



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

DATE: Tuesday, June 17<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

Elizabeth MacKenzie

Namtez Sohal

ABSENT: Leah Karlberg

SECRETARY: Louis Ng

Assistant

SECRETARY: Carmen Lau

**ALSO PRESENT:** Sonia Erichsen (Director of Planning's Representative)

Tony Chen (Director of Planning's Representative)

On June 17<sup>th</sup>, 2025 - The Appellants for the following sites appealed the City's decision (Director of Planning's written decision) **issued by the City's Development Services:**

**2038 East 13<sup>th</sup> Avenue – Board's summary minutes and decision**

**Appeal Section:** 573(1)(b) - Appeal of Regulation (Principal Building: 3-Units)

**Legal Description:** Lot 30, Block 168, District Lot 264A and Plan VAP 3886

**Lot Size:** Lot Area = 4,026 sq. feet.

**Zone:** R1-1

**Related By-Law Clause:**

**Appeal Description:**

Appealing the decision of the Director of Planning who refused Development Application No. DP-2025-00158 (refusal issued on June 10th, 2025) and a request to add, alter and convert this existing Single Detached House and secondary suites to a 3-storey Multiple Conversion Dwelling containing three dwelling units. Note: The new third (3rd) proposed dwelling unit will be on the main floor at this site.

**Development Application No. DP-2025-00158 was refused for the following reasons:**

-the proposed development does not comply with the intent statement outlined in the R1-1 District Schedule of the Zoning and Development By-law.

-the proposed development does not comply with the regulations of the R1-1 District Schedule.

A Multiple Conversion Dwelling (MCD) is not permitted in this case because the existing building is not a character house, as required under the applicable provisions.

**Technical Information (Approved by the Board of Variance):**

Permitted FSR (R1-1): 0.60 (2,415 sq. ft.)

Existing: 0.69 (2,778 sq. ft.)

Proposed: 0.69 (2,778 sq. ft.) [ Approved by BOV in 2020.]

NO changes to the overall floor area - Adding a third (3rd) dwelling unit on the main floor.

### **Board of Variance History:**

*On June 16th, 2020 the Board of Variance ALLOWED an appeal, and thereby overturning the*

*decision of the Director of Planning who refused Development Application No. DP-2019-00196 and a request to permit interior/exterior alterations to this existing one family dwelling, 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.*

### **Discussion:**

Garry Wanhella 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 had no initial comments.

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

Mr. Chen's initial comments were that this is an appeal of decision to convert a single family dwelling to a 3 storey multi conversion. The Director of Planning notes that this is not a permitted use for this zone, and is unable to make a decision for this appeal. They'll leave it to the Board to make a 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:**

Mr. Chen's final comments were that this is a use issue, where the Director of Planning had historically made presentations based on use.

The appellant's final comments were that they're wanting to maintain the same look as when it was built in 1979. The space is currently empty. The neighbours are in favour of this appeal.

**This appeal was heard by the Board of Variance on June 17th, 2025 and was ALLOWED,** thereby overturning the decision of the Director of Planning who refused Development Application No. DP-2025-00158 (refusal issued on June 10th, 2025) and approved the alterations and the conversion of this existing Single Detached House with a secondary suite into a 3-storey Multiple Conversion Dwelling containing three dwelling units, 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 – as the development proposal does not exceed 0.70 (70%) with the proposed third (3rd) dwelling unit located at the rear of the main floor at this existing 1979 home – and no additional FSR and bulk or massing added to this property.

-The board also understood that if this was a new development or new construction, then this site (with a lot area at 4,026 sq. feet) can be built with three (3) dwelling units under the current Multiplex Design Guidelines and permitted under the new R1-1 District Schedule.

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

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On June 17<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:**

**2775 Pandora Street**

**This appeal was heard by the Board of Variance on June 17th, 2025 and was ALLOWED,** thereby granting a zoning relaxation for Section 3.1.2.3(b) - Minimum Site Frontage regulations of the R1-1 District Schedule at this site in order for the City's Development Services to process a 'Multiplex Design' development at this site. The Board of Variance approved a development with three (3) dwelling units at this site, and with two (2) dwelling units at the principal building, and with one (1) unit at the rear of the site with open-parking spots for two-cars adjacent to the rear lane, and subject to the following conditions:

(1) that the final design and form of development must be in compliance with the requirements and regulations of the Multiplex Design Guidelines and shall be to the satisfaction of the Director of Planning; 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.

### **411 East 30<sup>th</sup> Avenue**

**This appeal was heard by the Board of Variance on June 17th, 2025 and was ALLOWED IN PART,** thereby granting a zoning relaxation of Section 3.2.1 (Density & Floor Area) regulations of the R1-1 District Schedule and ONLY APPROVED the conversion of the crawlspace area in the basement into new living area (new den & recreational room) at this existing one-family dwelling site, and subject to the following conditions:

(1) that the Board of Variance approved the ‘Crawlspace conversion’ to new living space (and the density/FSR permitted to a maximum of 0.78 / 78%) and shall be to the satisfaction of the Director of Planning.

(2) that the Board of Variance did NOT approve the ‘Sundeck Cover’ and must be REMOVED.

(3) that the Board of Variance did NOT approve the ‘Balcony Enclosure’ and must be REMOVED;

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.

### **5635 Commercial Street**

**This appeal was heard by the Board of Variance on June 17th, 2025 and was ALLOWED,** thereby granting a zoning relaxation of Section 3.2.1 (Density & Floor Area) regulations of the R1-1 District Schedule and APPROVED the conversion of an attached carport into an enclosed garage with storage use (storage area) 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.

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On June 17<sup>th</sup>, 2025 - The following site(s) were **NOT** allowed /approved by the Board of Variance:

**3237 East 26<sup>th</sup> Avenue**

**This appeal was heard by the Board of Variance on June 17th, 2025 and was DISALLOWED.**

Requesting zoning relaxations for Section 3.1.2.3(a) - Minimum Site Area and Section 3.1.2.3(a) - Minimum Site Depth regulations of the R1-1 District Schedule at this site in order for the City's Development Services to accept and process a 'Multiplex Design' development at this site. Note: Proposal is for three (3) dwelling units at this site with two (2) units at the principal building, and one (1) unit above the rear detached garage and parking for 2-cars.

Technical Information:

Required Minimum Site Area: 3,294 sq. feet (306 sq.m.)

Existing and proposed: 2,954 sq. feet (274 sq.m.)

Required Minimum Site Depth: 109.90 feet (33.50 m)

Existing and proposed: 89.49 feet (27.28 m)

**228 East 63<sup>rd</sup> Avenue**

**This appeal was heard by the Board of Variance on June 17th, 2025 and was DISALLOWED.**

Requesting a zoning relaxation of Section 3.2.1 (Density & Floor Area) regulations of the R1-1 District Schedule and a request to permit the enclosure of an upper floor balcony at this existing one-family dwelling site with a secondary suite site.

Technical Information:

Permitted FSR (R1-1): 0.60 (3,831 sq. ft.)

Existing (non-conforming): 0.67 (4,295 sq. ft.)

Proposed: 0.70 (4,479 sq. ft.)

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On June 17<sup>th</sup>, 2025 - The following sites were **NOT** reviewed by the Board of Variance and **the following appeals were adjourned and/or withdrawn prior to the meeting:**

**-4736 Little Street** (Adjourned at the request of the Appellants)

**-625 Main Street** (Adjourned at the request of the Appellants)