Tree #2. Parking is not a requirement for the proposed Laneway House.

-The Board's site office received two (2) support letters (from 2561 Upland Drive and 7289 Ashburn Drive), and no (0) opposition letters from the neighbourhood.

On January 13th, 2026 - The following sites were reviewed by the Board of Variance and **renewals and extensions were granted as required by Development Services.**

3608 Knight Street

This appeal was heard by the Board of Variance on January 13th, 2026 and was ALLOWED, thereby granting an extension and permission to retain the use at this site for an “Eight (8) Bed Group Residency” to be exclusively operated by “Giving Back Society” for a further period of time (Related to DP-2018-01039), and subject to the following conditions:

- (1) that the approval is for the exclusive use of the Giving Back Support Recovery Society (operated by Ray Wainman);
- (2) that the Board of Variance's approval expires in TWO (2) years on January 13th, 2028;
- (3) that the Board may grant an extension to the time limit on or before on January 13th, 2028;
- (4) that a Good Neighbour Agreement Plan and an Operations Plan must be submitted to the Director of Planning and made part of the Development Permit. Note: Ray Wainman must meet with the adjacent neighbours once a month and also provide the neighbours with the direct contact telephone number(s) so that a good line of communication is available anytime if any concerns arise.
- (5) that a maximum of EIGHT (8) beds have been approved at this site for this Group Residency;
- (6) that a maximum number of smokers shall be limited to four (4) people at any one-time;
- (7) that a new smoking area (as required by the Board of Variance) must be located in the North side-yard area behind the fence (facing East 20th Avenue) and must be between the garage and the main entrance;
- (8) that a new solid fence must be erected and/or installed along the South property line to 6.0 feet (and the fence height must in compliance with the City's Fence By-law regulations); and
- (9) 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.

3596 Kingsway (Cannabis Retail Store Renewal)

This appeal was heard by the Board of Variance on January 13th, 2026 and was ALLOWED with conditions, thereby granting an extension to retain the Cannabis land-use with approximately 1,085.0 square feet as a Cannabis Retail Store in this existing mixed-use building for a further period of time (Related to Development Application No. DP-2021-00784), and subject to the following conditions:

- (1) that the approval is for the exclusive use of the two (2) operators Mark Okoth and Dennis Park and operating under “Craft Greenery Cannabis, and 1248627 BC LTD.”, and doing-business-as (DBA): “Craft Greenery Cannabis”.
- (2) that the Board granted a limited-time approval of five (5) years from February 22nd, 2026 and expires on February 22nd, 2031 and the Board may grant an extension to the time limit on or before February 22nd, 2031; and
- (3) 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 Board accepted the operators' hours of operation from 10:00 am to 9:00 pm (Seven Days a week) at 3596 Kingsway.

950 West Broadway (Cannabis Retail Store Renewal)

This appeal was heard by the Board of Variance on January 13th, 2026 and was ALLOWED, thereby granting an extension to retain the approved Cannabis Retail Store for a further period of time, and subject to the following conditions:

- (1) that the approval is for the exclusive use of Michelle Rochon and operating the business as ‘BC 1358156 Ltd.’ (for Team Cannabis) – and doing business as (DBA) “Team Cannabis”;
- (2) that the approval is for five (5) years and expiring on February 14th, 2031;
- (3) that the Board may grant an extension to the time-limit on or before February 14th, 2031;
- (4) that signs must be displayed at the storefront and displayed at all times and noting “NO MINORS ARE ALLOWED INSIDE THE STORE”
- (5) that the storefront windows must be “frosted” and shall be to the satisfaction of the Director of Planning; and
- (6) 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.

On January 13th, 2026 - The following site(s) were **NOT** reviewed and/or heard by the Board of Variance:

2854 East 51st Avenue – This appeal was ‘withdrawn’ prior to the e Board of Variance meeting.

1672 Franklin Street – This appeal was ‘withdrawn’ prior to the e Board of Variance meeting.