



BOARD OF VARIANCE/PARKING VARIANCE BOARD – SUMMARY MINUTES

DATE: Tuesday, March 11th, 2025

TIME: 1:15 PM

PLACE: Townhall, Main Floor, City Hall

PRESENT: Gilbert Tan – Board Chair

Peter Gee

Leah Karlberg

Elizabeth MacKenzie

ABSENT: Namtez Sohal (after 2:30 PM)

SECRETARY: Louis Ng

Assistant

SECRETARY: Carmen Lau

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

3019 Point Grey Road – Board Minutes and Decision

Appeal Section:	573(1)(b) - Appeal of Regulation – Building Line
Legal Description:	Lot A, Block 24, District Lot 192 and Plan VAP 9538
Lot Size:	Irregular site
Zone:	R1-1
Related By-Law Clause:	Development beyond the Building Line

Appeal Description:

Requesting a zoning relaxation with new development beyond the existing Building Line (Proposed changes from its previously approved design: new swimming pool & hot tub, stepped terraces and stairs, & new landscaping) on the North portion of 3019 Point Grey Road.

Last Board of Variance decision (2024):

An extension request was reviewed on September 17th, 2024 and was APPROVED, thereby granting an extension (one-additional year) to allow the Owners to obtain the required DP-BU Permits from the City's Development Services. Related to Development Application No. DB-2022-04243: The Board of Variance granting zoning relaxations for new development beyond the Building Line (New proposal includes: new swimming pool & hot tub, stepped terraces and stairs, & new landscaping) on the North portion of 3019 Point Grey Road (New construction at this site):

(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 and related to Appeal No. Z35936 (Feb. 14th, 2023): The Owners must comply with the Tree-By-law and shall remove and replace the existing trees on-site at a 1 to 1 ratio, and shall be to the satisfaction of the Director of Planning.

Previous Board decision (from September 26th, 2023):

This appeal was heard by the Board of Variance on September 26th, 2023 and was ALLOWED, thereby granting further zoning relaxations for new development beyond the Building Line (New proposal approved by the Board of Variance to permit: a new swimming pool & hot tub, stepped terraces and stairs, & new landscaping) on the North portion of 3019 Point Grey Road, and subject to the following condition (including the board's conditions imposed on February 14th, 2023 – related to Appeal No. Z35936):

(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 and related to Appeal No. Z35936 (Feb. 14th, 2023): The Owners must comply with the Tree-By-law and shall remove and replace the existing trees on-site at a 1 to 1 ratio, and shall be to the satisfaction of the Director of Planning.

Discussion:

Rick Michaels, David Battersby, Emma Panenka, and Greg Morrissey 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 this is a archaeological and historical site, as there are human remains on this site, they're not looking to alter any materials. The primary focus is moving the pool 4 feet to the North. They're looking to respect and preserve cultural finds.

The Director of Planning's Representative

Mr. Chen's initial comments were that this appeal is for building beyond the building line. The site is a archaeological area and there's been discussions between the City and the archaeological team. The Director of Planning is in support of the appeal, but is unable to approve anything beyond the building line.

The Board Chair stated that the Board's site office received eighteen (18) 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. Chen's final comments were that the Director of Planning and the City have worked diligently over the last couple of months, and they have no objections to this appeal.

The appellant's final comments were that it's been an exciting journey and these archaeological sites are hard to find.

This appeal was heard by the Board of Variance on March 11th, 2025 and was ALLOWED, thereby granting a zoning relaxation with new development beyond the existing Building Line (the Board of Variance approved the proposed design changes: new swimming pool & hot tub, stepped terraces and stairs, & new landscaping) on the North portion of 3019 Point Grey Road, 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 and related to Appeal No. Z35936 (Feb. 14th, 2023): The Owners must comply with the Tree-By-law and shall remove and replace the existing trees on-site at a 1 to 1 ratio, and shall be to the satisfaction of the Director of Planning.

Board's summary and decision based on the following:

-The Board members voted 5-0 (with a majority in support of the appeal) and allowing the proposed design changes to the previously approved development beyond the existing 'building line' (approved in 2023-2024).

-The City's representative (Mr. Tony Chen) further stated that the Director of Planning is 'not opposed' to the granting of this appeal, and the City's staff members have been working closely with the appellants - including working with the 'on-site Archaeologist' assigned to this project.

-The Board members did find a 'site specific hardship' and agreed that it is extremely important to preserve the human remains discovered, and including the preservation of all the cultural and significant historical artifacts found on-site at 3019 Point Grey Road. The Board members also confirmed with the City and with the Appellants that an assigned Archaeologist has been hired and will supervise and will continue to monitor this site during the entire project, and shall be to the satisfaction of City of Vancouver.

-The Board accepted the new design with minimal impact to the existing grade (the proposal includes the least disturbance of the existing grade) - and allowed a modified design and moving the proposed pool and the retaining wall four feet (4 feet) north of the site, and staying within the existing site and/or within the current property boundaries.

-The Board's site office received eighteen (18) support letters and no (0) opposition letters from the neighbourhood, and includes the support from the First Nations community

2576 Granville Street (Re-Location) – Board Minutes and Decision

Appeal Section:	573(1)(a) - Appeal of Decision (<u>Cannabis Store 'Relocation'</u>)
Legal Description:	Lot 1, District Lot 526 and Plan 1951
Lot Size:	Irregular Lot.
Zone:	C-3A
Related By-Law Clause:	Section 11.6 (formerly 11.28)

Appeal Description:

Appealing the decision of the Director of Planning who REFUSED Development Application No. DP-2024-00891 - and a request to permit interior alterations and a change of use from Office (financial institution) to a Retail Cannabis Store on the upper floor of this existing commercial building. NOTE: This is a relocation from 2570 Granville Street from the lower floor unit to an upper floor unit at 2576 Granville Street (Related to DP-2018-00085).

-Proposed hours of operation: 9:00 am to 10:00 pm Monday - Saturday, and 9:00 am to 9:00 pm on Sunday.

Development Application No. DP-2024-00891 was refused for the following reasons:

-The proposed development does not comply with the regulations in Section 11.8.6.2 of the Zoning and Development By-law that affect the site.

Discussion:

Andrea Diez, Rebecca Hardin, and Giovanna Barros 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 they remain in good standing with the public. There are currently a lot of homelessness in the surrounding area of their current location, along with break ins downstairs. This new location will have more space and places for them to grow.

The Director of Planning's Representative

Mr. Fouladianpour's initial comments were that the previous site was approved by the Board. This is a relocation appeal and the Director of Planning is unable to support the appeal due to it being within 97 meters from the School Board Office.

The Board Chair stated that the Board's site office received (0) 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.

Conor Finucane is in support of the appeal.

Final Comments:

Mr. Fouladianpour's final comments were that the Director of Planning cannot support the appeal due to being within 300 meters of the School Board.

The appellant's final comments were that they're looking to bring positive changes to the neighbourhood.

This appeal was heard by the Board of Variance on March 11th, 2025 and was ALLOWED, thereby overturning the decision of the Director of Planning who REFUSED Development Application No. DP-2024-00891 - and APPROVED interior alterations and a change of use from Office (financial institution) to a Retail Cannabis Store on the upper floor of this existing commercial building. NOTE: This is a relocation from 2570 Granville Street from the lower floor unit to an upper floor unit at 2576 Granville Street, and subject to the following conditions:

- (1) that the approval is for the exclusive use of the operator 'Trevor Sedore' and operating under "Fire & Flower Inc.", and doing-business-as (DBA): "Fire & Flower";
- (2) that the Board granted a limited-time approval for two (2) years and expires on March 11th, 2027 and the Board may grant an extension to the time limit on or before March 11th, 2027;
- (3) that the current development permit (Related DP-2021-00435) and business license at 2570 Granville Street 'MUST BE CANCELLED' by the City of Vancouver once the new City permits are issued for 2576 Granville Street; 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.

Board's summary and decision based on the following:

-The Board members voted 4-0 (with a majority in support of the appeal) and the board imposed conditions with a limited-time approval of two (2) years with future renewals / extensions permitted at 2576 Granville Street.

-The City's representative confirmed that the new Cannabis Store location will be a re-location proposal at the same site from 2570 Granville Street (existing ground floor) to 2576 Granville Street (Upper floor location). The City's representative also confirmed that there are NO complaints on file, and the existing site at 2570 Granville Street has been in operation since 2016 (and was previously approved by the Board of Variance from 2016).

-The majority of the board members did find a site-hardship to allow the re-location to the second floor at the same site. The board members did impose a condition that the current development permit (Related DP-2021-00435) and business license at 2570 Granville Street 'MUST BE CANCELLED' by the City of Vancouver once the new City permits are issued for 2576 Granville Street.

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

On March 11th, 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:**

4495 West 7th Avenue

This zoning relaxation request was heard by the Board of Variance on March 11th, 2025 and was ALLOWED, thereby granting zoning relaxations of Density and Floor Area (FSR) and the side yard regulations of the R1-1 District Schedule and APPROVED the conversion of the crawlspace area into new floor area, interior layout changes on the main & second floor and a new upper floor addition at this existing one-family dwelling 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.

2186 Franklin Street

This zoning relaxation request was heard by the Board of Variance on March 11th, 2025 and was ALLOWED, thereby granting a zoning relaxation of the Density and Floor Area (FSR) regulations of the RM-3A District Schedule and APPROVED the construction a new Duplex (Side-by-Side Duplex) with attached garages and with vehicular access from Franklin Street at this site with a maximum permitted Density and Floor Area (FSR) to 0.71 / 71%, 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.

On March 11th, 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:**

6945 Victoria Drive

This appeal was heard by the Board of Variance on March 11th, 2025 and was ALLOWED, thereby granting a Cannabis Store 'name-change' with new operators and also to retain the approved Cannabis Retail Store for a further period of time (Related to Development Application No. DP-2020-00909), and subject to the following conditions:

- (1) that the approval is for the exclusive use of operators 'Sagar Sanghera, Kiranjot Virk, and Tanvir Sidhu' and operating under "1505731 BC LTD.", and doing-business-as (DBA): "The Joint Cannabis Co."; and
- (2) that the Board granted a limited-time approval for one (1) year and expires on March 11th, 2026 and the Board may grant an extension to the time limit on or before March 11th, 2026;
- (3) that the approved cannabis Store must be closed at 11:00 PM (Seven Days a week) at this site in accordance with the Board's decision on January 17th, 2023; 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.

151 East Hastings Street

This appeal was heard by the Board of Variance on March 11th, 2025 and was ALLOWED, thereby granting a Cannabis Store 'name-change' with new operators and also to retain the approved Cannabis Retail Store for a further period of time (Related to Development Application No. DP-2020-00909), and subject to the following conditions:

- (1) that the approval is for the exclusive use of the operator 'Aron Tegenfeldt' and operating under "1521969 BC Ltd.", and doing-business-as (DBA): "Green Door Dispensary Ltd.";
 - (2) that the Board granted a limited-time approval for two (2) years and expires on March 11th, 2027 and the Board may grant an extension to the time limit on or before March 11th, 2027; 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 March 11th, 2025 - The following sites were **NOT** reviewed by the Board of Variance and **these appeals were adjourned and/or withdrawn prior to the meeting:**

-1289 Nicola Street (Adjourned to June 17th, 2025)

-42 West 40th Avenue (**WITHDRAWN** prior to the meeting)