



BOARD OF VARIANCE/PARKING VARIANCE BOARD – SUMMARY MINUTES

DATE: Tuesday, July 15th, 2025

TIME: 1:15 PM

PLACE: Townhall, Main Floor, City Hall

PRESENT: Gilbert Tan – Board Chair

Leah Karlberg

Elizabeth MacKenzie

Namtez Sohal

ABSENT: Peter Gee

SECRETARY: Louis Ng

Assistant

SECRETARY: Carmen Lau

ALSO PRESENT: Joe Bosnjak (Director of Planning's Representative)

Tony Chen (Director of Planning's Representative)

Sonia Erichsen (Director of Planning's Representative)

On July 15th, 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:**

2527 Wall Street – Board's summary minutes and decision

Appeal Section:	573(1)(a) - Appeal of Decision (DP refusal)
Legal Description:	Lot 120, Except Part in Plan 16178, Town of Hastings, Plan 100
Lot Size:	Lot Area = 8,693 sq. feet.
Zone:	R1-1
Related By-Law Clause:	Accessory Building Height

Appeal Description:

Appealing the decision of the Director of Planning who refused Development Application No. DP-2023-00719 and a request to construct a new oversize accessory building (and requesting a height relaxation) at the rear of this existing detached one-family dwelling on this inside without lane site.

Development Application No. DP-2023-00719 was refused for the following reasons:

-Non-Compliance with the Accessory Building regulations. There are insufficient peculiarities of site or development to permit the accessory building, which is not in compliance with the provisions of the Outright Approval Uses Section of the District Schedule.

-Objections have been received from neighbouring property owners.

Technical Information (Provided by L. Mueske, City staff):

Permitted Accessory Building Height (R1-1): 15.09 feet

Proposed: 26.37 feet

Note: Required height relaxation - 11.28 feet

Discussion:

Jason Skladan and Omer Arbel 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 for a garage in the sloped embankment. The site specific hardship is the 14 inches above the rear yard. They're looking to sink the garage into the sloped embankment. They received 22 letters of support for this appeal. They're only looking to relax the height of the garage. Their vehicle was broken into a few times while parked on the streets, so they'd like to have a parking space in the garage.

The Director of Planning's Representative

Ms. Erichsen's initial comments were that this is an appeal of refusal to develop a oversized accessory building. There is a long history with this appeal, which started back in 2019. At the time, the Director of Planning strongly objected. The application was refused due to height and concerns from neighbours and the planning department. There are also concerns with the stabilization of the slope. They're looking for a professional assurance as to if this is buildable. There is also a concern about the layout of the garage. The support letters that came in are nowhere near this address. The Director of Planning strongly opposes this appeal, and asks the Board to uphold their decision.

The Board Chair stated that the Board's site office received twenty one (21) letters in Support and eight (8) letters 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.

Mary-Helen Wright (2531 Wall Street) is NOT in support of the appeal

Stuart Howard (2531 Wall Street) is NOT in support of the appeal

John Hawthorne (2531 Wall Street) is NOT in support of the appeal

Final Comments:

Ms. Erichsen's final comments were that there are serious concerns about the retaining wall, the Director of Planning is strongly opposed to this appeal.

The appellant's final comments were that the sloped embankment is a hardship in itself. They're looking to have a garage in the rear yard, for protection of trees and maintaining the views. This is a modest proposal considering what they're able to build if this property was torn down.

This appeal was heard by the Board of Variance on July 15th, 2025 and was DISALLOWED.

Board's summary and decision based on the following:

-The Board members voted 2-2, and therefore this appeal was DISALLOWED. The majority of the board members did not support the requested height relaxation (the proposed height is to 26.37 feet – and the maximum permitted height is 15.09 feet).

-The City's Director of Planning representative (Mrs. Erichsen) stated that the proposed oversized accessory building (garage) complies to the placement and the area/size under the new R1-1 District Schedule. The proposed height to 26.37 feet is not in compliance with the height provisions of the zoning by-law. Therefore, the City is opposed to the granting of this appeal.

-The Board's site office received twenty-one (21) support letters submitted by the Appellants and eight (8) opposition letters received from the neighbourhood.

66 West Hastings Street (32 W. Hastings) – Board's summary minutes and decision

Appeal Section: 573(1)(a) - Appeal of Decision (New Pharmacy Store)

Legal Description: Lot 1, Block 29, District Lot 541 and Plan BCP 39144

Lot Size: Irregular site.

Zone: CD-1 (735)

Related By-Law Clause:

Appeal Description:

Appealing the decision of the Director of Planning who refused Development Application No. DP-2024-01045 and a request to permit interior alterations and change of use to a new Small-Scale Pharmacy in this existing 10-storey mixed-use building on this site.

Development Application No. DP-2024-01045 was refused for the following reasons:

-Non-Compliance – Policies and Guidelines; the proposed development does not satisfactorily comply with the policies or guidelines that affect this site.

-Objections Received; objections have been received from neighbouring property owners.

-Unsatisfactory – Proposed Use; the proposed use is unsatisfactory at this location.

Discussion:

Konstantin Nikolaou, Saman Aminolsharei, Peter Shah, and Poya Ezadpana 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 application was denied based on proximity. There is nothing within the zoning that prohibits a pharmacy, and they only received 3 letters in opposition. They're looking to help and be a part of the community.

The Director of Planning's Representative

Mr. Bosnjak's initial comments were that this is to provide interior alterations to a small pharmacy from a mixed use building. There are 5 existing pharmacies within 400 meters from this building. There are also objections received, mainly due to having multiple pharmacies around the vicinity. The Director of Planning is unable to support the appeal, due to not seeing a hardship.

The Board Chair stated that the Board's site office received thirteen (13) 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. Bosnjak's final comments were that the Director of Planning refused this due to 5 other pharmacies being within 400 meters away.

The appellant's final comments were that they're looking to put a small scale pharmacy that have a lot of residents around that require health care. They're trying to alleviate any black market pharmacies around the area.

This appeal was heard by the Board of Variance on July 15th, 2025 and was ALLOWED, thereby overturning the decision of the Director of Planning who refused Development Application No. DP-2024-01045 and APPROVED interior alterations and a change of use to a new Small-Scale Pharmacy in this existing 10-storey mixed-use building on this site, and subject to the following conditions:

- (1) that the approval is for the exclusive use of Pooya Ezadpana and Pooria Shambeigi operating the business as 'Flash Health Technologies Inc.';
- (2) that the approval is for three (3) years and expiring on July 15th, 2028;
- (3) that the Board may grant an extension to the time-limit on or before July 15th, 2028;
- (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 majority of the Board members voted 3-0 in support of the appeal, and found a site hardship to grant this appeal and overturn the Director of Planning's decision. The board members were in agreement and that this new small-scale pharmacy location can assist the area (Downtown Eastside) and to serve and provide access to pharmacy in this neighbourhood.

-The City's Director of Planning representative (Mr. Bosnjak) stated that there are five (5) other pharmacy locations in the area within 400m to this proposed location (at 351 Abbott Street, 1 east Cordova Street, 420 Abbott Street and two closest locations at 67 East Hastings Street and at 88 West Pender Street.

-The Board's site office notified over 175 property owners and received no responses (and no opposition letter) regarding this appeal.

On July 15th, 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:**

6200 Macdonald Street

This appeal was heard by the Board of Variance on July 15th, 2025 and was ALLOWED, thereby granting a zoning relaxation under Section 4.1 of the R1-1 District Schedule and approved a new proposed Duplex addition at this site, and subject to the following conditions:

- (1) that the final design and the form of development 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. (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.

661 East 31st Avenue

This appeal was heard by the Board of Variance on July 15th, 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 interior and exterior alterations and adding a new foyer entrance addition on the main floor, and an upper floor expansion with a new bedroom addition to this existing one-family site with a proposed Secondary suite site, and subject to the following conditions:

- (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.

3319 Point Grey Road

This appeal was heard by the Board of Variance on July 15th, 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 interior alterations and adding a new storage area (a new bike storage and equipment storage room) within the basement floor at this existing one-family site, and subject to the following conditions:

- (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 July 15th, 2025 - The following site(s) were **NOT** allowed /approved by the Board of Variance:

935 Seymour Street (Unit # 935)

Appealing the decision of the Director of Planning who refused Development Application No. DP-2025-00176 and a request to permit interior alterations and a change of use from retail to new non-medical cannabis retail store at Unit 935 of this existing mixed-use building site.

This appeal was heard by the Board of Variance on July 15th, 2025 and was DISALLOWED.

Board's summary and decision based on the following:

-The Board members voted 2-1, and therefore this appeal was DISALLOWED. *The majority of the board members did not find a site hardship to support the granting of this appeal.*

-The City's Director of Planning representative (Mr. Bosnjak) stated that the proposed new Cannabis store location is located at less than 300m away or less than 300m distance to a nearby school, a community center / gathering place and also to two other approved cannabis locations. The City further state that this new cannabis store location is at approx. 67m and 241m to the closest two (2) approved cannabis stores nearby, and approx. 265m to Pattison High-School and approx. 140m to a nearby community center/gathering place.

-The City also provided public notice and 886 postcard notices mailed out – and the City received 92-responses (with 29-letters/emails in opposition and 63-letters/emails in support of the cannabis store location).

-The Board's site office received over 300-support letters submitted by the Appellant, and seven (7) opposition letters received from the neighbourhood opposing this July 15th, 2025 appeal.

On July 15th, 2025 - The following sites were reviewed by the Board of Variance and **renewals and extensions were granted as required by Development Services.**

2549 Main Street

This appeal was heard by the Board of Variance on July 15th, 2025 and was ALLOWED, thereby granting permission to retain approximately 1,277 square feet as a Cannabis Retail Store in this existing four-storey mixed-use building on this site for a further period of time, and subject to the following conditions:

- (1) the approval is for the exclusive use of “La Canapa Boutique Inc.” and shall be operated by Ian Fung and doing business as (DBA): “La Canapa Boutique Inc.”.
- (2) the Board granted a limited-time approval for a further period of five (5) years and expires on: September 08th, 2030;
- (3) the Board may grant an extension on/or before the expiry date: September 08th, 2030;
- (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.

1538 West 2nd Avenue

This appeal was heard by the Board of Variance on July 15th, 2025 and was ALLOWED, thereby approving an amendment request and a ‘name-change’ at 1538 West 2nd Avenue, and subject to the following conditions:

- (1) that the approval is for the exclusive use of Andrea Dobbs, Jeremy Jacob and Shaheen Sultanali – and operating the business as ‘1484905 B.C. Ltd.’ and doing business as (DBA) ‘Classical Joint’; 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.