
BOARD OF VARIANCE / PARKING VARIANCE BOARD
APPEAL DECISION

Appeal Decision – 136 East 52nd Avenue

Appeal Section: 573(1)(b) - Appeal of Regulation (Extended Open Sundeck)
Legal Description: Lot 23, Block 10, District Lot 668 - 670 and Plan 1580
Lot Size: Lot Area = 3,891 sq. feet
Zone: R1-1
Related By-Law Clause: Section 3.2.1 (Density & Floor Area, FSR)

Appeal Description:
Requesting a zoning relaxation of Section 3.2.1 (Density and Floor Space Ratio, FSR) regulations of the R1-1 District Schedule and to permit 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.

Note: City staff noted that the additional sundeck extension counts as excess floor area (and approx. 159 sq. feet overage).

Name of Appellant(s): Charanjit Singh (Owner)

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.

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 hardship on compassionate grounds to warrant the zoning relaxation. The board accepted the submission that an elderly parent will be using this new sundeck extension (so that other family members can monitor this senior when using the open sundeck). The board approved an open sundeck extension with new stairs to be used in conjunction with the existing rear covered porch at this site.

-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 0.73 FSR (and approx. 101 sq. feet overage / beyond 0.70 FSR).

-The Board's site office received two (2) opposition letters from the neighbourhood (from 138 East 52nd Avenue and from 156 East 52nd Avenue), and no (0) support letters received prior to the appeal hearing.

***** IMPORTANT NOTE to the Appellants:**

The Board's decision is valid for one-year and the Owner(s) are required to obtain the City's Development-Building Permit **by October 21st, 2026.** Once the Board's decision expires, then the Owners are required to appeal (again) to request an extension.



Secretary to the Board of Variance