



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

DATE: Tuesday, October 21<sup>st</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

Namtez Sohal

ABSENT: Elizabeth MacKenzie

SECRETARY: Louis Ng

Assistant

SECRETARY: Carmen Lau

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

Tony Chen, Manager (Director of Planning's Representative)

Sonia Erichsen, Manager (Director of Planning's Representative)

On October 21<sup>st</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:**

**446 West 13<sup>th</sup> Avenue and 456 West 13<sup>th</sup> Avenue – Board's summary minutes and decision**

**Appeal Description (446 West 13th Avenue and 456 West 13th Avenue):**

Requesting a zoning relaxation under Section 11.9.2 of the Zoning & Development By law with a request to permit interior and exterior alterations and providing 'additional bedrooms' in a dwelling unit, at this existing Bed & Breakfast site.

**Discussion:**

Nathalie Baker and Paul Findlay 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 building was built in the 1900s. It was previously run as a tenement buildings. They're looking to add more units to the bed and breakfast.

**The Director of Planning's Representative**

Mr. Bosnjak's initial comments were that they did not receive a development application, therefore a review had not been done to this site. The Board previously granted them FSR back in 1998. The Director of Planning does not have the authority to relax the number of rooms for bed and breakfast, and asks the Board to strike this appeal.

The Board Chair stated that the Board's site office received twenty five (25) 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 there was no development permit submitted, so comments were very minimal. There also seems to be work without permit, and they recommend a development permit.

The appellant's final comments were that it's not accurate to say the bylaw needs to be amended. The previous issues had all been resolved, and there are no outstanding work without permit. This was triggered by a complaint, who is a potential City worker.

### **Decision for 446 West 13<sup>th</sup> Avenue**

**This appeal was heard by the Board of Variance on October 21st, 2025 and was ALLOWED**, thereby granting a zoning relaxation - Section 11.9.2 of the Zoning & Development By-law and the board APPROVED interior alterations (only) to retain 'additional bedrooms' (a total of seven bedrooms) at this RT-6 site with a Bed & Breakfast land-use development at 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.

Note: The Boom lift as noted in the City of Vancouver's Enforcement Letter was NOT part of the Board of Variance's approval - and the Owners are required to work with the City and resolve the storage location of the boom lift currently located at this site.

AND the Board's decision is valid for one-year, and the Owners were informed by the Board Chair THAT all the City's required permits (Development and/or Building permits and Business License) must be issued in order to continue operating the Bed & Breakfast at this site.

### **Board's summary and decision based on the following (446 West 13th Avenue):**

-The majority of the Board members voted 3-1 in support of the appeal and found a site hardship to warrant a zoning relaxation – and to permit the site at 446 West 13th Avenue to have seven (7) bedrooms to be used as a Bed & Breakfast at this site. The Board granted a zoning variance and understood by definition this existing Bed & Breakfast operating with seven bedrooms is not considered a 'Hotel' development. The board was in an agreement with the owners - and that this Bed & Breakfast at 446 West 13th Avenue provides boarding to the surrounding community/neighbourhood including patients/visitors from the Vancouver General Hospital.

-The City's representative (Mr. Joe Bosnjak, Manager) further confirmed that development and/or building permits are required (to make sure the proposed development is in compliance with the current Building Code/Building By-laws/Fire & Safety regulations).

-The Board's site office notified the neighbourhood prior to the appeal hearing, and the board received no (0) opposition letters from the neighbourhood, and the appellants submitted twenty-five (25) support letters.

## **Decision for 456 West 13<sup>th</sup> Avenue**

**This appeal was heard by the Board of Variance on October 21st, 2025 and was ALLOWED**, thereby granting a zoning relaxation - Section 11.9.2 of the Zoning & Development By-law and the board APPROVED interior alterations (only) to retain 'additional bedrooms' (a total of eight bedrooms) at this RT-6 site with a Bed & Breakfast land-use development at 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.

Note: The Boom lift as noted in the City of Vancouver's Enforcement Letter was NOT part of the Board of Variance's approval - and the Owners are required to work with the City and resolve the storage location of the boom lift currently located at this site.

AND the Board's decision is valid for one-year, and the Owners were informed by the Board Chair THAT all the City's required permits (Development and/or Building permits and Business License) must be issued in order to continue operating the Bed & Breakfast at this site.

### **Board's summary and decision based on the following (456 West 13th Avenue):**

-The majority of the Board members voted 3-1 in support of the appeal and found a site hardship to warrant a zoning relaxation – and to permit the site at 456 West 13th Avenue to have eight (8) bedrooms to be used as a Bed & Breakfast at this site. The Board granted a zoning variance and understood by definition this existing Bed & Breakfast operating with seven bedrooms is not considered a 'Hotel' development. The board was in an agreement with the owners - and that this Bed & Breakfast at 456 West 13th Avenue provides boarding to the surrounding community/neighbourhood including patients/visitors from the Vancouver General Hospital.

-The City's representative (Mr. Joe Bosnjak, Manager) further confirmed that development and/or building permits are required (to make sure the proposed development is in compliance with the current Building Code/Building By-laws/Fire & Safety regulations).

-The Board's site office notified the neighbourhood prior to the appeal hearing, and the board received no (0) opposition letters from the neighbourhood, and the appellants submitted twenty-five (25) support letters.

## **157 East 43<sup>rd</sup> Avenue – Board’s summary minutes and decision**

### **Appeal Description:**

Appealing the decision of the Director of Planning who refused Development permit No. DP-2025-00298 and a request to permit interior and exterior alterations to reconstruct and relocate this existing (character merit) Single Detached House on this inside with lane site.

Note: Scope of work includes new foundations and footings and a new roof with dormers.

### **Development Application No. DP-2025-00298 was refused for the following reasons:**

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

-As a consequence of this application not meeting the standards set out in the Zoning and Development By-law regarding Floor Space the application cannot be referred to the Director of Planning for a decision.

### **Technical Information:**

Permitted FSR (R1-1):	0.60 (1,321 sq. ft.)
Existing non-conforming:	0.86 (1,735 sq. ft.)
Proposed:	0.95 (1,917 sq. ft.)

### **Discussion:**

Bill Gill, Brade Dore, and Remy Gill 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 have lived in the neighbourhood since 1996. They have a lot of family members living in that property. The house is about 100 years old so it requires some updates. Their kids are quite tall and they hit their heads when they go downstairs, and safety is important to them. They received support from their neighbours.

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

Ms. Erichsen's initial comments were that this is an appeal of decision for interior and exterior alterations for 2 dormers on this site. The Planning department is not in support of this appeal. The character home adding dormers will no longer be keeping a character retention. The Director of Planning is not in support of the appeal, and will defer to the Board for their decision.

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 would have to put more money in tearing the house down and rebuilding it for essentially 3 families living in there.

**This appeal was heard by the Board of Variance on October 21st, 2025 and was ALLOWED,** thereby overturning the decision of the Director of Planning who refused Development permit No. DP-2025-00298 and the board APPROVED interior and exterior alterations to reconstruct and relocate this existing single-detached house on this inside with lane site (Note: Scope of work includes new foundations and footings and a new roof with two new dormers), and subject to the following condition:

(1) that ALL City permits (both development and building code related permits) must be obtained and also shall be to the satisfaction of the Director of Planning.

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

-The majority of the Board members voted 4-0 in support of the appeal and found a site hardship to warrant the zoning relaxation. The existing lot area is 2,202 sq. feet and the existing density and floor area is already at 0.86 FSR with a proposed additional new floor area of 182 sq. feet added to the site - with two new dormers on the upper floor (the proposed development will be 1,917 sq. feet / 0.95 FSR at this 2,202 sq. feet lot). The board noted minimal impact to the two (2) adjacent neighbours, and supported the family to retain this existing 100+-year old house with two new dormers (one over the new staircase to the upper floor, and one dormer over a new bathroom addition).

-The Board's site office received no (0) opposition letters from the neighbourhood, and the appellants submitted six (6) support letters prior to the appeal hearing.

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On October 21<sup>st</sup>, 2025 - The following sites were reviewed by the Board of Variance and **Zoning variances were reviewed as required by Development Services.**

**136 East 52<sup>nd</sup> Avenue**

This appeal was heard by the Board of Variance on October 21st, 2025 and was ALLOWED, thereby granting a zoning relaxation of Section 3.2.1 (Density and Floor Space Ratio, FSR) regulations of the R1-1 District Schedule and APPROVED interior and exterior alterations by adding an extended sundeck (with a proposed crawlspace area beneath the sundeck extension on the lower floor) at this existing one-family dwelling with a secondary suite site, and subject to the following condition:

(1) that ALL City permits (both development and building code related permits) must be obtained and also shall be to the satisfaction of the Director of Planning.

Note from the Board of Variance: The Owners were informed by the Board Chair and that the proposed crawlspace 'cannot be converted into a full-height storage area' at anytime in the future, and the Owners were in agreement - and that the proposed storage area shall only be within the 3'-11" height space/area available above the crawlspace.

**4493 Prince Albert Street**

**This appeal was heard by the Board of Variance on October 21st, 2025 and was ALLOWED,** thereby overturning decision of the Director of Planning who refused Development permit No. DP-2025-00383 and the board APPROVED exterior and interior alterations and to enclose a portion of the front covered porch (approx. 53 sf) at this existing duplex site, and subject to the following condition:

(1) that ALL City permits (both development and building code related permits) must be obtained and also shall be to the satisfaction of the Director of Planning.

## **228 East 63rd Avenue**

**This SECOND (2nd) appeal was heard by the Board of Variance on October 21st, 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 an upper floor balcony enclosure (with solar-panels installed over the enclosed balcony) at this existing one-family dwelling site with a secondary suite site, and subject to the following condition:

(1) that ALL City permits (both development and building code related permits) must be obtained and also shall be to the satisfaction of the Director of Planning. Note: There is an 'aluminum cover' on the upper floor balcony and this cover was NOT part of the board's approval on October 21st, 2025 - and the Owners are required to 'remove this additional cover that was built without City permits'.

Note from the Board of Variance: The board accepted this second appeal with 'new grounds' presented by the Owners on October 21st, 2025 - and the board allowed the Owners to retain the 'enclosed balcony' as-is / as built (See the attached photos of the approved enclosed balcony).

### **Technical Information:**

Permitted FSR (R1-1):	0.60 (3,831 sq. ft.)
Existing (City's approval):	0.67 (4,295 sq. ft.)
Proposed:	0.70 (4,479 sq. ft.)

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

-The majority of the Board members voted 4-0 in support of the appeal and found a site hardship to warrant the zoning relaxation. The board approved the enclosed balcony based on new grounds and new information provided by the City - and noting that the addition complied with 2 out of 3 main criteria in order to have this covered balcony area exempt from the overall FSR calculations.

-The City's representative (Mr. Tony Chen, Manager) confirmed that the previous by-law under RS-1 allows a maximum permitted density and floor area to 0.70 FSR, and the new proposed density will be at 0.70 FSR (with the 'enclosed balcony area' over by approx. 20 sq. feet).

-The Board's site office received no (0) opposition letters from the neighbourhood, and seven (7) support letters prior to the appeal hearing.

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On October 21<sup>st</sup>, 2025 - The following sites were reviewed by the Board of Variance and **renewals and extensions were granted as required by Development Services.**

**2267 (2257) Kingsway**

**This appeal was heard by the Board of Variance on October 21st, 2025 and was ALLOWED with conditions**, and thereby granting permission to retain the Cannabis Store (Cannabis land-use renewal) at this existing site for a further period of time, and subject to the following conditions:

- (1) the approval is for the exclusive use of “AR cannabis Enterprises (BC) Inc.” and shall be operated by Joe Le and doing business as (DBA): “AR cannabis Store”.
- (2) the Board granted a limited-time approval and expires on: January 16th, 2031;
- (3) the Board may grant an extension on/or before the expiry date: January 16th, 2031; 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.

**307 (303) West Hastings Street**

**This appeal was heard by the Board of Variance on October 21st, 2025 and was ALLOWED with conditions**, thereby granting permission to retain the Cannabis Store (Cannabis land-use renewal) at this existing site for a further period of time, and subject to the following conditions:

- (1) that the approval is for the exclusive use of Jodie Giesz-Ramsay and operating "Cannabis Culture Headquarters" (Company 1168699 BC Ltd.), and doing business as (DBA) "Cannabis Culture".
- (2) that the limited-time approval expires on January 16th, 2031;
- (3) that the Board may grant an extension to the time-limit on or before January 16th, 2031;
- (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.

**Note from the Board of Variance:** The board removed the previous co-operator and company name (Trinity Tree Cannabis Inc. and Owner/Operator: Harkrishan Sidhu) from the cannabis land-use at 307 West Hastings Street - and that Jodie Giesz-Ramsay (main cannabis operator) is required

to seek the approval from the Board of Variance for adding a new 'cannabis operator' to this site (in the future, a requirement noted by the Board Chair).

The Board Chair also confirmed that this Cannabis Retail Store must obtain the Provincial approval (or the Provincial permit) and also the City of Vancouver's Cannabis License in order to operate at this site. The board's amendment on October 21st, 2025 only removed 'Trinity Tree Cannabis Inc. and Owner/Operator: Harkrishan Sidhu' from the current decision.

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On October 21<sup>st</sup>, 2025 - The following site(s) were **NOT** reviewed and/or heard by the Board of Variance:

**2139 (2137) East Hastings Street** – The Board of Variance requested an adjournment to December 02nd – as the appellants were NOT able to attend the meeting.