
BOARD OF VARIANCE / PARKING VARIANCE BOARD
APPEAL DECISION

Appeal Decision: 3580 Point Grey Road

Appeal Section: 573(1)(a) - Appeal of Decision (Roof Deck Retractable Cover)
Legal Description: Lot 2, Block 6, District Lot 540 and Plan 229
Lot Size: Lot Area = 2,859.94 sq. feet
Zone: RT-8
Related By-Law Clause: Section 3.1.1 (Density and Floor Area, FSR) and
Section 3.1.2.3 (Building Form and placement)

Appeal Description:

Appealing the decision of the Director of Planning who refused Development Application No. DP-2025-00522 and a request to permit the following exterior alterations:

1. *An addition retractable awning has been installed on the roof deck.*
2. *A covered structure has been installed on the roof deck.*

Development Application No. DP-2025-00522 was refused for the following reasons:

-Non-compliance to the proposed development does not comply with section 3.1.1 – Density and Floor Area of the RT-8 District Schedule of the Zoning and Development By-law that affect this site.

-Non-compliance to the proposed development does not comply with section 3.1.2.3 – Building form and placement of the RT-8 District Schedule of the Zoning and Development By-law that affect this site.

Name of Appellant(s): **Katherine Gordon (Appellant)**

This appeal was heard by the Board of Variance on **January 13th, 2026** and was **ALLOWED**, thereby overturning the decision of the Director of Planning who refused Development Application No. DP-2025-00522 and **APPROVED** the roof-deck addition ('Retractable Awning Cover' with a permanent covered BBQ area) exterior alterations, 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 for the 'retractable awning cover' (roof-deck addition). The board members agreed with the appellants' submission and that when the retractable awning cover is 'fully closed' and/or not in use – and a partial covered area with permanent posts (is approx. 30 sq. feet). The majority of the board members granted a FSR relaxation to 0.86 (332 sq. ft. overage), and a height variance of 2.15 feet.

-The Director of Planning's representative stated that the open roof-deck was approved with City permits. The City's rep. further stated that the roof-deck addition was built without any City permits and further explained that even if the retractable awning cover was 'fully closed' and not in use, the roof deck area with permanently posts (the entire structure) will be counted as useable floor area and thus, approx. 332 sq. feet over the maximum permitted density allowance (0.75 / 75%), and also the City noted that the overall height is over by approx. 2.15 feet.

-The Board's site office received six (6) support letters and no (0) opposition letters from the neighbourhood.

***** 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 January 13th, 2027**. Once the Board's decision expires, then the Owners are required to appeal (again) to request an extension.



Secretary to the Board of Variance
Site Address: 3580 Point Grey Road