



## **BOARD OF VARIANCE/PARKING VARIANCE BOARD – SUMMARY MINUTES**

DATE: Tuesday, February 11<sup>th</sup>, 2025  
TIME: 1:15 PM  
PLACE: Townhall, Main Floor, City Hall

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

ABSENT: Namtez Sohal

SECRETARY: Louis Ng

Assistant

SECRETARY: Carmen Lau

**ALSO PRESENT:** Sonia Erichsen, Manager (Director of Planning's Representative)  
Tony Chen, Manager (Director of Planning's Representative)  
Payam Fouladianpour (Director of Planning's Representative)

## **257 East 60<sup>th</sup> Avenue – Board Minutes and Decision**

Appeal Section: 573(1)(a) - Appeal of Decision (DP-Refusal)  
Legal Description: Lot 19, Block 1, District Lot 326A and Plan 2443  
Lot Size: Lot Area = 4,069 sq. feet  
Zone: R1-1  
Related By-Law Clause: Section 3.2.1.1 (Density and Floor Area)

### **Appeal Description:**

Appealing the decision of the Director of Planning who refused Development Application No. DP-2023-00780 and a request to permit exterior and interior alterations to this existing single-detached house including a change of use to a single-detached house with a secondary suite. Scope of work includes: Adding a secondary suite to basement with a new covered deck at the rear, and with new stairs at the front and a door facing the side yard.

### **Development Application No. DP-2023-00780 was REFUSED for the following reason:**

-Non-compliance with Section 3.2.1 (Density and Floor Area) of the R1-1 District Schedule; and the proposed development does not comply with the regulations of the Zoning and Development By-law that affect the site.

### **Technical Information:**

Permitted FSR (R1-1): 0.60 (2,441 sq. ft.)  
Existing non-confirming: 0.64 (2,637 sq. ft.)  
Proposed: 0.74 (3,002 sq. ft.) [ As per DP-2023-00780.]  
561 sq. ft. or 23 % over maximum permitted  
365 sq. ft. or 14 % over existing.

### **Discussion:**

Shuai Liu (Shawn) was 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 they would like the Board to consider granting their appeal. The current tenants are elderly and would like to keep the outer space.

### **The Director of Planning's Representative**

Ms. Erichsen's initial comments were that this is an appeal of decision to refusal for interior and exterior alterations of adding approximately 500 sq feet. The covered deck is the result of the extra square footage. The Director of Planning does not have the authority to relax the FSR, and will defer to the Board for their decision.

The Board Chair stated that the Board's site office received two (2) 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:**

Ms. Erichsen had no final comments.

The appellant's final comments were that the cover had been there for over 80 years.

**This appeal was heard by the Board of Variance on February 11th, 2025 and was DISALLOWED.**

### **Board's summary and decision based on the following:**

*-The Board members voted 2-2 (and did not have a majority in support of the appeal) and thus, the appeal was 'disallowed'.*

*- The City's representative confirmed that the proposed density & floor area is to 0.74 FSR (or to 3,002 sq. feet).*

*-The majority of the board members did not find a site-hardship to warrant the zoning relaxation to 0.74 FSR, and found the rear covered sundeck to be too large in size. The board members did agree with the owners keeping front porch addition and the proposed changes to the interior space.*

*-The Board's site office received two (2) support letters and no (0) opposition letters from the neighbourhood.*

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On February 11<sup>th</sup>, 2025 - The following sites were reviewed by the Board of Variance for other zoning items and/or amendment requests and **as required by the City's Development Services:**

**188 East Woodstock Avenue (5679 Main Street)**

An amendment request was reviewed by the Board of Variance on February 11th, 2025 and was ALLOWED, thereby granting a liquor store name-change (Related to Development Application No. DP-2021-00051) and subject to the following conditions:

- (1) that the approval is for the exclusive use of "Massillon Hospitality Corporation" and shall be operated by Joseph Tarnowski and Marlene Loughheed and doing business as (DBA): "41st & Main Liquor Store"; 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.

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On February 11<sup>th</sup>, 2025 - The following sites were reviewed by the Board of Variance for an extension (renewal) request and **as required by the City's Development Services:**

**30 Dieppe Place**

This appeal was heard by the Board of Variance on February 11th, 2025 and was ALLOWED, thereby granting permission to retain an existing cover over the existing rear sundeck and two (2) sunken patio areas at this existing one-family dwelling site for a further period of ten (10) years, subject to the following conditions:

- (1) the approval is for the exclusive use of the owner Jagdish Shankar and his family members;
- (2) that the approval by the Board of Variance is for a period of ten (10) years ending on October 31st, 2034;
- (3) the Board may grant an extension to the time limit on or before October 31st, 2034; and
- (4) 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 to the satisfaction of the Director of Planning.

### **609 East Broadway**

This appeal was heard by the Board of Variance on February 11th, 2025 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 operators ‘Robert Howes, Spencer Howes & John Olan’ and operating under “Pineapple Exchange Cannabis Corporation”, and doing-business-as (DBA): “Generation Cannabis”; and
- (2) that the Board granted a limited-time approval for three (3) years and expires on March 12th, 2028 and the Board may grant an extension to the time limit on or before March 12th, 2028; 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.

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On February 11<sup>th</sup>, 2025 - The following sites were **NOT** reviewed by the Board of Variance and **these appeals were adjourned and/or withdrawn prior to the meeting:**

-1516 East 15<sup>th</sup> Avenue (Adjourned to May 06<sup>th</sup>, 2025)

-2038 East 13<sup>th</sup> Avenue (Adjourned to May 06<sup>th</sup>, 2025)

-7190 Oak Street (**WITHDRAWN** prior to the meeting)