



BOARD OF VARIANCE/PARKING VARIANCE BOARD – SUMMARY MINUTES

DATE: Tuesday, April 15th, 2025

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: Sonia Erichsen (Director of Planning's Representative)

On April 15th, 2025 - The Appellants for the following site appealed the City's decision (Director of Planning's written decision) **issued by the City's Development Services:**

3020 St. Catherines Street – Board's summary minutes and decision

Appeal Section: 573(1)(a) - Appeal of Decision (Accessory Building, Garage)

Legal Description: Lot D of Lots 22-24, Block C of Block 173, District Lot 264A
and Plan 2773

Lot Size: Lot Area = 2,654.72 sq. feet

Zone: RT-5

Related By-Law Clause: Sections 3.2.1.1 (Density and Floor Area) and 3.2.2.6 (Site Coverage)

Appeal Description:

Appealing the decision of the Director of Planning who refused Development Application No. DP-2024-01120, and a request to construct a new detached accessory building (garage) at the rear of this site.

Development Application No. DP-2024-01120 was REFUSED for the following reasons:

- Non-Compliance – Density and Floor Area 3.2.1.1 (a). Floor space ratio.
- Non-Compliance – Regulation 3.2.2.6. Site coverage.

Technical Information:

Permitted FSR (RT-5): 0.75 (1,991 sq. ft.)

Existing: 0.71 (1,880 sq. ft.)

Proposed: 0.77 (2,031 sq. ft.) (As per DP-2024-01120)

40 sq. ft. or 2 % over maximum permitted

151 sq. ft. or 8 % over existing

Permitted Site Coverage: 0.45 (1,195 sq. ft.)
Existing: 0.42 (1,104 sq. ft.)
Proposed: 0.48 (1,268 sq. ft.) (As per DP-2024-01120)
73 sq. ft. or 6 % over maximum permitted
164 sq. ft. or 15 % over existing

Discussion:

Barbara Lang and Peter Lang 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 it's hard to appreciate the lot their house lies on. They've lived there for 25 years, it was built in 1910. The lot also sits below street level in the front and rear of the property. They've use this space to store their bikes and kayaks.

The Director of Planning's Representative

Ms. Erichsen's initial comments were that this is an appeal of decision to refuse exterior alterations. The application was refused based on floor area and site coverage. The Director of Planning is unable to grant floor area, and is unable to 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:

Ms. Erichsen had no final comments.

The appellant's final comments were that they went through the process with the City and been prepared to be in front of the Board for the appeal.

This appeal was heard by the Board of Variance on April 15th, 2025 and was ALLOWED, thereby overturning the decision of the Director of Planning who refused Development Application No. DP-2024-01120, and APPROVED the construction of a new detached accessory building at the rear of this 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 Board members voted 4-0 (with a majority in support of the appeal) and the board members did find a site hardship to allow the proposed development (a new proposed accessory building and approx. 8.50 feet by 18.50 feet in size = 157 sq. feet was approved).

-The City's representative confirmed the proposed density & floor area and the development proposal is to 0.77 FSR (and 2% over and/or to 2,031 sq. feet) and a proposed site coverage to 0.48 (48%). Mrs. Erichsen further stated that the accessory building counts and included in the overall FSR for the site because the new accessory building does not meet the minimum standard size for a typical garage, and the proposed floor area coverage is approx. 40 sq. feet over the maximum permitted FSR 0.75 (75%), and the new site coverage will be to 0.48 / 48%).

On April 15th, 2025 - The following sites were reviewed by the Board of Variance for other zoning items and/or amendment requests **as required by the City's Development Services:**

484 East 10th Avenue

This appeal was heard by the Board of Variance on April 15th, 2025 and was ALLOWED, thereby granting a zoning relaxation (Density and Floor Area) of the RT-5 District Schedule and APPROVED interior and exterior alterations to permit a new upper floor dormer addition at this existing one-family dwelling site (Related to Development Application No. DB-2025-01216), 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.

435 SE Marine Drive

This appeal was heard by the Board of Variance on April 15th, 2025 and was ALLOWED, thereby granting zoning relaxation of Section 3.2.1.1 (Density and Floor Area) of the R1-1 District Schedule and APPROVED a rear sunroom addition at the rear of this existing one-family dwelling site (Related to issued Development-Building Permit No. DB-2024-02812), 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.

5455 Balsam Street

This appeal was heard by the Board of Variance on April 15th, 2025 and was ALLOWED, thereby granting a zoning relaxation of Section 11.3.1.2 (Minimum required Dwelling Unit size) of the RM-3 District Schedule and APPROVED a dwelling unit to 290 sq. feet in size (at Unit #107) within this existing multiple-dwelling site (Related to Development Application No. DP-2024-05230), 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.

6776 Killarney Street

This appeal was heard by the Board of Variance on April 15th, 2025 and was ALLOWED, thereby granting a zoning relaxation of Section 3.2.1.1 (Density and Floor Area) of the R1-1 District Schedule and ONLY APPROVED exterior alterations to permit an aluminum covers over the main (lower) floor at this existing one-family dwelling site (Related to Development Application No. DP-2024-00496), and subject to the following conditions:

- (1) that the Upper Floor Balcony/Deck Cover “MUST BE REMOVED”;
- (2) that the Board of Variance ONLY APPROVED the lower floor rear sundeck cover (approval includes the covering over the rear lower floor, sunken patio areas); 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.

676 West 50th Avenue

This appeal was heard by the Board of Variance on April 15th, 2025 and was ALLOWED, thereby granting a zoning relaxation of Section 3.2.1.1 (Density and Floor Area) of the R1-1 District Schedule and APPROVED exterior alterations to permit the addition of an aluminum cover over the upper floor roof-deck at this existing one-family dwelling site., and subject to the following conditions:

- (1) that this upper floor, roof-deck cover has been approved with an exclusive use clause and ONLY for the current Owners (April 15th, 2025) - 'Baljit Kaur Sandhu and her family members'. And if the current Owners (Baljit Kaur Sandhu) sell the property, then they "must remove" this roof-deck cover addition and all at the owners' expense; 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.

On April 15th, 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:**

4405 West 8th Avenue

This appeal was heard by the Board of Variance on April 15th, 2025 and was ALLOWED, thereby granting an extension (renewal) and permission approved to retain an outdoor play area (approx. 62' x 11'-3") on the front lawn (facing West 8th Avenue) for the existing child day-care facility on this existing church site for further period of time, and subject to the following conditions:

- (1) that an Operational Management Plan along with a Parking & Traffic Plan (access to the approved playground area) must be submitted and made part of the development permit and shall be to the satisfaction of the Director of Planning;
- (2) that contact name(s) from Lighthouse Education Consulting Inc. must be provided to the neighbourhood along West 8th Avenue so that nearby owners can contact the Grace Chou's Child day-care facility if there are any concerns from the neighbourhood;
- (3) that the approval is for the exclusive use of Grace Chou operating the Child day-care facility as Lighthouse Education Consulting Inc.;
- (4) that the approval is for a further period of 10-years and starting from December 31st, 2024, and expiring on December 31st, 2034;
- (5) that the Board may grant an extension to the time limit on or before December 31st, 2034;

(6) that the approved time of use of the outdoor playground area (along West 8th Avenue) shall be limited to a total of three (3) hours and with a maximum of six (6) children permitted at one time during before and/or after noon-time in accordance with the Board's decision on December 09th, 2015;

(7) that additional landscaping shall be added to the outside of the approved 4.0 feet high fence along West 8th Avenue;

(8) that the approved outdoor playground area must meet all the guidelines of CCFL and shall be to the satisfaction of the CCFL; 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.

2580 Kingsway

This appeal was heard by the Board of Variance on April 15th, 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 Development Application No. DP-2019-00041), and subject to the following conditions:

(1) that the approval is for the exclusive use of the operator 'Davinder Dave Banns' and operating under "1468219 BC LTD", and doing-business-as (DBA): "Cheap Cheap Cannabis";

(2) that the Board granted a limited-time approval for three (3) years and expires on April 15th, 2028 and the Board may grant an extension to the time limit on or before April 15th, 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.

On April 15th, 2025 - The following site was **NOT** reviewed by the Board of Variance and **the appeal was adjourned and/or withdrawn prior to the meeting:**

-2527 Wall Street (Adjourned to July 15th, 2025 at the request of the appellants)