



BOARD OF VARIANCE/PARKING VARIANCE BOARD – SUMMARY MINUTES

DATE: Tuesday, February 10th, 2026
TIME: 1:15 PM
PLACE: Townhall, Main Floor, City Hall

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

ABSENT:

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)

On February 10th, 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:**

40 East 48th Avenue – Board's summary minutes and decision

Appeal Description:

Appealing the decision of the Director of Planning who refused Development Application No. DP-2024-00723 and a request to enclose the existing covered porch and construct an enclosed deck at the rear of the main floor at this existing single detached house.

Scope of work also includes minor layout changes in basement and upper floor.

Development Application No. DP-2024-00723 was refused for the following reasons:

-Non-compliance to the proposed development does not comply with section 3.2.1 – Density and Floor Area of the RT-8 District Schedule of the Zoning and Development By-law that affect this site.

-As a consequence- as a consequence of this application not meeting the standards set out in the Zoning and Development By-law regarding Floor Space the application cannot be referred to the Director of Planning for a decision.

Technical Information:

Permitted FSR (R1-1): 0.60 (4,111 sq. ft.)

Existing: 0.60 (4,244 sq. ft.)

Proposed: 0.65 (4,683 sq. ft.) [As per DP-2024-00723.]

572 sq. ft. or 14 % over maximum permitted

439 sq. ft. or 10 % over existing

Discussion:

Amrik Viridi, Jaspreet Viridi, and Gurpreet Kaur 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 patio was created for therapy purposes for their children, who have autism. The patio provides lights, fresh air, and natural sounds, which is good for the children. If the enclosed patio was taken away, it would be detrimental in their children's progress and their medical needs.

The Director of Planning's Representative

Ms. Erichsen's initial comments were that this is an appeal of decision for interior and exterior for a enclosed deck. This was brought in by way of complaint. There are also other work without permit done. As the Director of Planning does not see a site specific hardship, they are unable to support the appeal.

The Board Chair stated that the Board's site office received fifteen (15) letters in Support and one (1) 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:

Ms. Erichsen's final comments were that the proposal does not comply with any regulations, the Director of Planning is unable to support the appeal.

The appellant's final comments were that the sunroom is very important for their family as they have children with disabilities.

This appeal was heard by the Board of Variance on February 10th, 2026 and was ALLOWED, thereby overturning the decision of the Director of Planning who refused Development Application No. DP-2024-00723 and APPROVED the enclosure of the existing covered porch and an enclosed rear sundeck on the main floor of this existing single detached house, 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 4-1 in support of the appeal and found a site hardship to warrant a zoning relaxation – as the previous RS-1 regulations allowed density and FSR to 0.70 (70% FSR) and the proposed density & FSR is a request for 0.65 (65%). As well, the majority of the board members found compassionate grounds to allow the owners to keep/retain the rear sunroom addition for a family member with Autism Spectrum Disorder (ASD).

-The City's representative also confirmed that there was a change in the zoning by-law and the previous RS-1 provisions permit a maximum FSR allowance to 0.70 (70%), and the new (current) R1-1 by-law was adopted in October 2023, and with a maximum density & floor allowance to 0.60 (60%).

-The Board's site office received 15-Support Letters from the neighbourhood, and one (1) opposition letter from 73 East 49th Avenue in opposition to the appeal.

On February 10th, 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).**

3511 Triumph Street (3509 Triumph Street)

This appeal was heard by the Board of Variance on February 10th, 2026 and was **DISALLOWED.**

Requesting a relaxation of Section 3.2.1 (Density and Floor Area) regulations of the R1-1 District Schedule and a request to permit the conversion of the existing crawlspace area into new living space (new habitable area, additional 223 sq. feet) within this existing two-family dwelling site with an infill building at the rear of the property.

Scope of work includes the 'conversion of the crawlspace area' (223 sq. feet) within the dwelling unit at 3511 Triumph Street.

Technical Information:

Permitted FSR (R1-1): 0.85 (3,421 sq. ft.) [Character House, 85% Permitted.]

Existing: 0.85 (3,421 sq. ft.) [COV, Issued BP2019-02648 in 2021.]

Proposed: 0.90 (3,644 sq. ft.)

Board's summary and decision based on the following:

-The majority of the Board members voted 4-1 in opposition to the appeal and the proposed density and FSR from 0.85 (85%) to 0.90 (90% FSR) was denied. The majority of the board members did not find a site hardship to warrant a further floor area relaxation of additional 223 sq. feet for the crawlspace conversion into new living (new habitable) floor area at the site.

-The Director of Planning's representative stated that this site has character merits and therefore, the Director of Planning already approved the maximum Density and FSR allowance to 0.85 FSR (85%) back in 2021. There is no site hardship to support an additional floor area (FSR) increase to 0.90 (90%), and the Director of Planning requested the board to deny the appeal.

-The Board's site office also received four (4) letters in support of the appeal, and no (0) opposition letters from the neighbourhood.

4895 Manor Street

This appeal was heard by the Board of Variance on February 10th, 2026 and was ALLOWED, thereby granting zoning relaxations of Section 3.2.2.6 (Rear Yard) and Section 3.2.2.5 (Side Yard) regulations of the R1-1 District Schedule and APPROVED a rear (open) sundeck located at the main floor at the rear of this existing one-family dwelling site (Related to DB-2025-00718), 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.

Note: The Board of Variance ONLY approved an ‘open rear sundeck’ and the unauthorized sundeck aluminum cover & the enclosure under the sundeck ‘MUST be removed’ as part of this decision.

Board’s summary and decision based on the following:

-The majority of the Board members voted 5-0 in support of the appeal and found a site hardship to warrant the zoning relaxations (rear yard and side yard) – and to allow the Owners to keep/retain an open rear sundeck (as part of repairing an old, rotten rear sundeck).

-The City’s representative also confirmed that by removing the rear unauthorized aluminum sundeck cover, then there are no density & FSR (floor area) issues at this site. The house was built in 1912 and therefore, there are existing non-conforming setbacks at this site.

-The Board’s site office received one Support Letter from the neighbourhood, and one (1) opposition letter from next door at 4907 Manor Street in opposition to the appeal.

On February 10th, 2026 - The following site(s) were reviewed by the Board of Variance and **renewals and extensions were granted as required by Development Services.**

1208 Davie Street (Cannabis Retail Store Renewal)

This renewal / extension request appeal was reviewed by the Board of Variance on February 10th, 2026 and was APPROVED, thereby granting an extension to retain the approved Cannabis Retail Store for a further period of time (Related to Development Application No. DP-2018-01053), and subject to the following conditions:

- (1) the approval is for the exclusive use of “Canna Cabana Inc.” and shall be operated by Harkirat Raj Grover and doing business as (DBA – storefront name) will be: “Canna Cabana”.
- (2) the Board granted a limited-time approval for three (3) years and expiring on: February 10th, 2029;
- (3) the Board may grant an extension on/or before the expiry date: February 10th, 2029; and
- (4) 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.