BOARD OF VARIANCE

NOTICE OF OPEN MEETING

DATE: **THURSDAY, 2015 MARCH 05**

TIME: **1:00 PM**

PLACE: **COUNCIL CHAMBER, MAIN FLOOR, CITY HALL**

A G E N D A

1. CALL TO ORDER

2. MINUTES

(a) Minutes of the Board of Variance Hearing held on 2015 February 15

3. APPEAL APPLICATIONS

(a) APPEAL NUMBER: B.V. 6147 1:00 p.m.

APPELLANT: Joe Wong

REGISTERED OWNER OF PROPERTY: Tseng-an Chen and Chao Guo

CIVIC ADDRESS OF PROPERTY: 8276 Burnlake Drive

LEGAL DESCRIPTION OF PROPERTY: Lot 94; District Lot 40; Plan 44446

APPEAL: An appeal for the relaxation of Sections 101.7(b), 101.9(1) and 101.10 of the Burnaby Zoning Bylaw which, if permitted, will allow for an addition to 8276 Burnlake Drive. The following variances are being requested:

a) depth of the principal building is 92.3 feet where a maximum depth of 60.0 feet is permitted;

b) north side yard setback is 5.9 feet to the foundation where a minimum side yard setback of 7.9 feet is required;

c) sum of the side yard setbacks is 15.7 feet where a minmum sum of

18.0 feet is required; and

d) rear yard setback is 17.4 feet to the foundation where a minimum rear yard setback of 29.5 feet is required.(Zone-R1)

A previous Board of Variance (B.V.6025 2012 December 6) allowed b) and c), but denied variances a) and d).

(b) APPEAL NUMBER: B.V. 6148 1:00 p.m.

APPELLANT: Steven Chen

REGISTERED OWNER OF PROPERTY: Yu Zhao

CIVIC ADDRESS OF PROPERTY: 5890 Empress Avenue

LEGAL DESCRIPTION OF PROPERTY: Lot 190; District Lot 92; Plan 25859

APPEAL: An appeal for the relaxation of Sections 102.7(a) and 102.10 of the Burnaby Zoning Bylaw which, if permitted, will allow for construction of a new single family dwelling at 5890 Empress Avenue. The following variances are being requested:

a) depth of the principal building will be 42.0 feet where a maximum depth of 40.0 feet is permitted; and

b) rear yard setback will be 13.40 feet to the foundation where a minimum rear yard setback of 29.5 feet is required. (Zone R-2)

(c) APPEAL NUMBER: B.V. 6149 1:15 p.m.

APPELLANT: Krishan Anand

REGISTERED OWNER OF PROPERTY: Krishan and Raj Anand

CIVIC ADDRESS OF PROPERTY: 7495 Whelen Court

LEGAL DESCRIPTION OF PROPERTY: Lot 2; District Lot 86; Plan 24141

APPEAL: An appeal for the relaxation of Sections 101.6(1)(b) and 101.8 of the Burnaby Zoning Bylaw which, if permitted, will allow for the construction of a new single family dwelling at 7495 Whelen Court. The following variances are being requested:

a) principal building height will be 31.98 feet measured from the rear average elevation and 23.82 feet measured from the front average elevation where a maximum building height of 24.3 feet is permitted; and

b) front yard setback will be 17.17 feet to the post where a minimum front yard setback of 29.5 feet is required based on minimum front yard. The roof will project 3.0 feet beyond the post. (Zone R-1)

(d) APPEAL NUMBER: B.V. 6150 1:15 p.m.

APPELLANT: Vikram Tiku

REGISTERED OWNER OF PROPERTY: Zhuting Wu

CIVIC ADDRESS OF PROPERTY: 5824 Burns Place

LEGAL DESCRIPTION OF PROPERTY: Lot 6; District Lot 93; Plan 21802

APPEAL: An appeal for the relaxation of Section 104.9 of the Burnaby Zoning Bylaw which, if permitted, will allow for the construction of a new single family dwelling at 5824 Burns Place. The front yard setback will be 36.08 feet to the foundation where a minimum front yard setback of 41.86 feet is required based on front yard averaging. (Zone R-4)

40500-03

CITY OF BURNABY

BOARD OF VARIANCE

M I N U T E S

A Hearing of the Board of Variance was held in the Council Chamber, City Hall, 4949 Canada Way, Burnaby, B.C., on Thursday, 2015 February 05 at 1:00 p.m.

PRESENT: Ms. C. Richter
Mr. B. Pound
Mr. S. Nemeth
Mr. G. Clark
Mr. B. Bharaj

STAFF: Ms. M. Malysz, Planning Department Representative
Mr. E. Prior, Administrative Officer

1. CALL TO ORDER

The Secretary called the Hearing to order at 1:00 p.m.

2. ELECTION OF CHAIRPERSON

Nominations for Chairperson of the Burnaby Board of Variance were called for.

Mr. S. Nemeth nominated Ms. C. Richter for Chairperson of the Board of Variance.

There were no further nominations received.

MOVED BY MR. S. NEMETH:
SECONDED BY MR. P. POUND:

"THAT Ms. C. Richter be appointed as Chairperson of the Burnaby Board of Variance from 2015 February 05 to 2015 December 03."

CARRIED UNANIMOUSLY

3. MINUTES

MOVED BY MR. B. POUND:
SECONDED BY MR. B. BHARAJ:

"THAT the minutes of the Hearing of the Burnaby Board of Variance held on 2014 January 09 be adopted as circulated."

CARRIED UNANIMOUSLY

4. APPEAL APPLICATIONS

The following persons filed application forms requesting that they be permitted to appear before the Board of Variance for the purpose of appealing for the relaxation of specific requirements as defined in the Burnaby Zoning Bylaw 1965, Bylaw No. 4742:

(a) APPEAL NUMBER: B.V. 6141

APPELLANT: Dave Ghataurah

REGISTERED OWNER OF PROPERTY: Satinder and Arvind Ghataurah

CIVIC ADDRESS OF PROPERTY: 4084 Fir Street

LEGAL DESCRIPTION OF PROPERTY: Lot 70; District Lot 35; Plan 27645

APPEAL: An appeal for the relaxation of Section 104.9 of the Burnaby Zoning Bylaw which, if permitted, will allow for the construction of a new single family dwelling at 4084 Fir Street. The front yard setback will be 24.70 feet to the foundation where a minimum front yard setback of 42.67 feet is required based on front yard averaging. The overhang will project 2.0 feet beyond the foundation and the porch stairs will project 6.0 feet beyond the foundation.

APPELLANT'S SUBMISSION:

Dave Ghataurah submitted an application for relaxation of the Burnaby Zoning Bylaw to allow for construction of a new single family dwelling at 4084 Fir Street.

Mr. Ghataurah, and Ms. Satinder and Mr. Arvind Ghataurah appeared before members of the Board of Variance at the Hearing.

BURNABY PLANNING AND BUILDING DEPARTMENTS COMMENT:

An appeal for the relaxation of Section 104.9 of the Burnaby Zoning Bylaw which, if permitted, will allow for the construction of a new single family dwelling at 4084 Fir Street. The front yard setback will be 24.70 feet to the foundation where a minimum front yard setback of 42.67 feet is required based on front yard averaging. The overhang will project 2.0 feet beyond the foundation and the porch stairs will project 6.0 feet beyond the foundation.

The subject site, which is zoned R4 Residential District, is located in the Cascade-Schou neighbourhood, in which the age and condition of single and two-family dwellings vary. This interior lot, approximately 60 ft. wide and 148.6 ft. deep, fronts onto the south side of Fir Street. The site is relatively flat with a downward slope of approximately 4.9 ft. from the front (north) to the rear (south). Abutting the subject site to the east and across Fir Street to the

north are single family dwellings. To the immediate west of the subject site, a 20 ft. wide panhandle extends south from Fir Street along the length of the subject property; this panhandle is part of a single family residential lot that fronts onto Lister Court, a cul-de-sac that runs parallel to Fir Street. The two properties immediately west of this panhandle are occupied by two-family dwellings. Vehicular access to the subject site is provided from Fir Street; there is no lane access.

The subject site is proposed to be redeveloped with a new single family dwelling including an accessory detached garage, which is the subject of this appeal.

The appeal requests a front yard setback of 24.7 ft., measured to the foundation of the proposed single family dwelling, with a further projection for roof eaves of 2.0 ft., where front yard averaging requires a minimum setback of 42.67 ft.

In 1991, Council responded to public concerns regarding the bulk and massing of newer and larger homes that were being built in existing neighbourhoods. Several text amendments to the Zoning Bylaw were adopted to address these concerns, including a requirement to set new construction back from the front property line based on an average of the two dwellings on either side of the subject site. The intent was to help to ease new construction into existing street frontages with minimal impact.

In this case, the front yard averaging calculations are based on the front yard setbacks of the two dwellings at 4066/68 and 4078 Fir Street west of the subject site and on the front yard setback of the dwelling at 4088 Fir Street immediately east of the subject site. These front yards are 39.7 ft., 37.0 ft. and 51.3 ft. respectively. The existing dwelling to the east affects these calculations. The proposed front yard setback is measured to the foundation of the eastern portion of the front elevation which is also aligned with the posts of the centrally located recessed porch. As noted above, the roof overhang would project further into the front yard by 2.0 ft. The western portion of the front elevation is proposed to be set back further by 2.18 ft.

The proposed siting would place the subject dwelling 12.3 ft. in front of the neighbouring dwelling to the west, and 26.6 ft. in front of the neighbouring dwelling to the east. With respect to the neighbouring dwelling to the west, the approximately 32 ft. distance between this residence and the subject dwelling would help to mitigate the massing impacts of the proposed reduced front yard setback. Also, the existing mature hedge along the west edge of the panhandle that separates the two properties would provide screening.

However, this proposal would substantially impact the neighbouring property to the east. Although the proposed second floor is set back on this side by 24.67 ft. from the front face, the massing impacts would not be substantially reduced by this setback, as there is a high volume space proposed at the ground floor.

Further, the siting of the proposed dwelling would be approximately 10.3 ft. closer to the front property line in comparison to the siting of the existing dwelling on the subject site, which observes an approximately 35 ft. front yard setback, similar to 4078 Fir Street. In view of the

above, the existing massing relationship between the proposed dwelling and the adjacent properties to the west and east would be substantially changed.

With regard to the broader neighbourhood context, although there are substantial frontage variations from 24.5 ft. (3956 Fir Avenue) to 76 ft. (4010 Fir Avenue) towards the west terminus of the subject block, the majority of the existing dwellings on the subject block front observe an average front yard setback of approximately 38 ft. Considering that the six lots immediately west of the subject site (excluding the 'panhandle' lot) observe a front yard setback of approximately 38 ft., the siting of the proposed dwelling would not fit within the existing streetscape.

Further, it is noted that the siting of the proposed dwelling would provide for a rear yard setback of approximately 63.88 ft., measured from the rear deck. As such, there is room for modifying the proposal in order to meet the intent of the Bylaw to ease the new construction into the existing street frontages with minimal impact.

Since this request involves a major relaxation that would negatively impact neighbouring properties and the existing streetscape, this Department objects to the granting of this variance.

ADJACENT OWNER'S COMMENTS:

A petition letter was received from 4055 and 4079 Lister Court, 4083, 4088, 4095 and 4099 Fir Street and 4425 Carleton advising:

> "That the following list of people support a front yard of 24.6 feet for 4084 Fir Street."

Correspondence was received from Mei Yan Fen, 4077 Lister Court in opposition to this appeal.

*** Mr. Clarke retired from the hearing at 1:10 p.m.****

DECISION:

MOVED BY MR. B. BHARAJ:
SECONDED BY MR. S. NEMETH:

"THAT based on the plans submitted this appeal be ALLOWED."

FOR:	MR. B. BHARAJ
	MR. B.POUND
	MR. S. NEMETH
OPPOSED:	MS. C. RICHTER

CARRIED

*** Mr. Clarke returned to the hearing and took his place at the table at 1:12 p.m.****

(b) APPEAL NUMBER: B.V. 6142 WITHDRAWN

APPELLANT: Dharam Kajal

REGISTERED OWNER OF PROPERTY: Sudesh and Dharam Kajal

CIVIC ADDRESS OF PROPERTY: 5469 Forglen Drive

LEGAL DESCRIPTION OF PROPERTY: Lot 9; District Lot 32; Plan 17168

APPEAL: An appeal for the relaxation of Section 104.9 of the Burnaby Zoning Bylaw which, if permitted, will allow for the construction of a new single family dwelling at 5469 Forglen Drive. The front yard setback will be 25.02 feet to the foundation where a minimum front yard setback of 35.66 feet is required based on front yard averaging. The window seat projects 1.0 foot beyond the foundation. The overhang projects 2.0 feet beyond the foundation and the porch stairs project 3.5 feet beyond the foundation.

APPELLANT'S SUBMISSION:

Dharam Kajal submitted an application for the relaxation of the Burnaby Zoning Bylaw to allow for the construction of a new single family home at 5469 Forglen Drive.

Mr. Kajal appeared before members of the Board of Variance at the Hearing.

BURNABY PLANNING AND BUILDING DEPARTMENTS COMMENT:

An appeal for the relaxation of Section 104.9 of the Burnaby Zoning Bylaw which, if permitted, will allow for the construction of a new single family dwelling at 5469 Forglen Drive. The front yard setback will be 25.02 feet to the foundation where a minimum front yard setback of 35.66 feet is required based on front yard averaging. The window seat projects 1.0 foot beyond the foundation. The overhang projects 2.0 feet beyond the foundation and the porch stairs project 3.5 feet beyond the foundation.

The subject site, which is zoned R4 Residential District, is located in the Marlborough neighbourhood, in which the age and condition of single and two-family dwellings vary. This interior lot, approximately 60 ft. wide and 115 ft. deep, fronts onto the southwest side of Forglen Drive. Abutting the subject site to the northwest, southeast and across the lane to the southwest are single family dwellings, and directly across Forglen Drive to the northeast is a two-family dwelling. The site observes a downward slope of approximately 17.8 ft. in the south-north direction. Vehicular access to the site is provided from the rear lane.

The applicant proposes to redevelop the site with a new single family dwelling including an accessory detached garage, which is the subject of this appeal.

The appeal requests a front yard setback of 25.02ft., measured to the foundation of the proposed single family dwelling, with a further projection for a bay window of 1.0 ft. and for roof eaves of 2.0 ft**.,** where front yard averaging requires a minimum setback of 35.66 ft.

In 1991, Council responded to public concerns regarding the bulk and massing of newer and larger homes that were being built in existing neighbourhoods. Several text amendments to the Zoning Bylaw were made to address these concerns, including a requirement to set new construction back from the front property line based on an average of the two dwellings on either side of the subject site. The intent was to help to ease new construction into existing street frontages with minimal impact.

In this case, the front yard averaging calculations are based on the front yard setbacks of the two dwellings at 5449 and 5459 Forglen Drive immediately west of the subject site and on the front yard setback of the dwelling at 4981 Buxton Street immediately east of the subject site. These front yards are 39.23 ft., 39.06 ft. and 28.68 ft. respectively. The 9 ft. wide bay window, which is located in this southern portion, would project further 1.0 ft. The roof eaves would project further from this southern portion by 2.0 ft. The northern portion of the front elevation is proposed to be set back further by 2.83 ft., resulting in a distance of 27.85 ft. to the front property line.

The proposed siting would place the subject dwelling 14.04 ft. in front of the neighbouring dwelling to the northwest and 3.66 ft. in front of the neighbouring dwelling to the southeast. With respect to the neighbouring dwelling to the northwest, if the actual 'corner to corner' relationship is considered, the subject dwelling would project 11.21 ft. in front of this residence. The proposed side yard setbacks, which measure slightly over 9 ft. on both sides of the proposed dwelling, somewhat mitigate the massing impacts of the proposal.

Also, on the southeast elevation, the second floor is set back a further 26.83 ft. from the front property line, to accommodate a high volume space on the main floor. The result is that the area of the proposed residence that extends past the neighbouring home to the southeast consists primarily of roof and wall elements, with few windows and no overlook. However, these elements would fully overlap the existing balconies at the front and northwest side elevation of the neighbouring dwelling, thus producing a sense of enclosure or confinement where currently none exists.

In addition, there is a concern that the proposed siting of the subject dwelling would dominate the neighbouring one-story dwelling to the northwest, which is at lower elevation.

Further, the siting of the proposed dwelling would be approximately 15 ft. closer to the front property line than the existing dwelling on the subject site, which observes an approximately 40 ft. front yard setback, similar to the adjacent lots to the northwest. In view of the above, the existing massing relationship between the subject property and the adjacent properties to the west and east would be substantially changed.

With regard to the broader neighbourhood context, three out of five lots in the subject block, excluding the subject lot, observe an average front yard setback of approximately 39-40 ft.

DRAFT

The remaining lot at the south terminus of the subject block (immediately southeast of the subject site), which is an irregular corner lot, observes a shorter front yard setback (28.68 ft.). The proposed siting would result in the most forward placement in the subject block and would not provide for transitioning between the longer front yard setbacks to the northwest and the shorter front yard setback of the lot to the southeast. Therefore, the intent of the Bylaw would not be met.

Further, it is noted that the siting of the proposed dwelling would provide for a rear yard setback of approximately 38.83 ft., measured from the rear covered deck. As such, there is some room for modifying the proposal in order to meet the intent of the Bylaw to ease the new construction into the existing street frontages with minimal impact.

Since this request would create negative impacts on the neighbouring properties and the existing streetscape, this Department **cannot support** to the granting of **this variance**.

ADJACENT OWNER'S COMMENTS:

Correspondence was received from Ken and Linda Izumi of 5449 Forglen Drive in opposition to the variance as will adversely affect the street view of the homes along Forglen Drive.

DECISION:

This appeal was WITHDRAWN by the applicant prior to the vote.

(c) APPEAL NUMBER: B.V. 6143

APPELLANT: Nirmal Takhar

REGISTERED OWNER OF PROPERTY: Hirenkumar and Devang Patel

CIVIC ADDRESS OF PROPERTY: 7060 and 7062 (proposed strata address) Ramsay Avenue

LEGAL DESCRIPTION OF PROPERTY: Lot 115; District Lot 30; Plan 64617

APPEAL: An appeal for the relaxation of Section 105.9 of the Burnaby Zoning Bylaw which, if permitted, will allow for the construction of a new two family dwelling at 7060 and 7062 (proposed strata address) Ramsay Avenue. The front yard setback will be 20.0 feet to the foundation where a minimum front yard setback of 28.02 feet is required based on front yard averaging. The roof overhang will project 2.95 feet beyond the foundation.

APPELLANT'S SUBMISSION:

Nirmal Takhar submitted an application for relaxation of the Burnaby Zoning Bylaw to allow for construction of a new two family dwelling at 7060 and 7062 Ramsay Avenue.

Mr. Takhar appeared before members of the Board of Variance at the Hearing.

BURNABY PLANNING AND BUILDING DEPARTMENTS COMMENT:

An appeal for the relaxation of Section 105.9 of the Burnaby Zoning Bylaw which, if permitted, will allow for the construction of a new two family dwelling at 7060/7062 Ramsay Avenue. The front yard setback will be 20.0 feet to the foundation where a minimum front yard setback of 28.02 feet is required based on front yard averaging. The roof overhang will project 2.95 feet beyond the foundation.

The subject site, which is zoned R5 Residential District, is located in the Richmond Park neighbourhood, in which the age and condition of single and two-family dwellings vary. This irregular shaped interior lot is approximately 120.2 ft. deep (along the northwest side property line) and has a frontage of approximately 66.2 ft. along the Ramsay Avenue cul-de-sac to the southeast. Two family dwellings abut the subject site to the northwest and across the lane to the northeast are single family dwellings. To the southeast the site is bordered by a parking lot for a large senior care development. A 10 ft. wide storm sewer statutory right of way is located along the southeast property line. Directly across the Ramsay Avenue cul-de-sac to the southeast is Cafferky Park. Vehicular access to the site is from the rear lane. The site is relatively flat with a downward slope of approximately 2 ft. from the rear (northeast) to the front (southwest).

The subject lot is proposed to be developed with a new two family dwelling including detached garage, for which a variance has been requested.

The appeal proposes a front yard setback of 20.00 ft. measured to the foundation of the proposed two-family dwelling, with a further roof eave projection of 2.95 ft., where front yard averaging requires a minimum setback of 28.02 ft. from the Ramsay Avenue property line.

In 1991, Council responded to public concerns regarding the bulk and massing of newer and larger homes that were being built in existing neighbourhoods. Several text amendments to the Zoning Bylaw were made to address these concerns including a requirement to set new construction back from the front property line based on an average of the two houses on either side of the subject site. The intent was to help to ease new construction into existing street frontages with minimal impact.

In this case, front yard averaging calculations are based on the front yards of two existing dwellings at 7040/7042 and 7050/7052 Ramsey Avenue immediately northwest of the subject site. The depth of these front yards is 29.3 ft. and 26.74 ft. respectively.

The proposed 20.0 ft. front yard setback is measured from the southeast property line to the closest portion of the proposed two family dwelling, which is the southeast dwelling unit. The northwest dwelling unit would observe a varying front yard setback from approximately 21ft. at its south (inner) point to approximately 28.83 ft. at its western corner, due to a curvature in the front property line.

With respect to its appearance along the streetscape, the proposed dwelling would actually appear to be approximately 8 ft. behind the adjacent dwelling at 7050/7052 Ramsay Avenue to the northwest, again, due to a curvature in the front property line. As such, this proposal would not create negative impacts on the neighbouring dwelling to the northwest and the existing streetscape.

Further, the existing dwelling on the subject site observes a setback of approximately 19.69 ft. Therefore, this proposal would be consistent with the massing relationship of the existing dwelling and the neighbouring dwelling to the northwest.

In summary, given the geometry of the site, and the proposal's consistency with existing frontages on neighbouring properties and the streetscape in general, this Department supports the granting of this variance.

ADJACENT OWNER'S COMMENTS:

No submissions were received regarding this appeal.

*** Mr. Clarke retired from the hearing at 1:30 p.m.****

DECISION:

MOVED BY MR. B. POUND:
SECONDED BY MR. S. NEMETH:

"THAT based on the plans submitted this appeal be ALLOWED."

CARRIED UNANIMOUSLY

*** Mr. Clarke returned to the hearing and took his place at the table at 1:32 p.m.****

(d) APPEAL NUMBER: B.V. 6144 WITHDRAWN

APPELLANT: Vijay Jain

REGISTERED OWNER OF PROPERTY: 0981909 BC LTD.

CIVIC ADDRESS OF PROPERTY: 7516 Edmonds Street

LEGAL DESCRIPTION OF PROPERTY: Lot 2; District Lot 30; Plan NWP3036

APPEAL: An appeal for the relaxation of the Local Government Act Section 911.(5) to allow construction of a new rear deck (including stairs and landing) to 7516 Edmonds Street. The appeal is to allow construction of a new rear deck (including stairs and landing) where no structural alteration or addition can be made in or to a building or structure while the non-conforming use is continued in all or any part of it.

(e) APPEAL NUMBER: B.V. 6145

APPELLANT: Vishal Dhami

REGISTERED OWNER OF PROPERTY: Samantha Wong and Ashwani Paul

CIVIC ADDRESS OF PROPERTY: 4718 Cambridge Street

LEGAL DESCRIPTION OF PROPERTY: Lot G; District Lot 188; Plan 15872

APPEAL: An appeal for the relaxation of Sections 6.13(1)(b) and 6.14(5)(a) of the Burnaby Zoning Bylaw which, if permitted, will allow for the construction of a structure for a new single family dwelling currently under construction at 4718 Cambridge Street. The following variances are being requested:

a) a structure along the vision clearance line facing Cambridge Street with varying heights up to a maximum of 6.3 feet and will allow a structure along the vision clearance line facing the lane with varying heights up to a maximum of 6.59 feet where the maximum permitted height along the vision clearance lines is 3.28 feet; and,

b) a retaining wall in the required front yard with varying heights up to a maximum of 3.59 feet where the maximum permitted height is 3.28 feet.

APPELLANT'S SUBMISSION:

Vishal Dhami submitted an application for relaxation of the Burnaby Zoning Bylaw to allow for construction of a structure for a new single family dwelling at 4718 Cambridge Street.

Mr. Vishal Dhami and Ms. Jenna Asuncion appeared before members of the Board of Variance at the Hearing on behalf of the homeowners.

BURNABY PLANNING AND BUILDING DEPARTMENTS COMMENT:

An appeal for the relaxation of Sections 6.13(1)(b) and 6.14(5)(a) of the Burnaby Zoning Bylaw which, if permitted, will allow for the construction of a retaining wall/fence structure for a new single family dwelling currently under construction at 4718 Cambridge Street. The following variances are requested:

a) a retaining wall/fence structure along the vision clearance line facing Cambridge Street, with varying heights up to a maximum of 6.3 feet, and a retaining wall/fence structure along the vision clearance line facing the lane with varying heights up to a maximum of 6.59 feet, where the maximum permitted height along the vision clearance lines is 3.28 feet; and,

b) a retaining wall in the required front yard with varying heights up to a maximum of 3.59 feet where the maximum permitted height is 3.28 feet.

The subject site, which is zoned R5 Residential District, is located in the Capitol Hill neighbourhood in which the age and condition of single and two-family dwellings vary. This interior lot, approximately 51 ft. wide and 122 ft. deep, is located at the western terminus of the subject block, just south of where Cambridge Street turns 90 degrees and becomes Beta Avenue. Abutting the site to the east is a single family dwelling and across the lane to the west and south is Confederation Park. Vehicular access to the subject property is provided from the rear lane. The subject lot is relatively flat with a downward slope of approximately 7 ft. in the east-west direction.

The subject site contains a single family dwelling and detached garage that are in the final stages of construction, in accordance with Building Permit #BLD13-00456. The two requested variances concern a structure, consisting of an already built retaining wall with a proposed fence on top, in the front yard. These variances are co-related.

The first a) appeal is to allow the retaining wall/fence structure to encroach into the vision clearance area at the intersection of Cambridge Street and the lane to the west. The structure will have a varying height of up to 6.3 ft. along the Cambridge Street property line, and up to 6.59 ft. along the lane property line, where a maximum height of 3.28 ft. is permitted.

The intent of the Bylaw in requiring vision clearance is to facilitate vehicular, pedestrian and cyclist safety at street and lane intersections. The vision clearance area is a triangular area formed by the property lines and a line joining two points along the property lines. In this case, the joining line must be 19.69 ft. distant from the intersection of the street and lane.

The second b) appeal is to permit retention of the already constructed retaining wall along the Cambridge Street frontage, with varying heights up to a maximum of 3.59 ft. where the maximum height of 3.28 ft. is permitted.

The intent of the Bylaw in limiting the height of fences or walls to a maximum of 3.28 ft. within the required front yard is to ensure uniform open front yards and to limit the massing impacts of such structures on neighbouring properties.

In this case, the vision clearance area in the northwest corner has been raised approximately 4 ft. to allow for a flatter front yard. As a result of this design decision and to address the sloping terrain, concrete retaining walls were built along the north (Cambridge Street) and west (lane) property lines. The current proposal is to add a 3 ft. high fence on top of these walls which would match the already built fence on top of the retaining wall to the rear of the front yard. This fence is made of 1-inch wide aluminum strips with a 1inch gap in between. The overall height of the retaining wall/fence structure would be 6.3 ft. at the northwest corner of the site, and would slightly increase up to 6.59 ft. at the rear extent of the vision clearance zone (approximately 20 ft. away from the front property line), due to the descending terrain.

With respect to the first a) variance, the retaining wall/fence structure would fully encroach (by 19.69 ft.) into the vision clearance zone along Cambridge Street and the side lane. In addition, the structure within this vision clearance zone would be more than twice the maximum allowable height, which is a major variance. The proposed semi-transparent construction of the fence would to some extent mitigate safety concerns with respect to the reduction of sightlines to Cambridge Street. However, because the west lane enters the street at a 90 degree turn, no safety measures should be compromised.

In summary, given ongoing concerns regarding traffic safety, this Department questions the advisability of reducing the vision clearance setback. Therefore, this Department cannot support the granting of the first a) major variance, which reduces traffic safety at the street/lane intersection.

With respect to the second b) variance, according to the submitted drawings, only a small portion of the subject retaining wall along the west property line exceeds the permitted height, and then only by 0.31 ft. This minor height deviation from the building permit drawings is not noticeable when viewed in the context of the large green area of Confederation Park to the west.

Since the requested relaxation has no impact on the visual character of the neighbouring properties, this Department does not object to the granting of the second b) minor appeal.

ADJACENT OWNER'S COMMENTS:

Correspondence was received from Peter Cech, 64715 Canbridge Street, advising that if an additional structure along the laneway (west) side of the property does not exceed three feet in height he has no objections. Regarding the front (north) side facing Cambridge, Mr. Cech does object to a metal or concrete structure on top of the existing retaining wall but would not object to a hedge or shrubs that do not exceed three feet in height along the exisiting retaining wall.

*** Mr. Clarke retired from the hearing at 1:40 p.m.***

DECISION:

MOVED BY MR. B. BHARAJ:
SECONDED BY MR. S. NEMETH:

"THAT based on the plans submitted part a) of this appeal be DENIED."

FOR: MR. B. BHARAJ
MS. C. RICHTER

OPPOSED: MR. B.POUND
MR. NEMETH

LOST (tie vote)

No further action was taken on this variance.

MOVED BY MR. B. BHARAJ:
SECONDED BY MR. B. POUND:

"THAT based on the plans submitted part b) of this appeal be ALLOWED."

CARRIED UNANIMOUSLY

*** Mr. Clarke returned to the hearing and took his place at the table at 1:48 p.m.***

(f) APPEAL NUMBER: B.V. 6146

APPELLANT: John Rogic

REGISTERED OWNER OF PROPERTY: Coastview Construction LTD

CIVIC ADDRESS OF PROPERTY: 5850 Braemar Avenue

LEGAL DESCRIPTION OF PROPERTY: Lot 4; District Lot 86; Plan 18705

APPEAL: An appeal for the relaxation of Sections 101.6 (1)(a), 101.7(a) and 101.8 of the Burnaby Zoning Bylaw which, if permitted, will allow for a new single family dwelling at 5850 Braemar Avenue. The following variances are being requested:

a) the principal building height measured from the rear and front average elevations will be 34.89 feet and 28.75 feet respectively, where a maximum building height of 29.5 feet is permitted;

b) ~~the depth of the principal building will be 63.5 feet where a maximum depth of 60.0 feet is permitted; and~~, **WITHDRAWN**

c) the front yard setback will be 27.59 feet to the post where a minimum front yard setback of 49.06 feet is required based on front yard averaging. The roof overhang will be 2.0 feet beyond the post.

APPELLANT'S SUBMISSION:

John Rogic submitted an application for relaxation of the Burnaby Zoning Bylaw to allow for construction of a new single family dwelling.

Mr. Rogic and his designer appeared before members of the Board of Variance at the Hearing.

BURNABY PLANNING AND BUILDING DEPARTMENTS COMMENT:

An appeal for the relaxation of Sections 101.6 (1)(a), 101.7(a) and 101.8 of the Burnaby Zoning Bylaw which, if permitted, will allow for a new single family dwelling at 5850 Braemar Avenue. The following variances are requested:

a) the principal building height, measured from the rear average elevation, will be 34.89 feet, where a maximum building height of 29.5 feet is permitted; and

b) ~~the depth of the principal building will be 63.5 feet where a maximum depth of 60.0 feet is permitted; and~~ ***WITHDRAWN***

c) the front yard setback will be 27.59 feet to the post where a minimum front yard setback of 49.06 feet is required based on front yard averaging. The roof overhang will be 2.0 feet beyond the post.

The subject site, zoned R1 Residential District, is located in a stable single-family neighbourhood in the Morley-Buckingham area. This corner lot, approximately 90 ft. wide and 130 ft. deep, fronts Braemar Avenue to the southwest and flanks Whelen Court to the northwest. Whelen Court terminates in a T-shaped cul-de-sac at the northwest corner of the property; a portion of the cul-de-sac extends 22 ft. along the rear property line. Abutting the site to the southeast and across Whelen Court to the northeast are single family dwellings. A wooded ravine containing Buckingham Creek Tributary 1 is located approximately 30 m to the east of the subject property. Vehicular access to the property is proposed from Whelen Court to the northwest, with the existing access from Braemar Avenue to be removed. The site slopes downward approximately 21.5 ft. towards the north.

A new single-family dwelling with attached garage is proposed for the subject site, for which two variances are requested. The originally requested third variance related to a building depth, which is the second b) appeal on the agenda, has been *withdrawn*.

The first appeal a) proposes a building height of 34.89 ft., measured from the rear average elevation, where a maximum height of 29.5 ft. is permitted.

The intent of the Bylaw is to mitigate the massing of new buildings or structures and their impacts on neighbouring properties.

In this case, the height calculation is based on the existing natural grade at the rear elevation. A substantial grade difference from the south front corner to the opposite rear corner of the subject site contributes to the excess height. Accordingly, the rear corner of the proposed dwelling, where the grades are lowest, is where the excess height would occur. The proposed height encroachment of 5.39 ft. would be generally limited to the north peak of the main gabled roof, which runs in a northwest-southeast direction approximately in the middle of the dwelling. This area of encroachment would be set back from the rear outermost building face, which is at the north corner of the dwelling, approximately 27.5 ft.

An area of encroachment would also occur at the very tip of the gable roof over this outermost building face. The distance from this outermost building face to the rear property line would be approximately 38.9 ft., with the roof eaves projecting a further 3 ft. When viewed from the flanking side elevation along Whelen Court, the proposed height encroachment would be primarily limited to the small triangular area at the top of the main roof gable, which consists of a large dormer at the northwest elevation. The height encroachment in this case would occur approximately 27.75 ft. from the northwest property line, as measure to the dormer face, with the roof eaves projecting a further 4 ft.

With respect to the massing impacts on the neighbouring dwellings across Whelen Court to the northeast (rear) and northwest (flanking side) of the subject site, considering the limited scale and distant siting of the encroachment areas at the rear and side elevations, it is not expected that the views from these neighbouring properties would be affected.

Also, the proposed dwelling will observe a height of 28.75 ft. when viewed from the Braemar Avenue front property line, which is considerably less than the maximum height of 29.5 ft. allowed by the Zoning Bylaw. As viewed from the neighbouring dwelling to the southeast, the proposed dwelling would observe a height within the permitted 29.5 ft. limits, except for a tip of the main gable roof.

In summary, given the site's topographical constraints, and the proposal's limited impacts on neighbouring properties and the existing streetscape, this Department does not object to the granting of the first a) variance.

The third c) appeal requests a front yard setback of 27.59 ft., measured to the front porch posts of the proposed single family dwelling, with a further projection for roof eaves of 2.0 ft., where front yard averaging requires a minimum setback of 49.06 ft.

In 1991, Council responded to public concerns regarding the bulk and massing of newer and larger homes that were being built in existing neighbourhoods. Several text amendments to the Zoning Bylaw were made to address these concerns, including a requirement to set new construction back from the front property line based on an average of the two dwellings on either side of the subject site. The intent was to help to ease new construction into existing street frontages with minimal impact.

In this case, the front yard averaging calculations are based on the front yard setbacks of the two dwellings at 5870 and 5890 Braemar Avenue immediately southeast of the subject site. These front yards are 24.61 ft. and 73.51 ft. respectively. The existing dwelling at 5890 Braemar Avenue, second to the southeast, affects these calculations. As noted above, the front yard setback is measured to the posts of the front porch which is located slightly northwest of center on the front elevation. The porch roof overhang and steps would project further into the front yard by 2.0 ft. With the exception of the front porch, the main body of the dwelling would be set back further by 3.5 ft. at the southern portion and 4.5 ft. at the northern portion.

The existing dwelling on the subject site observes an approximately 25 ft. front yard setback, similar to 5070 Braemar Avenue. It should be noted that the existing residence was

the subject of a successful appeal to the Board in 1975, (Reference #BV 1189), which allowed a front yard setback of 25 ft. where 30 ft. was required.

The siting of the proposed dwelling would be approximately 2.59 ft. further away from the front property line in comparison to the siting of the existing dwelling. In this context, this proposal improves the existing massing relationship between the proposed dwelling and the adjacent residence to the southeast. The proposed siting would place the subject dwelling 2.98 ft. behind this residence, or 6.48 ft. behind if a 'corner to corner' relationship is considered. The 5.33 ft. deep recessed covered patio, proposed at the south corner of the subject dwelling, and the large second floor setback of 20.5 ft. proposed on the same side would further help reduce potential massing impacts.

With regard to the broader neighbourhood context, considering that currently three out of four lots in the subject block, including the subject site, observe a front yard setback in the 24-25 ft. range, with the remaining lot at 5890 Braemar Avenue observing a much larger front yard setback, the siting of the proposed dwelling would be consistent with the existing streetscape. In addition, with respect to the flanking block front on the opposite side of Whelen Court, the siting of the proposed dwelling would be approximately 7.75 ft. further away from the Whelen Court property line than the existing dwelling. The increased setback would further ease the proposed construction into the existing neighbourhood.

Since this request would not impact neighbouring properties and the existing streetscape in general, this Department does not object to the granting of this third c) variance.

ADJACENT OWNER'S COMMENTS:

No submissions were received regarding this appeal.

*** Mr. Clarke retired from the hearing at 1:50 p.m.***

DECISION:

MOVED BY MR. B. POUND:
SECONDED BY MR. S. NEMETH:

"THAT based on the plans submitted part a) of this appeal be ALLOWED."

CARRIED UNANIMOUSLY

Part b) of the Appeal was **WITDRAWN** prior to the Hearing.

MOVED BY MR. B. POUND:
SECONDED BY MR. S. NEMETH:

"THAT based on the plans submitted part c) of this appeal be ALLOWED."

CARRIED UNANIMOUSLY

*** Mr. Clarke returned to the hearing and took his place at the table at 1:52 p.m.***

5. NEW BUSINESS

No items of new business were brought forward at this time.

A D J O U R N M E N T

MOVED BY MR. S. NEMETH:
SECONDED BY MR. B. POUND:

"THAT this Hearing do now adjourn."

CARRIED UNANIMOUSLY

The Hearing adjourned at 1:55 p.m.

Ms. C. Richter

Mr. B. Bharaj

Mr. G. Clark

Mr. S. Nemeth

Mr. B. Pound

E. Prior
Administrative Officer

DRAFT

City of Burnaby

Board of Variance Appeal Application Form

OFFICE OF THE CITY CLERK

Burnaby City Hall, 4949 Canada Way, Burnaby BC, V5G 1M2, Phone: 604-294-7290 Email: clerks@burnaby.ca

Applicant

Name of Applicant: Chen, Tseng-An

Mailing Address: 8276 Burnlake Dr.

City/Town: Burnaby Postal Code: V5A 3K9

Phone Number(s): (H) 604-4386035 (C) 604-612-8776

Email: marineandy@hotmail.com

Preferred method of contact: ☒ email ☐ phone ☐ mail

Property

Name of Owner: Chen, Tseng-An

Civic Address of Property: 8276 Burnlake Dr.
Burnaby V5A 3K9

I hereby declare that the information submitted in support of this application is, to the best of my knowledge, true and correct in all aspects, and further that my plans have no conflict with municipal bylaws other than those applied for with in this application.

Feb. 10 2015
Date

陳增光
Applicant Signature

Office Use Only

Appeal Date 2015 March 05 Appeal Number BV# 6147

Required Documents:

- ☐ Hardship Letter from Applicant
- ☒ Site Plan of Subject Property
- ☒ Building Department Referral Letter

CITY OF BURNABY
FEB 10 2015
CLERK'S OFFICE

3.(a)

February 10, 2015

RE: 8276 Burnlake Drive - Building Permit BLD12-01670

Dear Board Members,

This letter is to support our request to keep our attachment building.

In the past, my family and I have suffered from a break-in to our house. The intruder had entered our house through the back patio door of the unattached building. As there is a six feet gap between these two buildings, people can easily hide between that gap. In addition, my house is backed on a green belt where there is prominent pedestrian traffic, and we often see strangers walking around the area and within vicinity of our home. The attached building therefore serves as a security measure, and would aid in ensuring the safety of me, my wife, and our two young daughters.

The attachment building is also not on our neighbour's property, nor is it in any view of them. The only way to see the attachment would be through an aerial view. It is therefore not an obstruction to the neighbourhood.

Furthermore, our current financial situation has made it difficult for my family, as it would be very costly to remove the attached building. My wife is currently battling an illness, which has entrenched my family in a financial crisis. On top of paying off our large mortgage, we are struggling to borrow money from the bank. We would be deprived of the sufficient funds to continue supporting my wife with her illness if we were to deconstruct the attachment..

Lastly, due to the location of the house and the garage, we have found a risk of the area between the buildings of becoming rotten due to the settlement of snow and rain. We were advised of this by the previous owner when we purchased this house in 2010. We sought to rectify this situation by enclosing this gap with attachment.

We hope that The Board would consider my situation and let me and my family keep the attached building. It was built in an attempt to protect my family's safety and prevent the decomposition of the land. Please consider the importance of this attachment to us and try to help us. We thank you with our utmost gratitude for any effort you can offer us.

Sincerely,

陳增安 郭兆芬

Tseng An Chen
Chao Feng Guo

City of Burnaby

BOARD OF VARIANCE REFERRAL LETTER

DATE: January 9th, 2015	**DEADLINE: February 10th, 2015 for the March 5th, 2015 hearing**	*This is **not** an application. Please take letter to Board of Variance. (Clerk's office - Ground Floor)*
NAME OF APPLICANT: Joe Wong		
ADDRESS OF APPLICANT: 14599 – 60th Avenue, Surrey. V3S 1R4		
TELEPHONE: 604-773-2319		

PROJECT			
DESCRIPTION: Addition (built without permit) to an existing single family dwelling.			
ADDRESS: 8276 Burnlake Drive			
LEGAL:	**LOT: 94**	**DL: 40**	**PLAN: 44446**

The above mentioned application, which includes the attached plan of the proposal, has been refused by the Building Department on the basis of contravention of:

Zone/Section(s) R1 [101.7(b); 101.9(1); 101.10]
of the Burnaby Zoning Bylaw No. 4742

COMMENTS:
The applicant has constructed an addition to an existing single family dwelling. The following relaxations are being requested.

1) The depth of the principal building is 92.3 feet where a maximum depth of 60.0 feet is permitted.
2) The north side yard setback, to the foundation, is 5.9 feet where a minimum side yard setback of 7.9 feet is required.
3) The sum of the side yard setbacks is 15.7 feet where a minimum sum of 18.0 feet is required.
4) The rear yard setback, to the foundation, is 17.4 feet where a minimum rear yard setback of 29.5 feet is required.

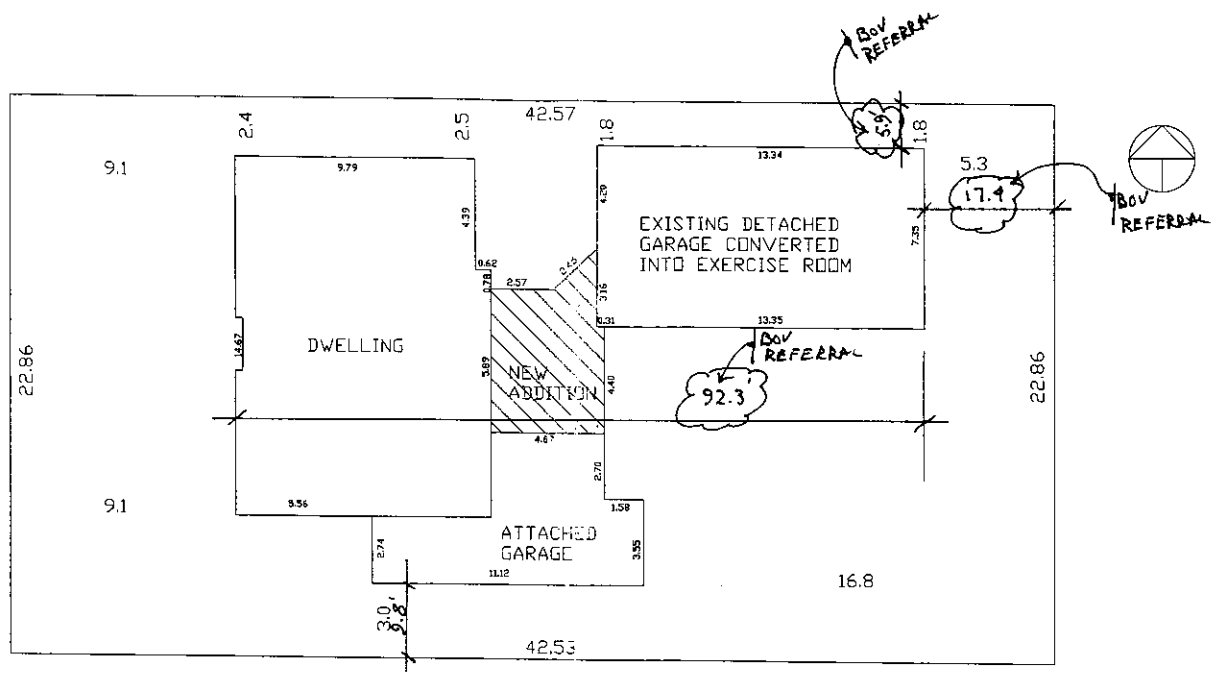
The Board of Variance previously (December 7th, 2012; BV#6025) allowed Item 2 and Item 3 above, but denied Item 1 and Item 4 above.

Note: The applicant recognizes that should the project contain additional characteristics in contravention of the zoning by-law a future appeal(s) may be required.

BY

Peter Kushnir
Assistant Chief Building Inspector

4949 Canada Way, Burnaby, BC V5G 1M2 • Telephone 604-294-7130 Fax 604-294-7986 • www.burnaby.ca



SITE PLAN

UNIT: M; SCALE: 1: 200

Lot Area= 972.68 sq.m = 10,466 sq.ft

Dwelling Area = 149.41 sq.m = 1,608 sq.ft

Attached Garage Area = 48.21 sq.m = 519 sq.ft

Exist. Detached Garage Converted into Exercise room Area = 98.19 sq.m = 1,057 sq.ft

New Addition Area = 28.61 sq.m = 308 sq.ft

Total Area = 324.42 sq.m = 3,491 sq.ft

BOV

BOV copy ONLY

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NO.	REVISIONS	DATE
1	ISSUED FOR DEV. PERMIT	OCT/25/12

PROFESSIONAL ENGINEER PROVINCE OF BRITISH COLUMBIA T.T. NGO

DESIGN:	
DRAWN:	RL
CHECKED:	TNT
PROJ. NO.:	12-CAH1
SCALE:	AS SHOWN
DATE:	OCT./19/2012

CLIENT: ANDY CHEN

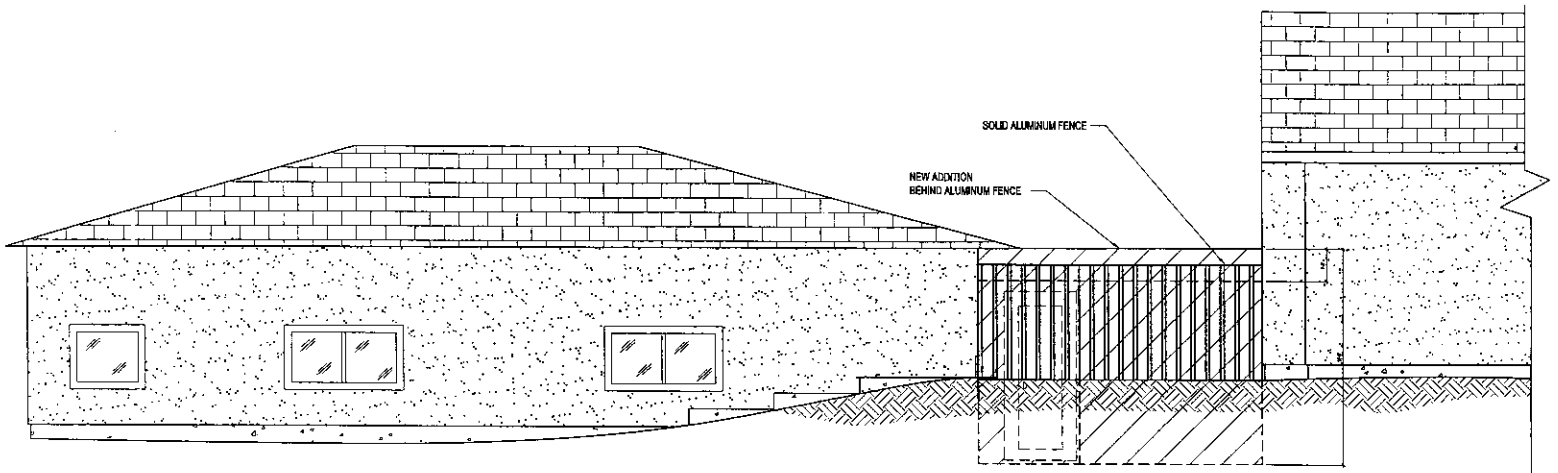
PROJECT: ADDITION TO CHEN RESIDENCE 8278 BURNABY LAKE DR. , BURNABY, BC

TITLE: SITE PLAN

TONG NGO *ENGINEERING LTD.*
11-15168 86A AVE SURREY,B.C V3S-1X2
PH: (604)543-2914/F: (604)502-0936/EMAIL: tnteng@shaw.co

LAST MODIFIED: | DRAWING: A1

RECEIVED
JAN 08 2013
BUILDING DEPARTMENT



SOUTH VIEW

1/2" = 1'-0"

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NO.	REVISIONS	DATE
1	ISSUED FOR DEV. PERMIT	OCT/25/12

SEAL: PROFESSIONAL ENGINEER — T.T. NGO — PROVINCE OF BRITISH COLUMBIA — NOV 05/12

DESIGN:	
DRAWN:	RL
CHECKED:	TNT
PROJ. NO.:	12-CAH1
SCALE:	AS SHOWN
DATE:	OCT./19/2012

CLIENT: ANDY CHEN

PROJECT: ADDITION TO CHEN RESIDENCE
8276 BURNLAKE DR. , BURNABY. BC

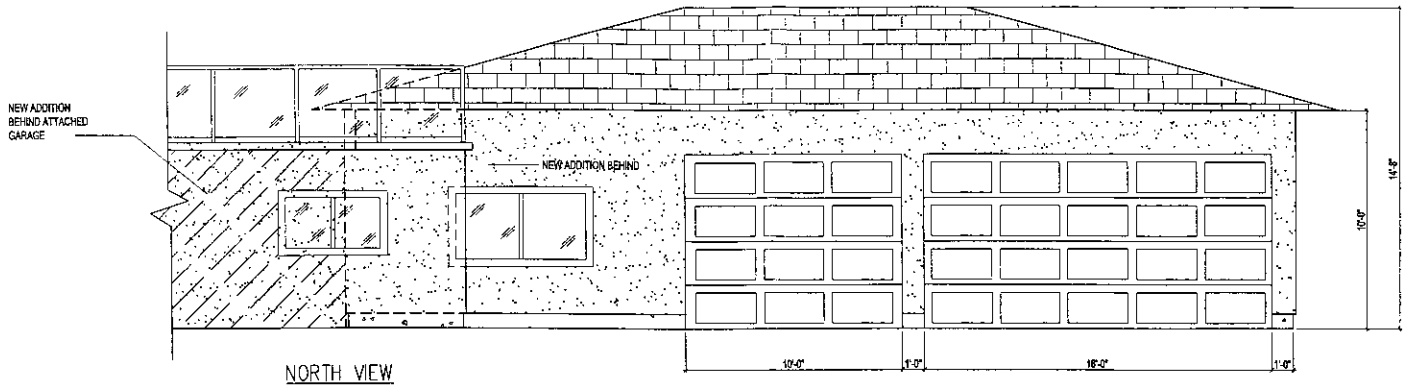
TITLE: ELEVATIONS

TONG NGO
ENGINEERING LTD.
11-15168 66A AVE
SURREY,B.C
V3S-1X2
PH:(604)543-2914/F:(604)502-0936/EMAIL: tnteng@shaw.ca

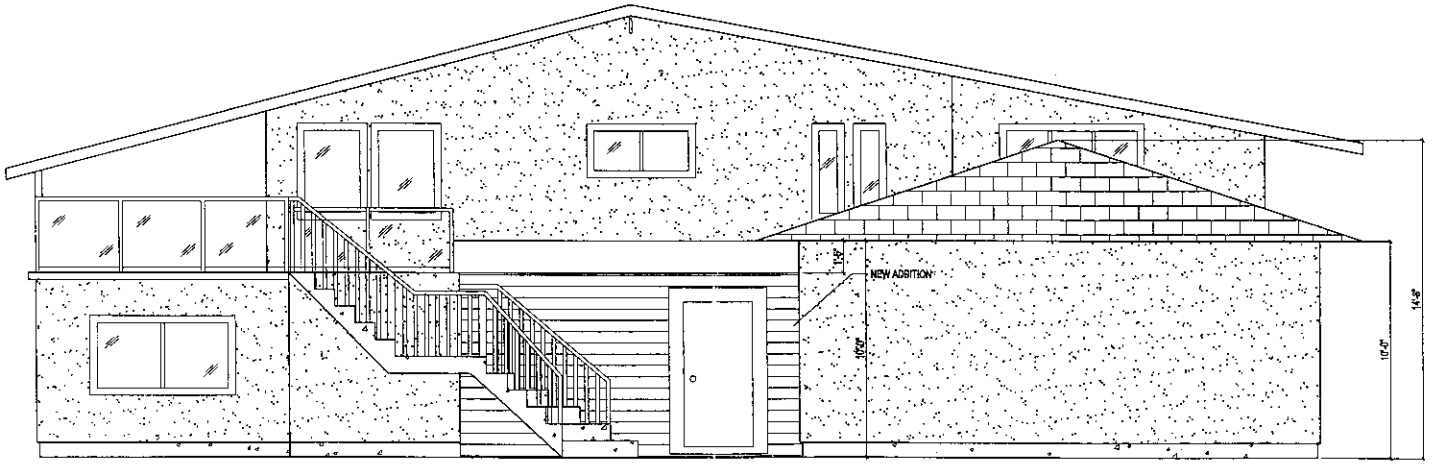
LAST MODIFIED:

DRAWING: A7

RECEIVED
JAN 04 2013
BUILDING DEPARTMENT



NORTH VIEW
1/4" = 1'-0"



WEST VIEW
1/4" = 1'-0"

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NO.	REVISIONS	DATE
1	ISSUED FOR DEV. PERMIT	OCT/25/12

SEAL: PROFESSIONAL ENGINEER PROVINCE OF BRITISH COLUMBIA T.T. NGO

DESIGN:	
DRAWN:	RL
CHECKED:	TNT
PROJ. NO.:	12-CAH1
SCALE:	AS SHOWN
DATE:	OCT./19/2012

CLIENT: ANDY CHEN

PROJECT: ADDITION TO CHEN RESIDENCE
8276 BURNLAKE DR. , BURNABY. BC

TITLE: ELEVATIONS

TONG NGO
ENGINEERING LTD.
11-15168
66A AVE
SURREY,B.C
V3S-1X2
PH: (604)543-2914/F: (604)502-0936/EMAIL: tnteng@shaw.ca

LAST MODIFIED:

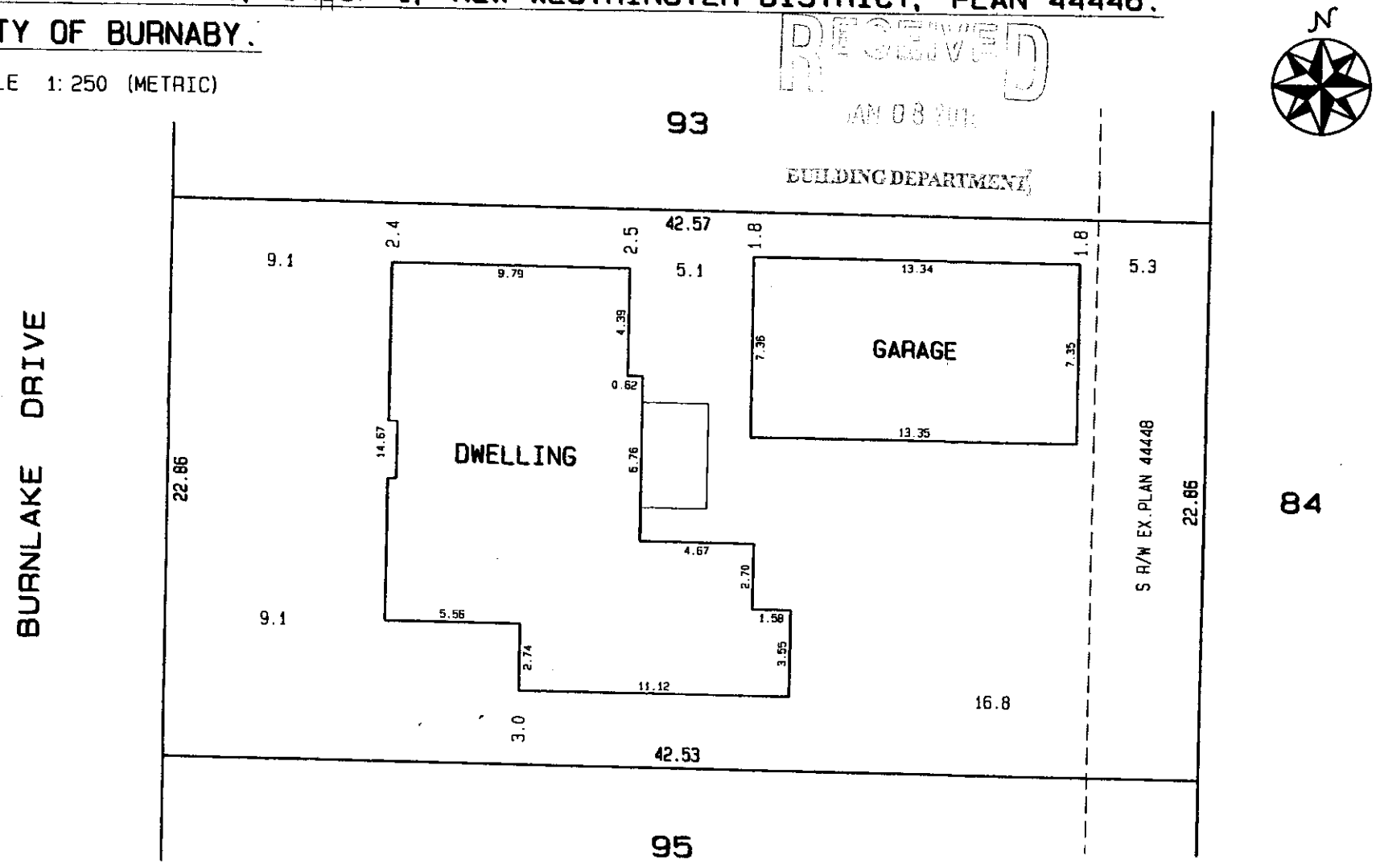
DRAWING: A6

RECEIVED
JAN 08 2013

PLAN SHOWING THE LOCATION OF IMPROVEMENTS SITUATED UPON LOT 94, DISTRICT LOT 40, GROUP 1, NEW WESTMINSTER DISTRICT, PLAN 44446. CITY OF BURNABY.

SCALE 1: 250 (METRIC)

RECEIVED
JAN 08 2011
BUILDING DEPARTMENT



CERTIFIED CORRECT AS TO LOCATION AND DIMENSION OF IMPROVEMENTS

D. Prokopetz, ASCT, RSIS

DATED THIS 28th DAY OF OCTOBER, 2010.

NOTE: The location of features certified by this plan has been determined from existing survey monumentation and does not purport to be a location certified in relation to a boundary of land. We accept no responsibility for the unauthorized use or for any use of a copy not bearing an original embossed seal. Property line dimensions are according to Land Title Office records. This plan is not to be used for the re-establishment of property lines. This plan is to be used for mortgage purposes only.

CIVIC ADDRESS
#8276 Burnlake Drive
Burnaby, B.C.

Westcoast Surveys Ltd.
16264 80th Avenue
Surrey, B.C. V4N 0X3
tel 604-543-8665 fax 604-543-8610
faxdon@gmail.com
Our File: 10-187-10
Your File: Burnlake

3.(a)

The following list of people below support the attachement

between two building of 8276 Burnlake Dr,

Name	Address	Signature
Barbara Stasuk	8275 Burnlake Drive Burnaby, B.C.	Barbara Stasuk
John Petrak	8285 Burnlake Dr. Burnaby, BC	
Neil + Karen McAskill	8258 Burnlake Dr.	
Cynthia + Ravi Ghanason	8265 Burnlake Dr. Burnaby BC	
Aaron Quinn	8282 Burnlake Dr.	

3.(a)

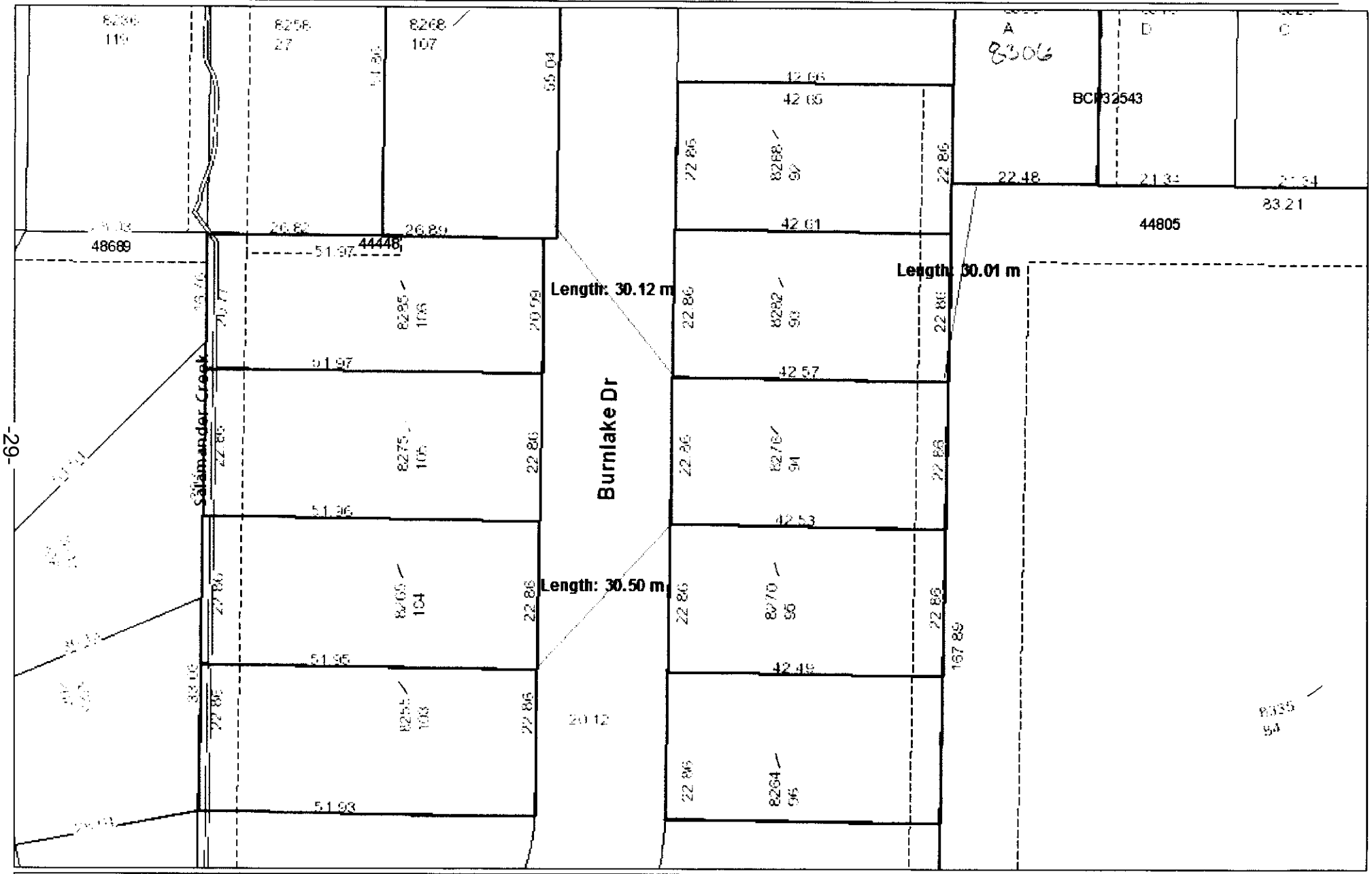
3.(a)

3.(a)

City of Burnaby

8276 Burnlake Dr

February 11, 2015



The information has been gathered and assembled on the City of Burnaby's computer systems. Data provided herein is derived from a a number of sources with varying levels of accuracy. The City of Burnaby disclaims all responsibility for the accuracy or completeness of information contained herein.

BOV 6147

N

City of Burnaby

Board of Variance Appeal Application Form

OFFICE OF THE CITY CLERK

Burnaby City Hall, 4949 Canada Way, Burnaby BC, V5G 1M2, Phone: 604-294-7290 Email: clerks@burnaby.ca

Applicant

Name of Applicant (Steven) Jing Feng Chen

Mailing Address 2670 127st Surrey

City/Town Surrey Postal Code V4A 3S2

Phone Number(s) (H) _____ (C) 604 230 6168

Email Schen.Luso@gmail.com

Preferred method of contact: ☑ email ~~☐ phone~~ ☐ mail

Property

Name of Owner Yu han Zhao

Civic Address of Property 5890 Empress Ave

I hereby declare that the information submitted in support of this application is, to the best of my knowledge, true and correct in all aspects, and further that my plans have no conflict with municipal bylaws other than those applied for with in this application.

Feb 10, 2015
Date

Applicant Signature

Office Use Only

Appeal Date 2015 March 05 Appeal Number BV# 6148

Required Documents:

- ☐ Hardship Letter from Applicant
- ☐ Site Plan of Subject Property
- ☐ Building Department Referral Letter

CITY OF BURNABY
FEB 11 2015
CLERK'S OFFICE

3.(b)

GRADUAL ARCHITECTURE I ▪ N ▪ C
Gradual Architecture inc.
gradualarchitecture.com

Date: February 5, 2015

Board of Variance, City of Burnaby
4949 Canada Way, Burnaby, BC V5G 1M2

Subject: Hardship Letter
5890 Empress Avenue - requests for Setback variances to the Burnaby Zoning Bylaw

To The Board of Variance,

Dear Sir, dear Madam,

On property owner's behave, I am writing to you to request the relaxation for the setbacks for the above noted property. Given the unusual site configuration of the subject property, the required setbacks create a long narrow building envelope, which is only 26' in depth. The envelope will not accommodate comfortable living space with reasonable size for the house with 4736 sq.ft floor area.

With above said, we have proposed a design with 16' projection into the rear yard. The following measures have been utilized to minimize the impact to the adjacent neighbor to the East.

1. minor or no soil disturbances to terrain grades;
2. existing trees within the rear yard are to be kept and protected;
3. provide minimum fenestrations at the rear facade (65 SqFt window area on1646 SqFt east exterior wall)

Plus, the proposed variation to the rear yard setback would not result in the subject dwelling exceeding the permitted dimensional height, site coverage and development density.

Sincerely,

Ian Guan, Architect, AIBC
Gradual Architecture Inc.

赵禹涵

Yuhan Zhao
Property Owner

1

City of Burnaby
Building Department 4949 Canada Way, Burnaby, BC V5G 1M2
Telephone 604-294-7130 Fax: 604-294-7499 www.burnaby.ca/building

Office Use Only
Building Permit #

AGENT AUTHORIZATION

OWNER/LESSEE

This will confirm my appointment of: Steven Chen / Dragon Garden construction
(Agent's Name and/or Name of Company)

as my agent in all matters related to obtaining any required building permits or demolition permits for:

Project Address: 5890 EMPRESS AVE

and to make all necessary arrangements with the City of Burnaby, to perform all matters and to take all necessary proceedings with respect thereto.

It is understood that, until the City is advised **in writing** that the agent no longer acts on behalf, the City will deal exclusively with my agent with respect to all matters pertaining to the proposed demolition and/or building permit and are under no obligation to communicate with me or any other person other than my agent with regard to these permits. This authorization supersedes all previous appointments.

This document shall not be read as authorizing the Agent to undertake work on the property. Control of activities on the property remains with the property owner. The Agent must obtain written permission from the property owner independently to begin and continue any demolition or construction.

I /We hereby certify that I am/we are the ( ) registered owner(s), or ( ) the lessee of the said land and do hereby consent to the above.

1) Owner's or Lessee's Name YUHAN ZHAO Signature 赵雨涵

2) Owner's or Lessee's Name Signature

3) Owner's or Lessee's Name Signature

Company Name (if applicable) Date

AGENT

Acknowledged by Agent: Jing Feng Chen (Steven)
(Agent's Name and/or Name of Company)

Agent's Signature:

Phone: 6042306168 Email/Fax: schen.luso@gmail.com Date:

Address: 15755 38A AVE, SURREY, BC V5E 0K9

3.(b)

City of Burnaby

BOARD OF VARIANCE REFERRAL LETTER

DATE: February 2, 2015	**DEADLINE: February 10, 2015 for the March 5, 2015 hearing**	*This is **not** an application. Please take letter to Board of Variance. (Clerk's office - Ground Floor)*
NAME OF APPLICANT: Steven Chen		
ADDRESS OF APPLICANT: 15755 – 38A Avenue Surrey, B.C. V5E 0K9		
TELEPHONE: 604.230.6168		

PROJECT			
DESCRIPTION: New single family dwelling			
ADDRESS: 5890 Empress Avenue			
LEGAL:	**LOT: 190**	**DL: 92**	**PLAN: 25859**

The above mentioned application, which includes the attached plan of the proposal, has been refused by the Building Department on the basis of contravention of:

Zone/Section(s) R2 [102.7(a); 102.10]
of the Burnaby Zoning Bylaw No. 4742

COMMENTS:

The applicant is proposing to build a new single family dwelling. The following relaxations are being requested.

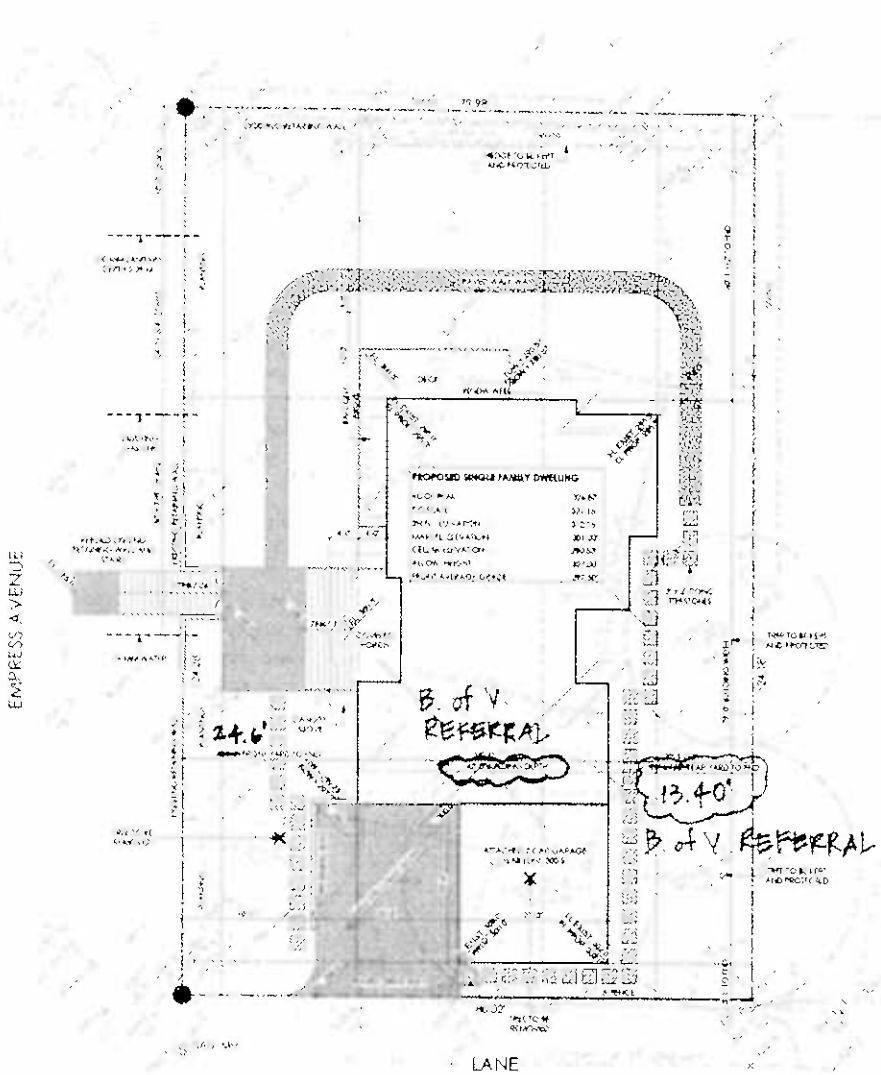
1) The depth of the principal building will be 42.0 feet where a maximum depth of 40.0 feet is permitted.

2) The rear yard setback will be 13.40 feet to the foundation where a minimum rear yard setback of 29.5 feet is required.

Note: The applicant recognizes that should the project contain additional characteristics in contravention of the zoning by-law a future appeal(s) may be required

DS

Peter Kushnir
Assistant Chief Building Inspector, Permits and Customer Service



SITE PLAN

SITE ANALYSIS:

LEGAL		
	LOT 196	
	DL 124	
	PLAN 49810	
ZONING	RS4	
SITE AREA	4,736 sq.ft.	
SETBACK	MIN PERMITTED	PROPOSED
FRONT YARD	24.67'	24.60'
SIDE YARD	4.92'	5.08'
SIDE YARD COMBINED	11.80'	12.1'
REAR YARD		13.54'
GFA	PERMITTED	PROPOSED
MAIN FLOOR		2,367 sq.ft.
UPPER		1,769 sq.ft.
BASEMENT		1,769 sq.ft.
GARAGE		447 sq.ft.
EXCLUSION		482 sq.ft.
COVERED PORCH (EXC)		32 sq.ft.
TOTAL	PERMITTED	PROPOSED
	4736 sq.ft.	4736 sq.ft.
	47.00%	47.00%
AGFA	PERMITTED	PROPOSED
	3,313 sq.ft.	3,313 sq.ft.
	70.00%	69.99%
COVERED PORCH	315 sq.ft.	48 sq.ft.
LEVEL	329 sq.ft.	329 sq.ft.
NOTE: GARAGE PORCH ADDED TO GFA & NOTE		
LOT COVERAGE	PERMITTED	PROPOSED
MAIN		1,769 sq.ft.
GARAGE		447 sq.ft.
COVERED PORCH		116 sq.ft.
LEVEL		220 sq.ft.
	PERMITTED	PROPOSED
TOTAL	2,976 sq.ft.	2,706 sq.ft.
	45.00%	57.17%
IMPERMEABLE	PERMITTED	PROPOSED
MAIN FL		1,769 sq.ft.
GARAGE		447 sq.ft.
COVERED PORCH		31 sq.ft.
LEVEL		220 sq.ft.
DECK		140 sq.ft.
HARD SURFACES		279 sq.ft.
	PERMITTED	PROPOSED
TOTAL	2,842 sq.ft.	2,886 sq.ft.
	60.00%	61.00%

A1.0 SITE PLAN & INFO ANALYSIS
A1.1 CRAWL FLOOR PLAN
A1.2 MAIN FLOOR PLAN
A1.3 UPPER FLOOR PLAN
A2.1 ROOF PLAN
A3.1 ELEVATIONS & DETAILS
A4.1 FRONT & REAR ELEVATIONS
A4.2 SIDE ELEVATIONS
A5.0 DETAILS
NO. TITLE

SHEETS

GENERAL NOTES

1. ALL CONSTRUCTIONS SHALL CONFORM TO THE 2012 B.C.B.C. AND MOST CURRENT MUNICIPAL PLUMBING CODE, BEST QUALITY NATIONAL (LEVEL) & LOCAL ANY OTHER LOCAL GOVERNING CODES AND ORDINANCES. IN THE EVENT OF CONFLICT BETWEEN CODE REQUIREMENTS, THE MOST STRINGENT REQUIREMENTS SHALL APPLY. ANY CONFLICTS BETWEEN THE COMMERCIAL NON-RESIDENTIAL ARCHITECTURAL CODES AND ORDINANCES SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT AND THE OWNER FOR RESOLUTION BEFORE PROCEEDING WITH THE WORK.

2. ALL DRAWINGS SHALL BE READ IN CONJUNCTION WITH DOCUMENTS FROM STRUCTURAL, CIVIL, MECHANICAL, ELECTRICAL, LANDSCAPE, GEOTECHNICAL AND ANY OTHER CONSULTANT DRAWINGS AND DOCUMENTS APPLICABLE TO THE PROJECT. ANY DISCREPANCIES MUST BE REPORTED TO ARCHITECT IMMEDIATELY BEFORE PROCEEDING WITH WORK.

3. SITE PLAN IS PREPARED BASED ON INFORMATION SUPPLIED PROVIDED BY [illegible] & ASSOCIATES PROFESSIONAL LAND SURVEYORS, PLEASE VERIFY ALL DIMENSIONS.

4. FOOTINGS, FOUNDATION AND POOL PRESSURE SHALL BE APPROVED BY THE GENERAL CONTRACTOR.

5. PLEASE PROVIDE 48 HOURS NOTICE FOR SITE VISITS.

6. GENERAL NOTES ON ONE DESIGN DOCUMENT ARE APPLICABLE TO ALL DOCUMENTS.

7. WHERE REQUIRED, OR AS OTHERWISE REQUESTED, PROVIDE ALL BLOCKING, RE-STOPPING, ALL AS REQUIRED.

8. VERTICAL ATTIC/CRAWL SPACES TO BE VENTILATED AS REQUIRED BY THE BUILDING CODE 2012.

9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ADEQUATELY FRAMING, BRACING AND SUPPORTING ALL WALL, ROOF, FLOOR AND OTHER OPENINGS, CONSTRUCTION IN ACCORDANCE WITH APPLICABLE TYPICAL DETAILS CONTAINED IN THE DRAWINGS, WHETHER OR NOT SPECIFICALLY REFERENCED BY THE PLANS.

10. COORDINATE LOCATION AND PROVIDE BLOCKING, EXCAVING AND/OR REINFORCEMENT IN PARTITIONS FOR ALL CABINET, COUNTERTOPS AND WALL MOUNTED ITEMS. PRINT TO ELEVATIONS. VERIFY DETAILS FOR LOCATION OF WALL BLOCKING AND OTHER SUPPORTS. PROVIDE ALL ADDITIONAL DRYWALL FRAMING, BRACING, HANGERS, ANGLE SUPPORTS ETC. AS REQUIRED IN ADDITION TO THAT INDICATED ON THE DESIGN DOCUMENTS.

11. REPORT ANY DISCREPANCIES BETWEEN THE DESIGN DOCUMENTS AND THE SITE CONDITIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING THE CONSULTANT IN PLENTY TIME TO ALLOW FOR RESOLUTION IN THE PROBLEM WITHOUT EFFECT UPON THE CONSTRUCTION SCHEDULE.

12. ALL NEW GRADES, FOUNDATIONS, WALLS, RETAINING WALLS, ETC. TO NOT CONDITIONS. OBTAIN CONSULTANTS' PRIOR REVIEW.

13. CAULK ALL MATERIAL INTERFACES.

14. PROVIDE REPAIRS AND STRUCTURAL UPGRADES (IF ANY) AS REQUIRED.

15. EXISTS OF WATER PROOFING, UNDERGROUND OF NEW CONCRETE WALLS AND ALL CODE WALLS BELOW GRADE TO BE REVIEWED ON SITE BY ARCHITECT, CIVIL/GEO CONSULTANT, GEOTECHNICAL ENGINEER AND WARRANTY PROVIDER, CONCRETE CANNOT BE POURED UNTIL SUBSEQUENT INSPECTIONS HAVE BEEN DONE & TAKE OF SATISFACTION.

16. WHERE THERE ARE NO MECHANICAL AND ELECTRICAL DRAWINGS ENCLOSED FOR THE PROJECT, THE CONTRACTOR SHALL BE RESPONSIBLE TO PREPARE ALL MECHANICAL AND ELECTRICAL DRAWINGS, SPECIFICATIONS AND DOCUMENTATIONS, COORDINATE AND MEET APPLICABLE MUNICIPAL, PROVINCIAL AND NATIONAL REGULATIONS AND SUPPORT IN OBTAINING COOP REQUIREMENTS.

17. AS APPLICABLE OR AS INSTRUCTED, SHARE SHOP DRAWINGS, SAMPLES, CATALOGUE CUTS, COLOUR CHARTS OR OTHER MATERIAL AS INSTRUCTED BY THE CONSULTANT FOR REVIEW AND ELECTRICAL, METAL, PLUMBING, ALL APPLICABLE ITEMS ONLY. FOLLOWING ITEMS ARE MANDATORY FOR ARCHITECTURAL SHOP DRAWING REVIEW. SHOP DRAWINGS ARE REQUIRED FOR SHOP DRAWINGS AND APPROVABLE BY ARCHITECT SHALL BE MADE WITH ALL APPLICABLE CONSULTANTS.

- COMPLETE WATERPROOFING, WATER PROOFING, ROOF MEMBRANE
- WINDOWS
- DOORS
- ELEVATOR
- FLOOR TO SELF LEVELLANT
- RAILING
- DECORATIVE METAL WORKS
- HOUSE NUMBERS, STAIR RAILS, CONNECTIONS
- WOOD SIDING PROFILE
- GARAGE DOORS
- ALTHE DATA
- FIREPLACE
- EXTERIOR LIGHTING
- EXTERIOR TELEVISIONS

18. GENERAL CONTRACTOR SHALL REQUEST SHOP DRAWINGS REVIEW LIST FROM EACH RESPONSIBLE CONSULTANTS.

NOTE

1. ALL WORK SHALL COMPLY WITH THE CURRENT EDITION OF THE BRITISH COLUMBIA CODE.

2. REFER TO STRUCTURAL DRAWINGS FOR FRAMING AND STRUCTURAL FOOTINGS.

3. HEATING SYSTEM: IN FLOOR RADIANT HEATING

4. WINDOWS, DOORS & SKYLIGHTS SHALL COMPLY WITH:
- CSA A440
- PERFORMANCE CLASS R
- PERFORMANCE GRADE PG 40 (40 PSF)

1	2 FEB 2015	BP 1 - ROOF REVISION
2	14 NOV 2014	BP 1 - BUILDING PERMIT
1	14 OCT 2014	DESIGN PROPOSAL 1
NO.	DATE	DESCRIPTION

REVISIONS

ISSUE

GA ARCHITECTURE

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604.220.0116
[illegible]
201 - 1842 West Broadway
Vancouver BC V6J 1Y9
www.gaarchitecture.com

SEAL

EMPRESS AVENUE RESIDENCE

PROJECT NAME

5890 EMPRESS AVE
BURNABY, BC

PROJECT ADDRESS

E.A.	OCT 2014
AS NOTED	GA-Q41

NOTE

SITE PLAN

A1.0

SHEET

FEB 04 2015

BUILDING DEPARTMENT

-34-

3.(b)

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FEB 04 2015
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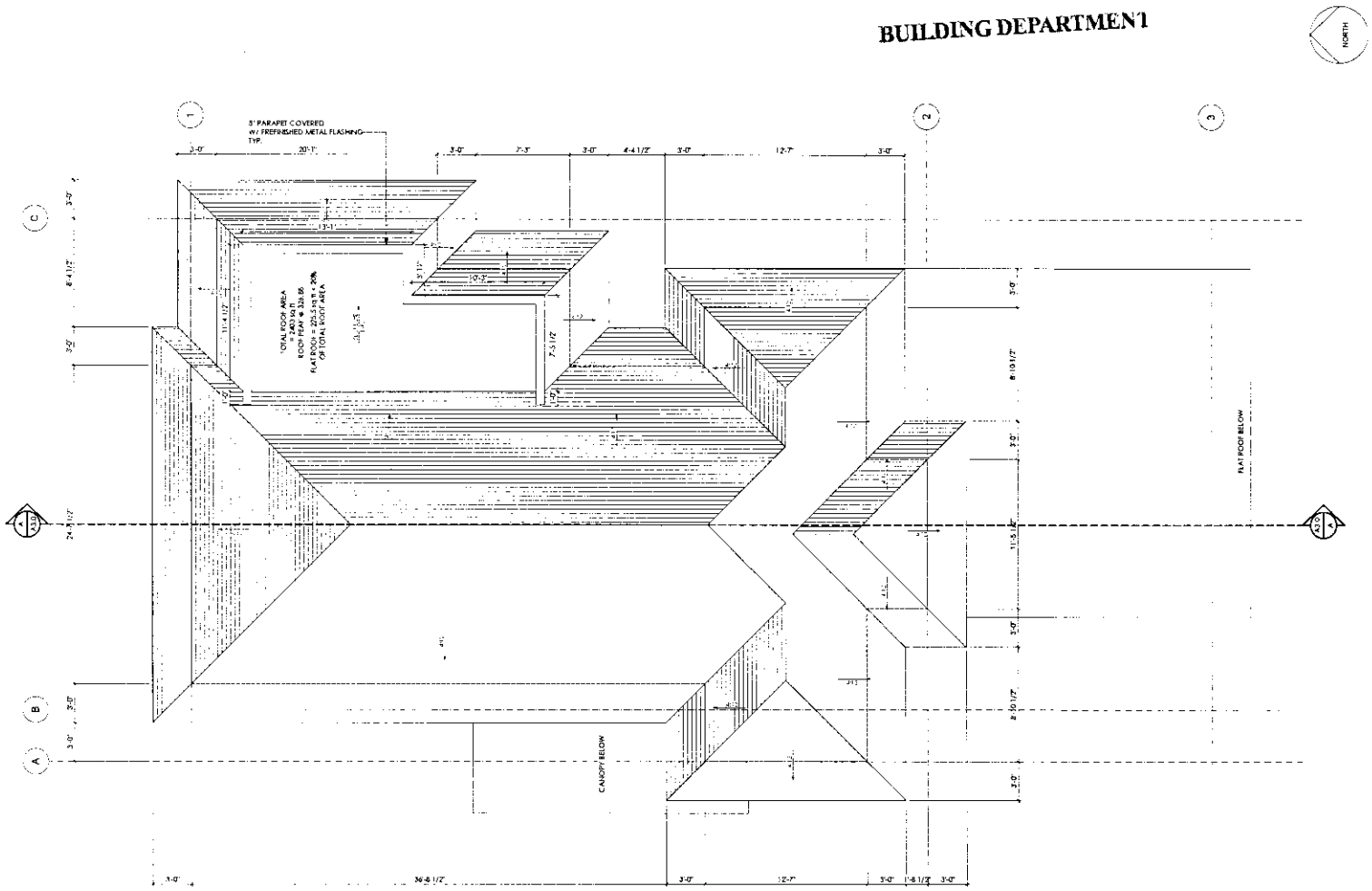

ROOF PLAN
SCALE 1/4" = 1'-0"

1 2 FEB 2015 BP 1 - ROOF REVISION
NO DATE DESCRIPTION

■ REVISIONS:

2 14 NOV 2014 BP 1 - BUILDING PERMIT
1 14 OCT 2014 DESIGN PROPOSAL 2
NO DATE DESCRIPTION

■ ISSUE:

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■ FIRM

■ SEAL

EMPRESS AVENUE RESIDENCE

■ PROJECT NAME

5890 EMPRESS AVE
BURNABY, BC

■ PROJECT ADDRESS

DRAWN: K.A. DATE: OCT 2014
SCALE: AS NOTED PROJECT NO: GA-GA9

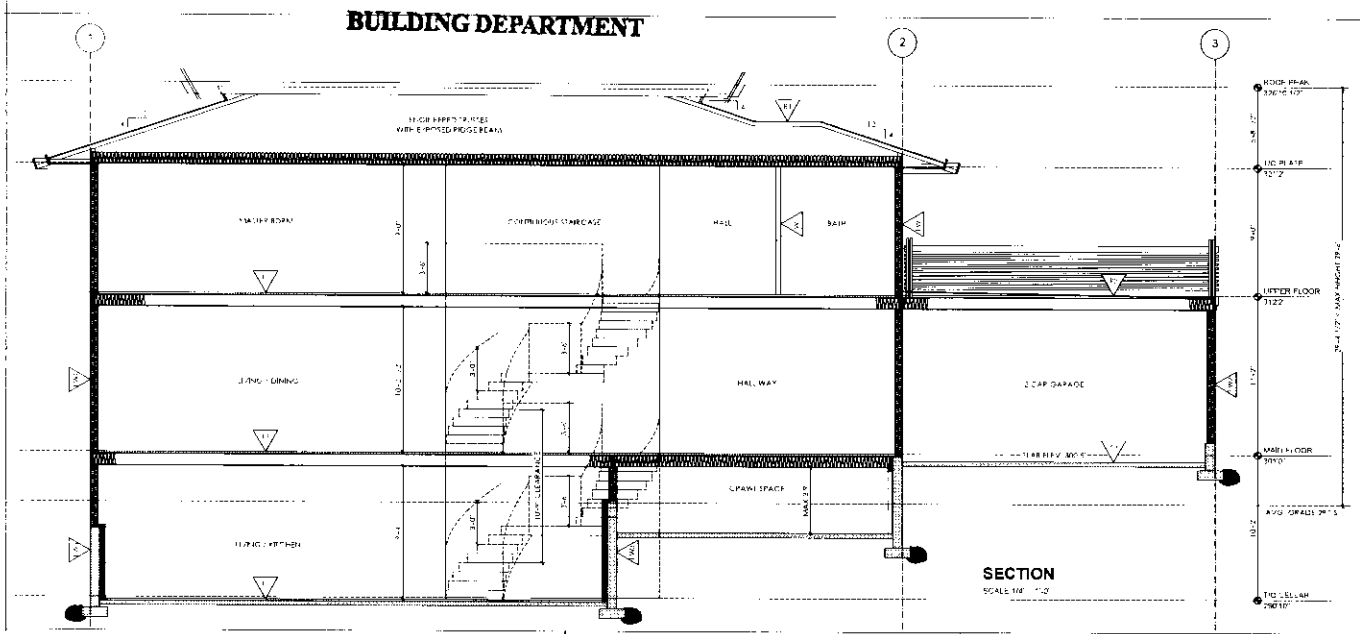
■ NOTE

ROOF PLAN

SHEET NO: A2.3

■ SHEET

RECEIVED
JAN 16 2015
BUILDING DEPARTMENT



SECTION
SCALE 1/8" = 1'-0"

ROOF ASSEMBLIES

TYPE — ASSEMBLY

- SLOPED ROOF OVER WARM SPACE: ASPHALT SHINGLES (MIN. CLASS B RATING FOR STOREYS) ON 15 POUND FELT; 7/16" ROOF SHEATHING (SEE STRUCTURAL); PRE-ENGINEERED ROOF TRUSSES @ 24" O.C. (SEE STRUCTURAL); R40 GLASS FIBRE BATTS (OR EQUAL); 6 MIL POLY VAPOUR BARRIER; 1/2" G.W.B.; CEILING FINISH - PAINT. PROVIDE MINIMUM UNOBSTRUCTED VENTED AREA FOR 1/300 OF INSULATED CEILING AREA WITH 50% OF REQUIRED VENTING LOCATED AT THE TOP AND BOTTOM OF THE SPACE TO BE VENTED WITH SOFFIT VENTS. WHERE A VAPOUR PERMEABLE ROOFING MEMBRANE IS USED, VENTING MAY BE REDUCED TO 1/500 OF INSULATED CEILING AREA. PROVIDE CROSS VENTILATION WHERE POSSIBLE.
- FLAT ROOF OVER WARM SPACE: BUILT-UP ROOFING MEMBRANE; ROOF SHEATHING PER STRUCTURAL; MINIMUM 1/2" CRAWL SPACE FOR DRAINAGE AND ROOF FRAMING PER STRUCTURAL; R40 BATT INSULATION; 6 MIL POLY VAPOUR BARRIER; 1/2" G.W.B.; CEILING FINISH - PAINT.

FLOOR ASSEMBLIES

TYPE — ASSEMBLY

- SLAB ON GRADE: FLOOR FINISH - ENGINEERED HARD FLOOR OR TILE; 3 1/2" CONCRETE SLAB ON GRADE W/ REINFORCING FIBRES (SEE STRUCTURAL FOR REINFORCING); RIGID INSULATION; 4" SAND BED; COVER TO MIL POLY VAPOUR BARRIER ON SUB-BASE AS PER GEOTECHNICAL REPORT.
- SLAB ON GRADE GARAGE: CURE GARAGE TRAFFIC SEALER; 3 1/2" CONCRETE SLAB ON GRADE (TO SLOPE TO DRAIN AT GARAGE AREAS) SEE STRUCTURAL FOR REINFORCING; 4" SAND BED; COVER TO MIL POLY VAPOUR BARRIER ON SUB-BASE AS PER GEOTECHNICAL REPORT.
- WOOD FLOORS: FLOOR FINISH SHARD FLOOR OR TILE; CONCRETE TOPPING IF REQUIRED FOR RADIANT HEATING; SUBFLOOR ON WOOD SHEATHING; SEE JOISTS FOR AIR BARRIER CONTINUITY; FLOOR FRAMING (SEE STRUCTURAL); R28 FIBRE GLASS / BATT INSULATION OVER UNHEATED CRAWL SPACE; 1/2" G.W.B.; CEILING FINISH.

WALL ASSEMBLIES CONT'D

TYPE — ASSEMBLY

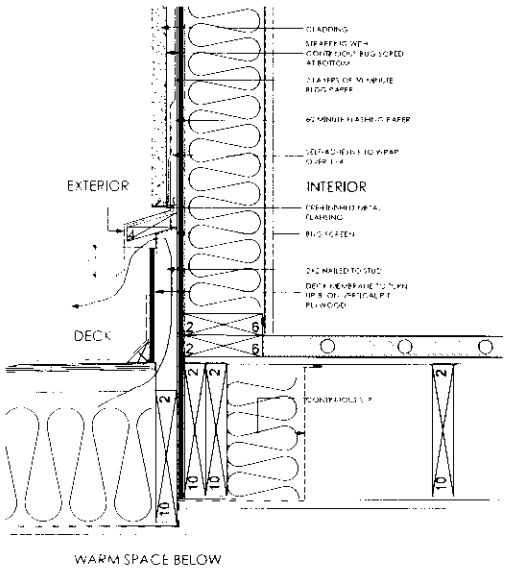
- EXTERIOR WALL: EXTERIOR FINISH (SEE ELEVATIONS); ON 1/2" SHEATHING OVER STRAPPING; 2 LAYERS OF VAPOUR BUILDING PAPER (LAPPED & SEALED); 1/2" EXTERIOR WALL SHEATHING (SEE STRUCTURAL); 2" X 6" WOOD STUDS (SEE STRUCTURAL FOR SPACING); R22 FIBRE GLASS BATT INSULATION (OR EQUAL); 6 MIL POLY VAPOUR BARRIER; 1/2" G.W.B.; PAINT FINISH.
- EXTERIOR WALL AT GARAGE: 2" X 4" WOOD STUDS (SEE STRUCTURAL FOR SPACING); SAME AS ABOVE.
- BELOW GRADE FOUNDATION WALL: BACKFILL SOIL WITH FILTER FABRIC; DRAINMAT; DAMPPROOFING ON CONC. WALL (SEE STRUCTURAL); 10" CMU; 2" X 6" STUDS WITH R22 INSULATION; VAPOUR BARRIER; 1/2" G.W.B.

WALL ASSEMBLIES

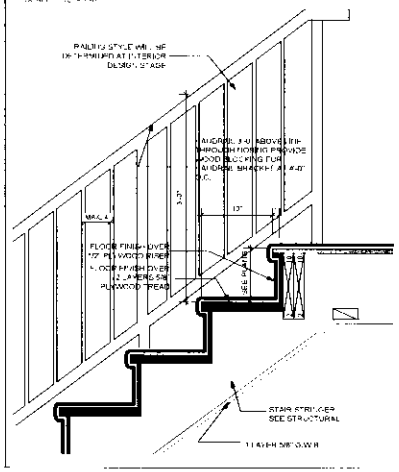
TYPE — ASSEMBLY

- RUBBISH WALL: PAINT FINISH (TYP.); 1/2" G.W.B.; 2" X 4" WOOD STUDS @ 12" O.C. OR 2" X 6" WOOD STUDS @ 16" O.C. (SEE STRUCTURAL); 1/2" G.W.B.; PAINT FINISH (TYP.)

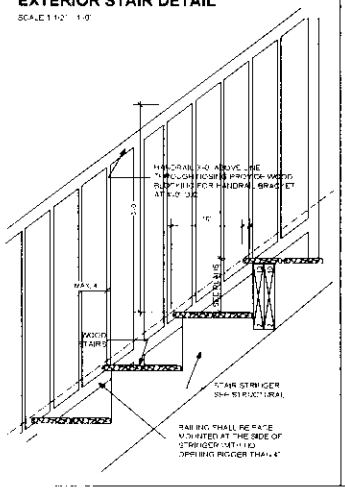
ECK OVER WARM SPACE DETAIL



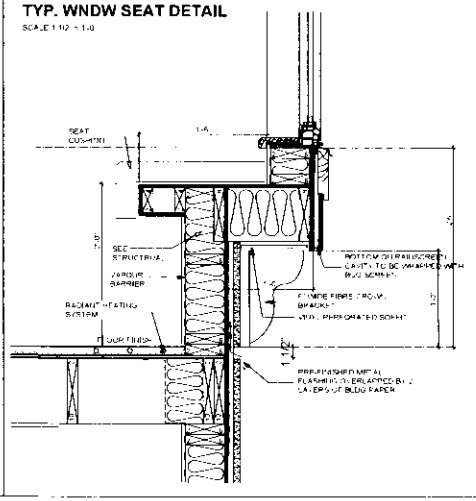
INTERIOR STAIR DETAIL



EXTERIOR STAIR DETAIL



TYP. WNDW SEAT DETAIL



NO	DATE	DESCRIPTION

■ REVISIONS:

NO	DATE	DESCRIPTION
2	14 NOV 2014	BP 1 - BUILDING PERMIT
1	14 OCT 2014	DESIGN PROPOSAL 2

■ ISSUE:

GA

■ FIRM

■ SEAL

EMPRESS AVENUE RESIDENCE

■ PROJECT NAME

5890 EMPRESS AVE
BURNABY, BC

■ PROJECT ADDRESS

DRAWN	DATE
R.A.	OCT 2014
SCALE	DRAWING NO.
AS NOTED	GA-049

■ NOTE

SECTION A-A AND DETAILS

SHEET NO. A3.0

■ SHEET

-36-

3.(b)

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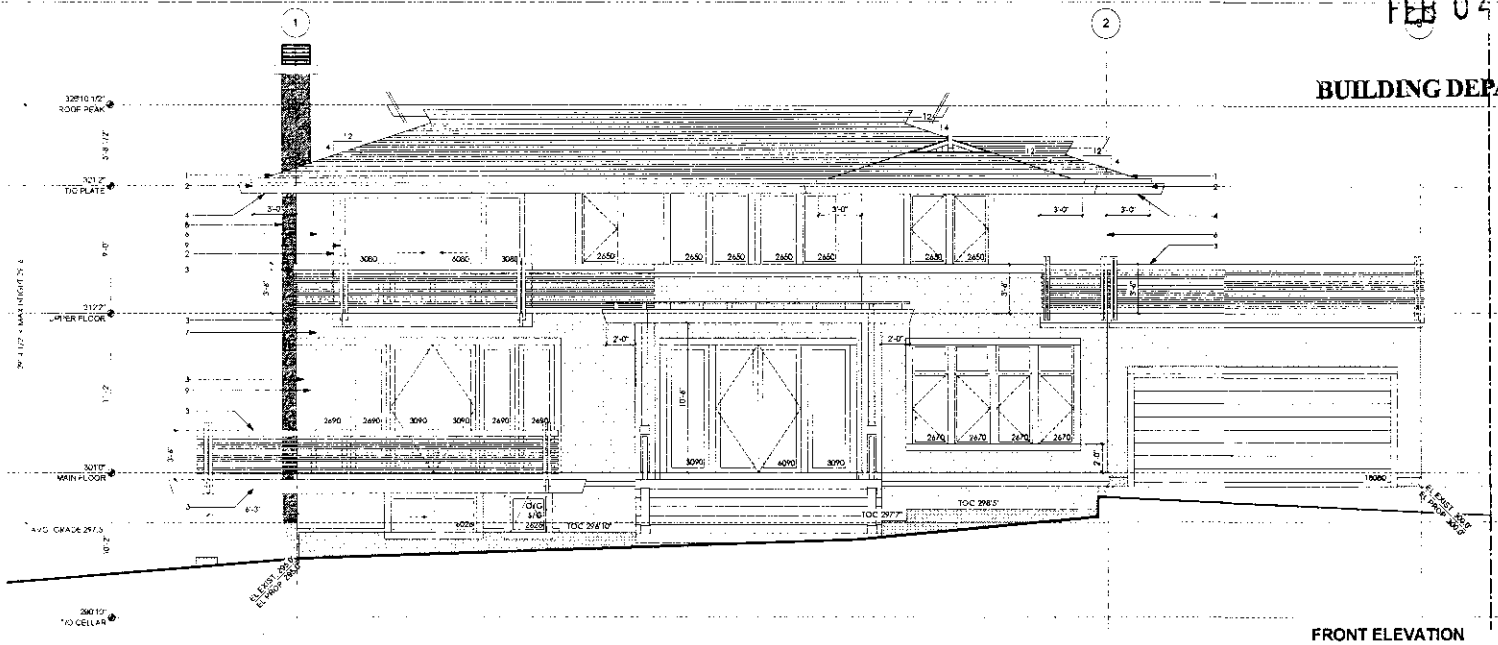
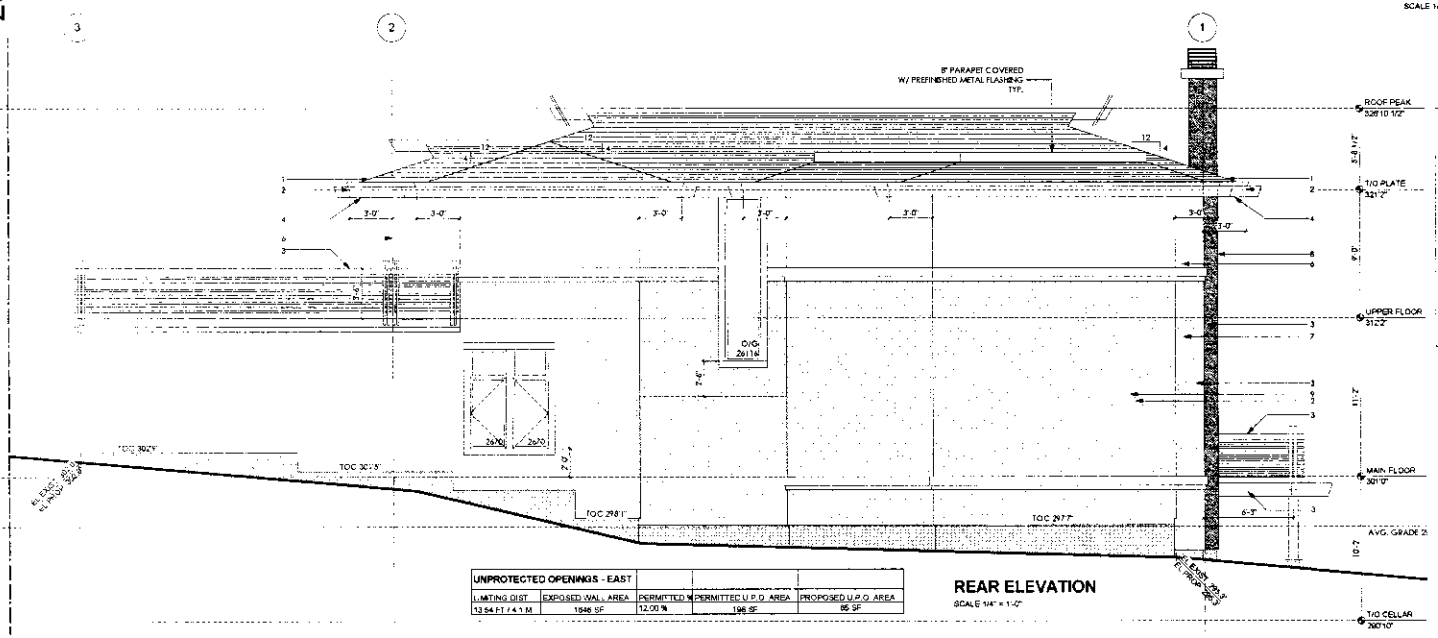


FRONT ELEVATION
SCALE 1/4" = 1'-0"



UNPROTECTED OPENINGS - EAST				
LIMITING DIST.	EXPOSED WALL AREA	PERMITTED %	PERMITTED U.P.O. AREA	PROPOSED U.P.O. AREA
13.64 FT / 4.1 M	1646 SF	12.00 %	198 SF	85 SF

REAR ELEVATION
SCALE 1/4" = 1'-0"

1. **ASPHALT SHINGLE** — DARK GREY OR BLACK
2. **FASCIA BOARD, WOOD TRIM** — PAINTED BM FAIRVIEW TAUPE HC-85
3. **RAFTER, BEAM, POST, RAILING** — PAINTED BM FAIRVIEW TAUPE HC-85
4. **CEDAR SOFFIT** — DARK STAINED
5. **PEBLE DASHED STUCCO** — PAINTED BM GRANT BEIGE HC-83
6. **PEBLE DASHED STUCCO** — PAINTED BM KINGSPORT GRAY HC-86
7. **CULTURED STONE** — CHARDONNAY DRESSED FIELDSTONE
8. **ALUMINUM THERMALLY BROKEN WINDOW** — BLACK

NO.	DATE	DESCRIPTION
1	2 FEB 2015	BP 1 - ROOF REVISION

■ REVISIONS:

NO.	DATE	DESCRIPTION
2	14 NOV 2014	BP 1 - BUILDING PERMIT
1	16 OCT 2014	DESIGN PROPOSAL 2

■ ISSUE:

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■ FIRM

■ SEAL

EMPRESS AVENUE RESIDENCE

■ PROJECT NAME

5890 EMPRESS AVE
BURNABY, BC

■ PROJECT ADDRESS

DRAWN	DATE
K.A.	OCT 2014
SCALE	PROJECT NO
AS NOTED	GA -G49

■ NOTE

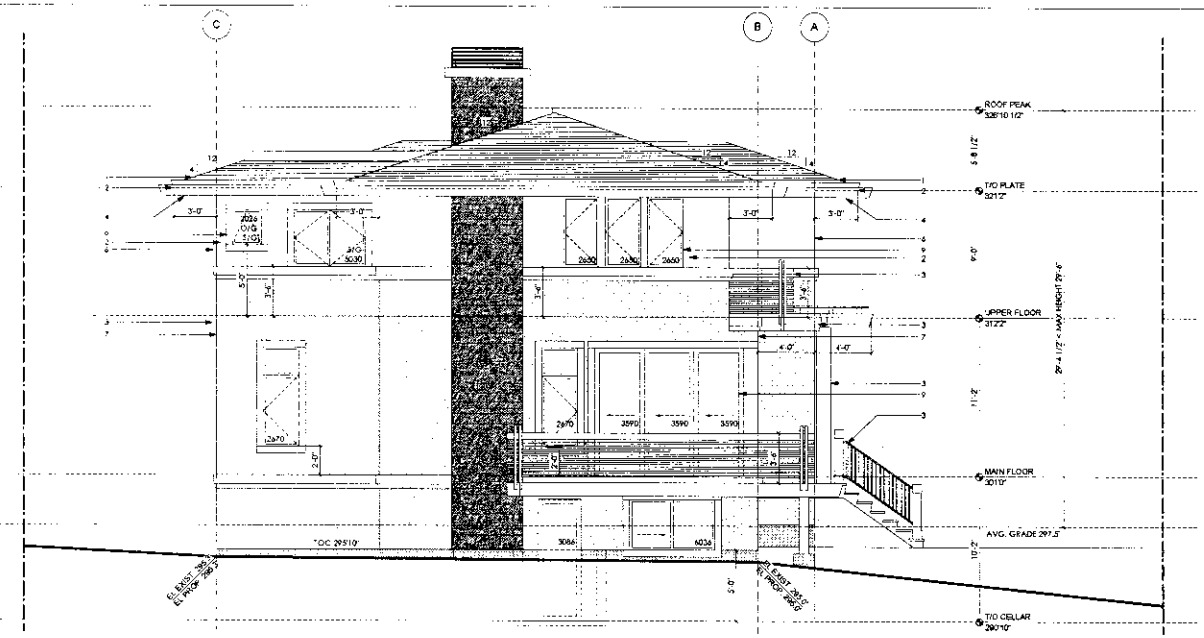
FRONT AND REAR ELEVATION

SHEET TITLE

A4.0

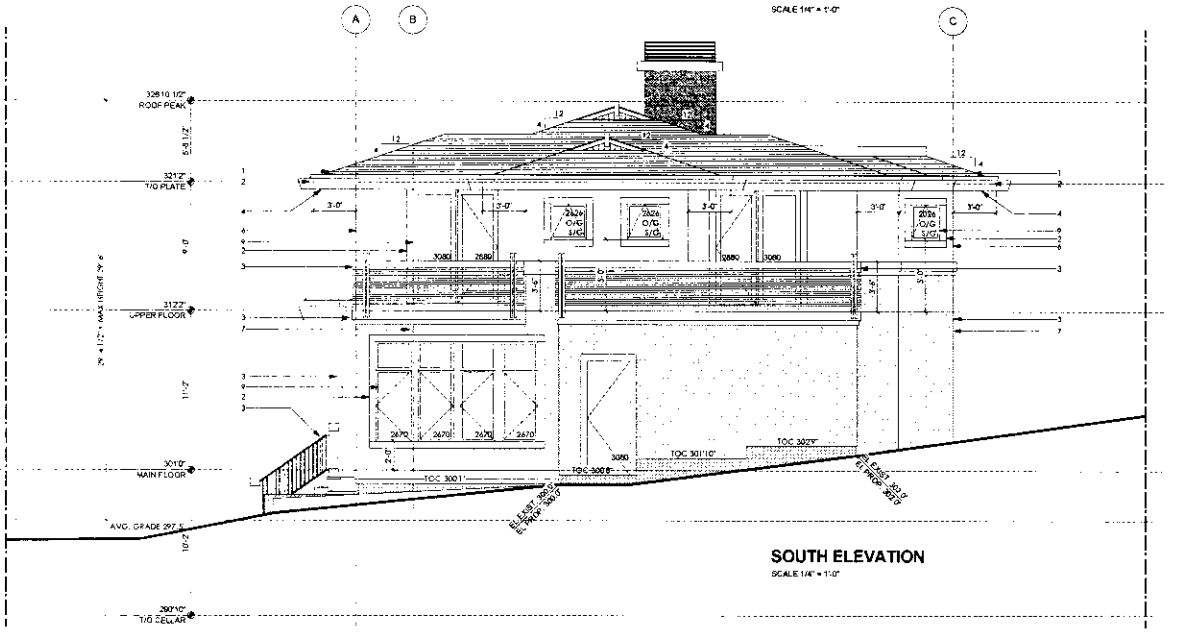
REVISION NO. SHEET NO.

■ SHEET



NORTH ELEVATION

SCALE 1/4" = 1'-0"



SOUTH ELEVATION

SCALE 1/4" = 1'-0"

1. ASPHALT SHINGLE
DARK GREY OR BLACK
2. FASCIA BOARD, WOOD TRIM
PAINTED BM FAIRVIEW TAUPE HC-85
3. RAFTER, BEAM, POST, RAILING
PAINTED BM FAIRVIEW TAUPE HC-85
4. CEDAR SOFFIT
DARK STAINED
5. PEBLE DASHED STUCCO
PAINTED BM GRANT BEIGE HC-83
6. PEBLE DASHED STUCCO
PAINTED BM KINGPORT GRAY HC-86
7. CULTURED STONE
CHARCOAL/GRAY DRESSED FIELDSTONE
8. ALUMINUM THERMALLY BROKEN WINDOW
BLACK

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UNPROTECTED OPENINGS - NORTH				
LIMITING DIST.	EXPOSED WALL AREA	PERMITTED %	PERMITTED U.P.O. AREA	PROPOSED U.P.O. AREA
19.54 FT / 4.1 M	1098 SF	55.00 %	604 SF	723 SF

UNPROTECTED OPENINGS - SOUTH				
LIMITING DIST.	EXPOSED WALL AREA	PERMITTED %	PERMITTED U.P.O. AREA	PROPOSED U.P.O. AREA
36.42 FT / 11.10 M	964.7 SF	73.80 %	836 SF	177.64 SF

NO.	DATE	DESCRIPTION
1	2 FEB 2015	BP 1 - ROOF REVISION

REVISIONS:

NO.	DATE	DESCRIPTION
2	14 NOV 2014	BP 1 - BUILDING PERMIT
1	16 OCT 2014	DESIGN PROPOSAL 3

ISSUE

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FIRM

SEAL

EMPRESS AVENUE RESIDENCE

PROJECT NAME

5890 EMPRESS AVE BURNABY, BC

PROJECT ADDRESS

DRAWN	DATE
K.A.	OCT 2014
SCALE	PROJECT No.
AS NOTED	GA-G49

NOTE

NORTH AND SOUTH ELEVATION

SHEET TITLE

A4.1

REVISION NO. SHEET NO.

SHEET

POSTING PLAN OF LOT 190 DISTRICT LOT 92 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 25859

PLAN EPP43438

PURSUANT TO SECTION 68 OF THE LAND TITLE ACT
BCGS 92G.026
CITY OF BURNABY

SCALE 1:500

0 10 20 30 40m

(All distances are in metres)

The intended plot size of this plan is 560mm in width by 432mm in height (C size) when plotted at a scale of 1:500.

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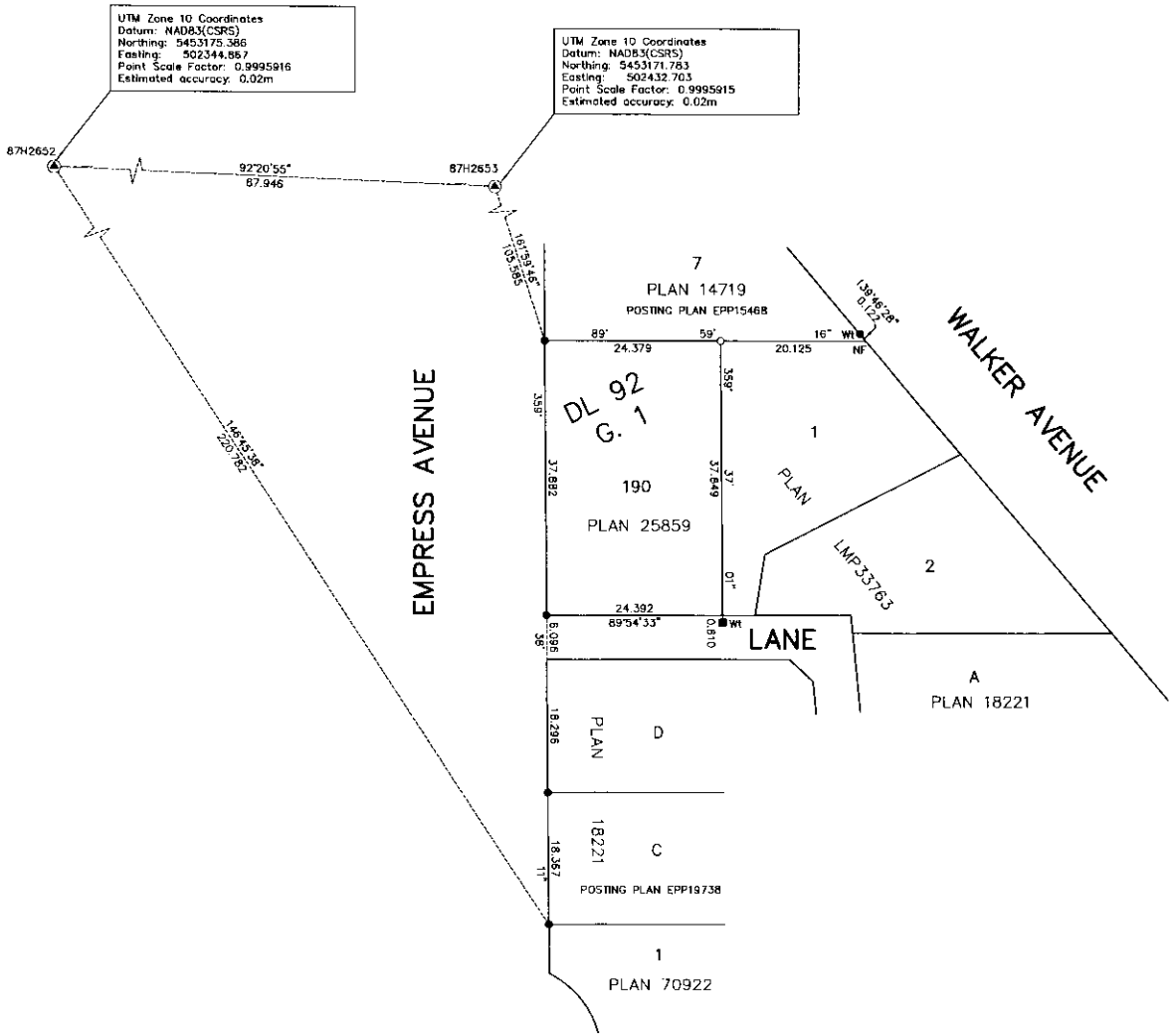
LEGEND

- indicates control monument found
- indicates standard iron post found
- indicates standard iron post placed
- indicates lead plug found
- Wt indicates witness
- NF indicates nothing found

Note: This plan shows one or more witness posts which are not set on the true corner(s).

Grid bearings are derived from geodetic control monuments 87H2652 and 87H2653. Integrated Survey Area No. 25, Burnaby, B.C. NAD 83 (CSRS)

This plan shows horizontal ground-level distances unless otherwise specified. To compute grid distances, multiply ground-level distances by the average combined factor of 0.99959155 which has been derived from geodetic control monuments 87H2652 and 87H2653.



DHALIWAL & ASSOCIATES
LAND SURVEYING INC.
216 – 12899 76th Avenue
Surrey, B.C.
V3W 1E6
(ph) 604 501-6188
(fx) 604 501-6189

FILE : 1408136-P01

THIS PLAN LIES WITHIN THE GREATER VANCOUVER REGIONAL DISTRICT

The field survey represented by this plan was completed on the 4th day of December, 2014.

Gene Paul Nikula, BCLS 803

BRITISH COLUMBIA LAND SURVEYOR'S SITE SURVEY PLAN OF LOT 190 DISTRICT LOT 92 GROUP 1 N.W.D. PLAN 25859

P.I.D. 002-774-763

For Building Design Purposes
Scale: 1 inch = 16 feet

Current Civic Address:
5890 Empress Avenue
Burnaby, B.C.

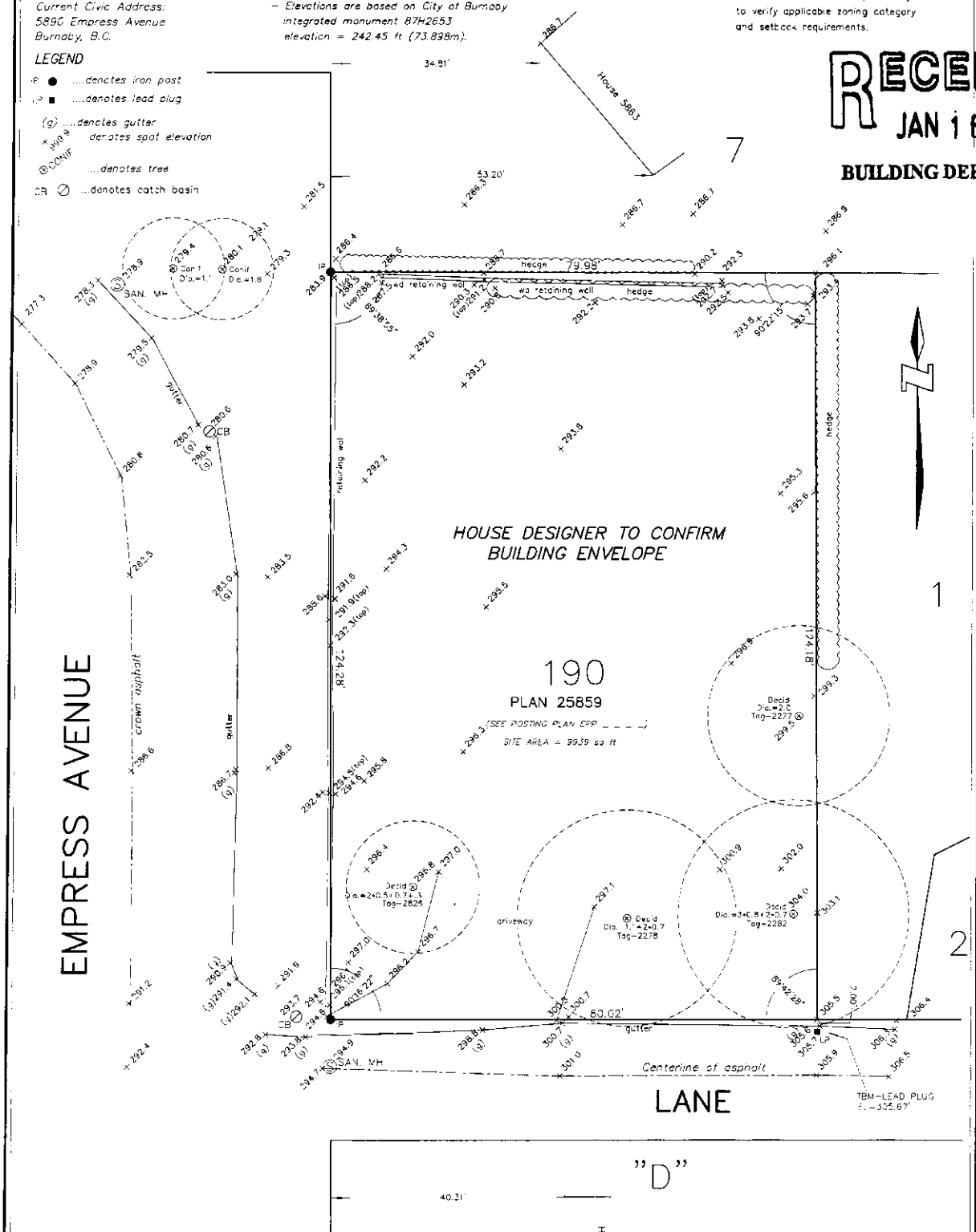
Notes:
- All dimensions are in feet.
- Property line dimensions are based on legal field survey.
- This Site Plan adheres to city's Tree By-law.
- Elevations are based on City of Burnaby integrated monument 87H2653 elevation = 242.45 ft (73.898m).

Building Envelope in R2 zoning:

Front yard minimum = 24.6 ft
Rear yard = minimum= 29.5
Building depth maximum = 60ft
Side yard = 4.9 ft. min.
= 11.5 ft. min. (sum both sides)

It is the contractor's responsibility to verify applicable zoning category and setback requirements.

LEGEND
- ● ....denotes iron post
- ■ ....denotes lead plug
- (g) ....denotes gutter
- 369.9 denotes spot elevation
- CONIF ....denotes tree
- CB ....denotes catch basin



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DHALIWAL AND ASSOCIATES
LAND SURVEYING INC.
215 - 12899 76th Avenue
Surrey, B.C. V3W 1E6
Phone: 604 501-5188
Fax: 604 501-5189
File: 14Db136-TO1

THIS DOCUMENT IS NOT VALID UNLESS ORIGINALLY SIGNED AND SEALED

Date of Survey:
19th day of September, 2014

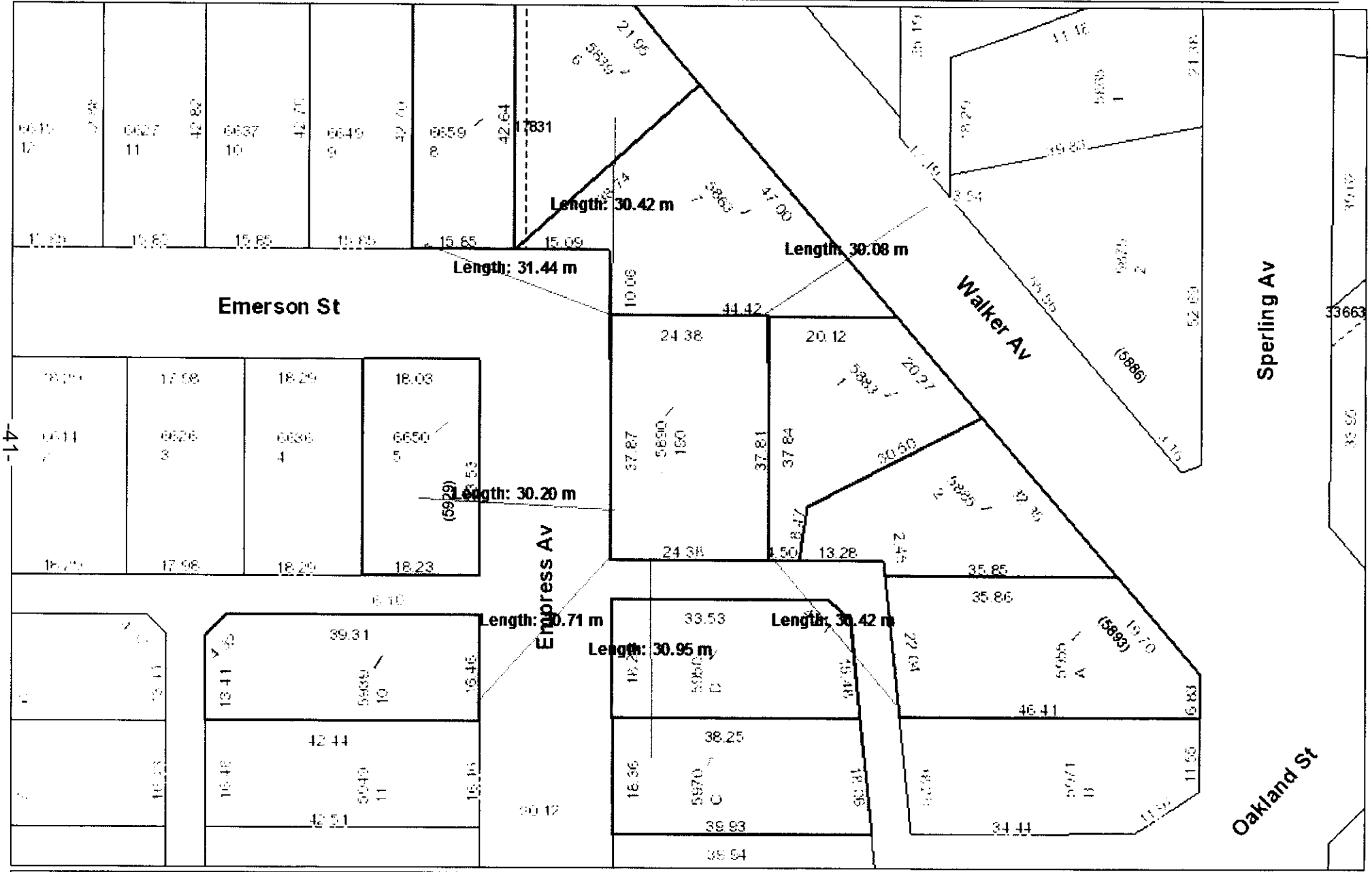
PRELIMINARY

GENE PAUL NIKULA B.C.L.S. 803

City of Burnaby

5890 Empress Ave

February 11, 2015



The information has been gathered and assembled on the City of Burnaby's computer systems. Data provided herein is derived from a a number of sources with varying levels of accuracy. The City of Burnaby disclaims all responsibility for the accuracy or completeness of information contained herein.

BOV 6148

N

City of Burnaby

Board of Variance Appeal Application Form

OFFICE OF THE CITY CLERK

Burnaby City Hall, 4949 Canada Way, Burnaby BC, V5G 1M2, Phone: 604-294-7290 Email: clerks@burnaby.ca

Applicant

Name of Applicant: KRISHAN ANAND

Mailing Address: 745 Greenwood ST

City/Town: BBY Postal Code: V5A1X7

Phone Number(s): (H) 6044204495 (C) 6047207299

Email: krishan1949@gmail.com

Preferred method of contact: ☒ email ☐ phone ☐ mail

Property

Name of Owner: KRISHAN & RAJ ANAND

Civic Address of Property: ~~Same as above~~ 7495 Whelan Court

I hereby declare that the information submitted in support of this application is, to the best of my knowledge, true and correct in all aspects, and further that my plans have no conflict with municipal bylaws other than those applied for with in this application.

Feb 10/15
Date

Applicant Signature

Office Use Only

Appeal Date: March 5, 2015 Appeal Number BV#: 6149

Required Documents:

- ☑ Hardship Letter from Applicant
- ☑ Site Plan of Subject Property
- ☑ Building Department Referral Letter

CITY OF BURNABY
FEB 10 2015
CLERK'S OFFICE

3.(c)

RAJ & KRISHAN ANAND
7045 Greenwood St., Burnaby BC V5A 1X7
Email: Krishan1949@gmail.com, TEL: 6047207299

To, The Board of Variance, Burnaby Feb 10' 201

Dear Sir/Madam
Ref: 7495 Whelan Ct, Burnaby, B.C. - HARDSHIP LETTER

This house would be used for our prime residence where we can enjoy visits from our kids and grand kids. We are both of retired age. The house is designed with an elevator, handicap access and walk out basement. There is no legal suite in the basement. House plan is custom to our needs but it can only be built with B.O.V approval on the following two relaxations.

1. Principal Building height measured above grade.

It is very hard if not impossible to design the house with current bylaws, as it is a very steep property from front to rear. Elevation at south west corner is 186.8 ft while on north east corner is 162.4ft. (a drop of 22.06 ft.). Our designer has taken all possible measures to keep the massing of the house to minimum when seen from street level. Some of the these are mentioned below:
a. We have kept the front door entry at grade level, ie no stairs to reduce height.
b. Our front door sill is already 3-4 ft below average street level.
c. We have used roof slope of 3:12 instead of normal 4:12 to keep height to minimum.
Please note that if we had used 4:12 slope which is allowed, roof Peak would be 5 ft higher.
d. From front of house you can only see top 2 story. Third story is completely below ground . If we make the house any lower, even the main floor of the house will become buried below existing grade.
e. Property slopes down towards the back of the house. Only people that will can be adversly effected from our height are the homes across the street from us. Those homes sit at much higher grade elevation than us so they will not be affected at all.
f. We understand that Burnaby building bylaws require us to measure the height to roof peak while most other municipalities measure to average roof truss height instead of Peak. If we were to build the same house plan in other municipality, it may not require B.O.V.
g. City has a right of way on 75% of our rear yard which restricts us from making any change to natural grade in rear yard. This very much restricts our use of rear yard.

2. Front Yard Set Back.
a. Existing house on the property is built with same set back as we are proposing for new property.
b. Our property line on front is very awkward as city took away a triangular piece of land to place a storm drain. Rest of the property line is parallel to street. Due to this missing piece of land, it impossible to design the house with regular set back.
c. If we set the house back by 29.5ft had from north end of missing land, we will not be able to use the full 60 ft. depth of the house, or the FSR allowed by the current bylaws. Moreover, the existing grade elevation at 29.5 ft from such point would be so low that our house would then need to go even deeper into ground to meet the height bylaws, making the design completely non viable, for our use.

We are very anxious to get the house started as soon as possible with your blessings. Thank you,
Respectfully,
Krishan and Raj Anand

City of Burnaby

BOARD OF VARIANCE REFERRAL LETTER

DATE: February 6, 2015	**DEADLINE: February 10, 2015 for the March 5, 2015 hearing**	*This is **not** an application. Please take letter to Board of Variance. (Clerk's office - Ground Floor)*
NAME OF APPLICANT: Krishan Anand		
ADDRESS OF APPLICANT: 7045 Greenwood Street Burnaby, B.C. V5A 1X7		
TELEPHONE: 604.720.7299		

PROJECT			
DESCRIPTION: New single family dwelling			
ADDRESS: 7495 Whelen Court			
LEGAL:	**Lot 2 except: part subdivided by plan 30433**	**DL: 86**	**PLAN: 24141**

The above mentioned application, which includes the attached plan of the proposal, has been refused by the Building Department on the basis of contravention of:

Zone/Section(s) R1 [101.6(1)(b);101.8]
of the Burnaby Zoning Bylaw No. 4742

COMMENTS:

The applicant is proposing to build a new single family dwelling. The following relaxation is being requested.

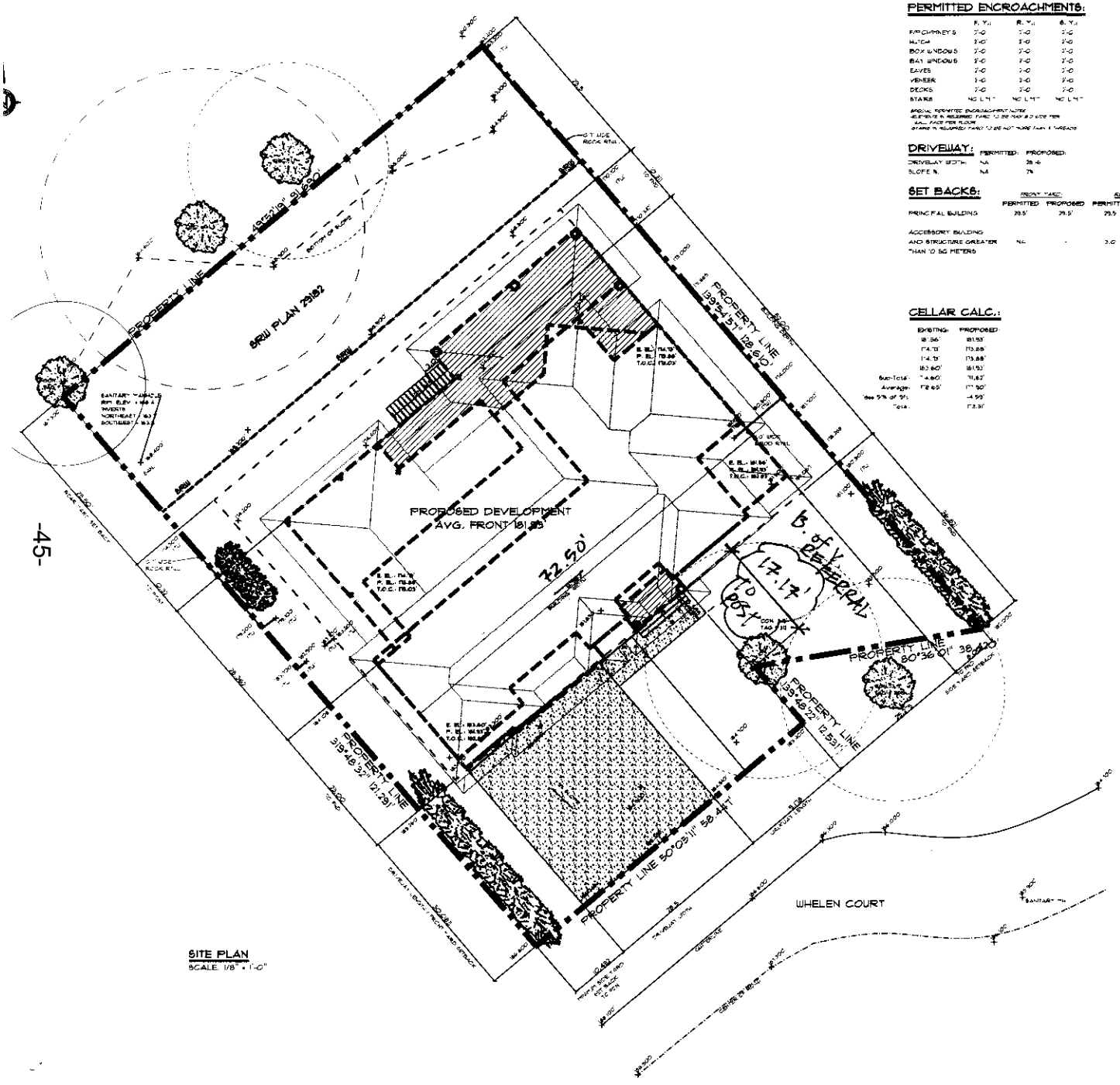
1) The principal building height, measured from the rear average elevation will be 31.98 feet. The principal building height, measured from the front average elevation will be 23.82 feet. The maximum building height of 24.3 feet is permitted.

2) The front yard setback will be 17.17 feet to the post where a front yard setback of 29.5 feet is required based on minimum front yard. The roof overhang will be 3.0 feet beyond the post.

Note: The applicant recognizes that should the project contain additional characteristics in contravention of the zoning by-law a future appeal(s) may be required

DS

Peter Kushnir
Assistant Chief Building Inspector, Permits and Customer Service



PERMITTED ENCROACHMENTS:

	F. Yd.	R. Yd.	S. Yd.
FIREPLACE/S	2'-0"	2'-0"	2'-0"
MULTI-M	2'-0"	2'-0"	2'-0"
BOX WINDOWS	2'-0"	2'-0"	2'-0"
BAY WINDOWS	2'-0"	2'-0"	2'-0"
EAVES	2'-0"	2'-0"	2'-0"
VENEER	1'-0"	2'-0"	2'-0"
DECKS	2'-0"	2'-0"	2'-0"
STAIRS	NO LIMIT	NO LIMIT	NO LIMIT

SPECIAL PERMITTED ENCROACHMENT NOTES:
SEE SECTION 5 REGARDING PANEL TO BE WAY OF EGRESS WINDOW WELL - FACE FROM FLOOR
STAIRS IN REQUIRED YARDS TO BE NOT MORE THAN 1 RISER HIGH

DRIVEWAY:

	PERMITTED:	PROPOSED:
DRIVEWAY WIDTH:	N/A	28'-6"
SLOPE IN:	N/A	7%

LOT COVERAGE:

		PERMITTED	PROPOSED
LOT AREA:		10310 SQ.FT.	
LOT COVERAGE IN:		40%	34%
LOT COVERAGE AREA		4412.4 SF	3,964.9 SF
A.G.F.A. IN:		40%	35%
A.G.F.A. AREA		4412.0 SF	4406.9 SF
GROSS FLOOR AREA IN:		60%	57%
GROSS FLOOR AREA:		6350.0 SF	6346.2 SF
ACCESSORY AREA IN:		-	-
ACCESSORY AREA:		482 SF	-
INCLUDE:			NOT INCLUDED
	FLOOR AREA OF ANY FLOOR		CRAWL SPACE/AREA
	GARAGE/ACCESSORY BUILDING		ATTIC LESS THAN 1.5m
	COVERED VERANDA & PORCHES		UNENCLOSED UNDER 10 SQ.FT.
	CROSS SECTIONAL AREA OF STAIRS ABOVE GRADE		PARKING AREA
	BASEMENT AREA IN		

AREA TABULATION:

	PROPOSED:
MAIN FLOOR AREA	2670.5 SF
UPPER FLOOR AREA	1796.4 SF
BASEMENT FLOOR AREA	1934.3 SF
TOTAL FAR	6346.2 SF
GARAGE AREA	451.1 SF
DECK COVERAGE AREA	486.0 SF
VERANDA AREA	84.8 SF
INCLUDE:	NOT INCLUDED
VELUX AREA	CRAWL SPACE/AREA
CARPORT AREA	ATTIC LESS THAN 1.5m
	UNENCLOSED SUNDECK
	ATTACHED PARKING FOR 2 SPACES

SET BACKS:

	FRONT YARD:		REAR YARD:		SIDE YARD:		FLANKING SIDE YARD:	
	PERMITTED	PROPOSED	PERMITTED	PROPOSED	PERMITTED	PROPOSED	PERMITTED	PROPOSED
PRINCIPAL BUILDING	29.5'	29.5'	25.5	29.5'	10'-0"	18.4'	14.8'	N/A
ACCESSORY BUILDING AND STRUCTURE GREATER THAN 10 SQ. METERS	N/A	-	3.0	N/A	3.0'	N/A	5.0'	N/A

GEODETIC ELEV:

ROOF PEAK ELEV.	206.23
UPPER FLOOR CEILING ELEV.	203.10
UPPER FLOOR SHEATING ELEV.	194.3
MAIN FLOOR ELEV.	183.08
AVG. FRONT GRADE	181.93
BSMT. FLOOR ELEV.	173.03

CELLAR CALC.:

	EXISTING:	PROPOSED:
	181.56'	181.93'
	174.13'	173.88'
	174.13'	173.88'
	183.60'	181.93'
Sub-Total:	714.90'	711.62'
Average:	178.85'	177.90'
less 5% of 5%:		-4.99'
Total:		172.91'

PROJECT INFORMATION

CIVIC ADDRESS:
7495 WHELEN COURT
BURNABY

PROPERTY OWNER:
KRISHNAN ANAND

ZONING:
R1 - SINGLE FAMILY DWELLING

LEGAL DESCRIPTION:
DISTRICT LOT 86
GROUP 1 NWD
PLAN 24141
P.I.D. 005-304-138

BUILDING HEIGHT:

	PERMITTED	PROPOSED
MEAN HEIGHT	28'-0"	20'-4"
ROOF PEAK	35'-0"	27'-5"
DETACHED BUILDING AND	15'-0"	N/A

BUILDING HEIGHT NOTES
- MAX HEIGHT IS MEASURED FROM THE POINT NEAREST TO THE AVERAGE LOT ELEVATION

VICINITY MAP:

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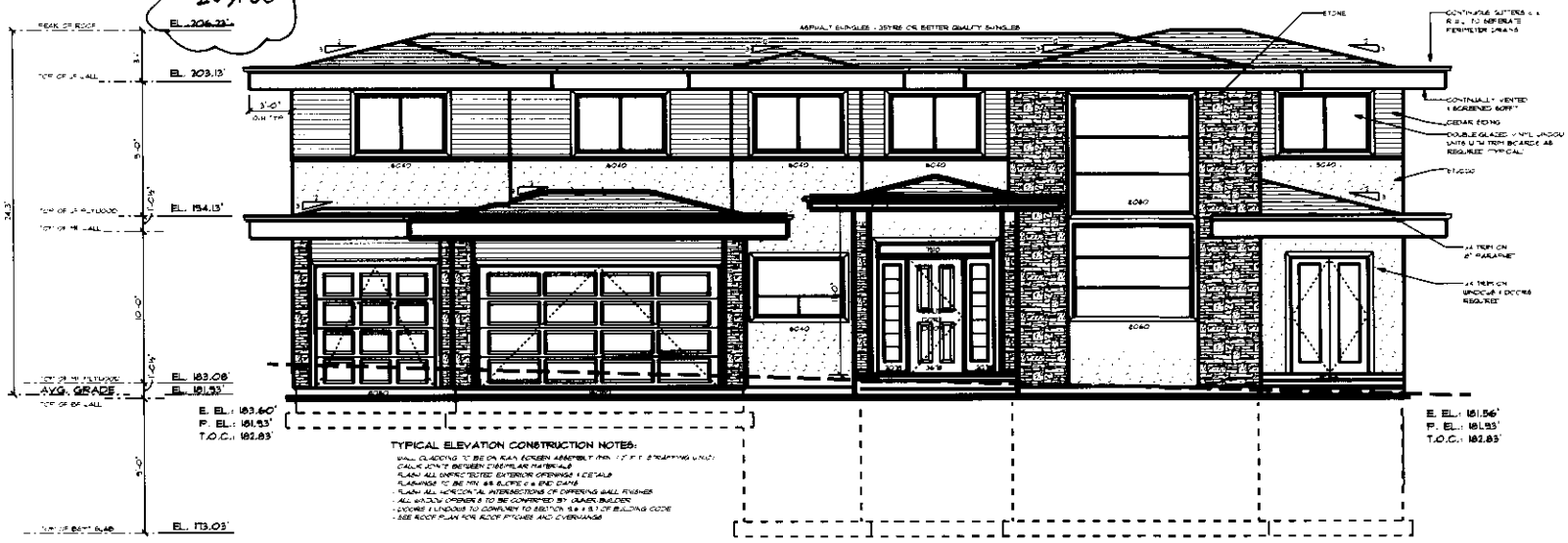
-LR
BUILDING DEPARTMENT

CONTACT: Krishnan A 604-730-
PROJECT: 7495 WHELEN COURT
SCALE: 1/8" = 1'-0"
DATE: February 9, 2015
SITE & AREA TABULATION
A-1

B. of V. REFERRAL

205.86'



FRONT ELEVATION

RIGHT ELEVATION

LIMITING DISTANCE CALCULATIONS:		%	
EXPOSED BUILDING SURFACE AREA	73.6		6.72 m²
LIMITING DISTANCE	18 FT		2.3 m
ALLOWABLE UNPROTECTED AREA	65.1		6.0 m²
ACTUAL PROPOSED AREA	41.5		4.4 m²

LEGEND
BUILDING HIDDEN LINE
PROPOSED GRADE LINE
EXISTING GRADE LINE

Kishen Anand 604-720-7299

1495 WHELEN COURT

FRONT & RIGHT ELEVATION

3.(c)

B. of V. REFERRAL

209.86'

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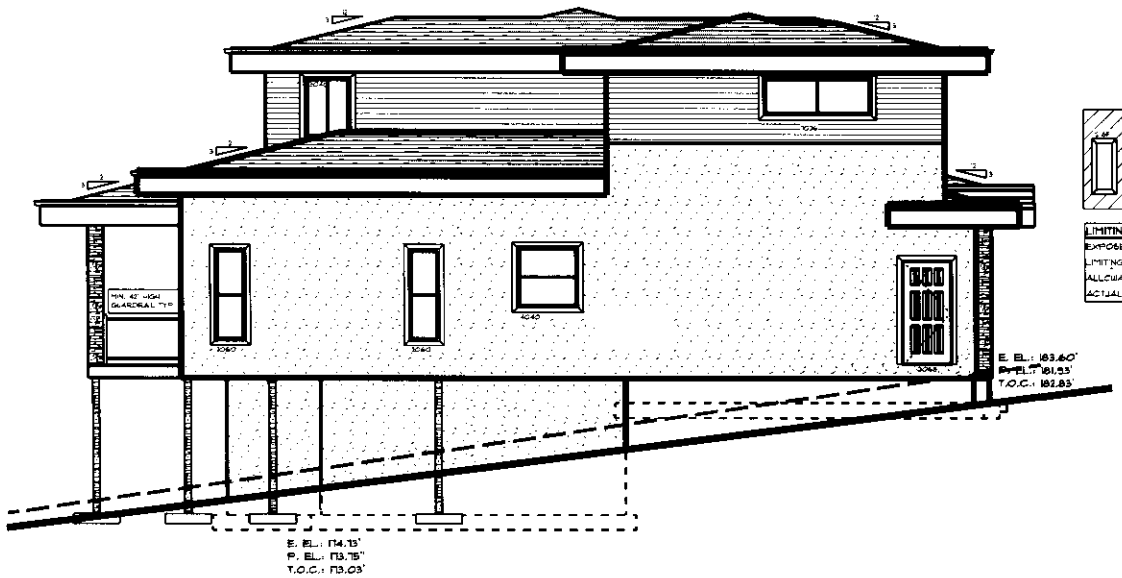
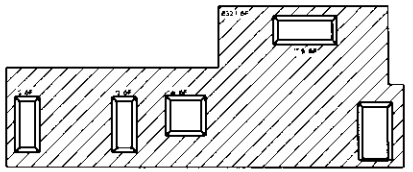
REAR ELEVATION



LEFT ELEVATION



LIMITING DISTANCE CALCULATIONS:

EXPOSED BUILDING SURFACE AREA	833	s.f.	77.3 m²
LIMITING DISTANCE	7.6	FT	2.3 m
ALLOWABLE UNPROTECTED AREA	74.9	s.f.	7.0 m
ACTUAL PROPOSED AREA	51.5	s.f.	4.8 m

-47-

3.(c)

CONTACT: Kristian A 604-720-

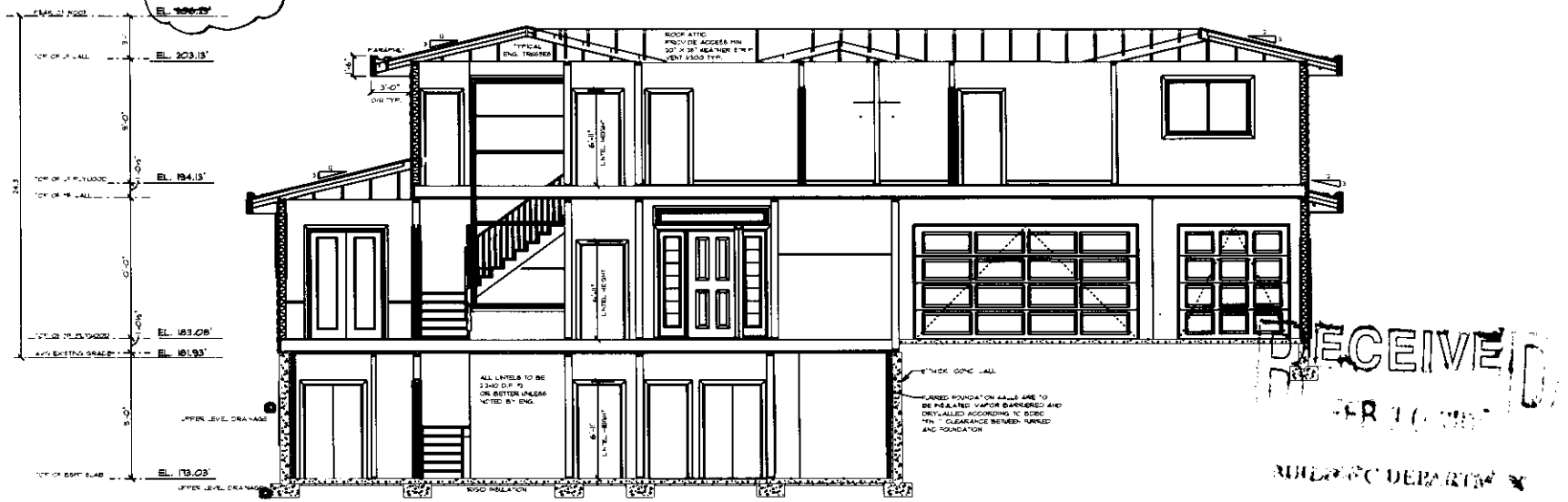
PROJECT: 7495 WHELEN COURT

REAR & LEFT ELEVATION

PAGE: P-6

B. of V. REFERRAL

205.86'



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CR086 SECTION A

TYPICAL CONSTRUCTION SPEC'S:

Roof Assembly:
TYPICAL "R86 ROOF
3ply ASPHALT SHINGLES
3x2" ROOFING STRAPPING c.c.
½" PLYWOOD c.c.
2x8 BLOCKING 4" FREE AIR ENG. HEEL "R86 = 24" O.C.
2x4 "H86" BRACING
R40 BATT INSULATION ON TWO LAYERS OF R30 BATT INSULATION PERPENDICULAR TO EACH OTHER OVER LIVE ROOF TO ACHIEVE OR INSULATED CEILING AREA
ATTIC CLEARANCE WITH INSULATION STOPS
FINISH USE 30"x28" ATTIC ACCESS
6 mil POLY VAPOUR BARRIER
½" GYPSUM BOARD
TAPED + SANDED

TYPICAL FRAME ROOF
2/12 ASPHALT SHINGLES
3x2" ROOFING STRAPPING c.c.
½" PLYWOOD c.c.
2x8 RIDGEBOARD
2x8 RAFTERS @ 16" O.C.
2x8 COLLAR TIES @ 48" O.C. WITH RIBBON TIE
2x8 CEILING JOISTS @ 16" O.C. WITH RIBBON TIE
R40 BATT INSULATION
6 mil POLY V.B.
½" GYPSUM BOARD
TAPED + SANDED

Overhang Assembly:
TYPICAL EAVE OVERHANG
5" ALUM. GUTTER
METAL LAYERED ON 2x10 MICRO FASCIA BOARDS
PERFORATED ALUMINUM OR VINYL SOFFIT OR V-GROOVED T&G CEDAR SOFFIT
4x4 VENT STRIP "R86 @ 4 LARGE AREAS
GUTTERS ATTACHED TO RAFTERS
DRAIN WATER LEADERS

Interior Wall Assembly:
TYPICAL INTERIOR WALLS
2x4 OR 2x6 STUDS @ 16" O.C.
½" GYPSUM BOARD BOTH SIDES
TAPE + MILL FINISH TO BE DETERMINED

TYPICAL BEARING WALLS
2x6 SINGLE LENGTH STUDS @ 16" O.C.
8" CONCRETE CURB
ENGR'D STRIP FOOTING

Exterior Wall Assembly:
TYPICAL EXTERIOR WALL
FINISH AS PER ELEVATIONS
2) PREPAINTED TREATED STRAPPING @ 8" O.C.
7/16" PLYWOOD SHEATHING
2x6 STUDS @ 16" O.C.
R20 MIN BATT INSULATION
6 mil POLY VAPOUR BARRIER
½" GYPSUM WALL BOARD
TAPED + SANDED

TYPICAL SILL ASSEMBLY
½" DIA. ANCHOR BOLTS @ MAX. 6'-0" O.C.
2x6 PRESSURE TREATED SILL PLATE
¼" SILL GASKET

TYPICAL FOUNDATION WALL
60% MOLE RIDGED EXTERIOR INSULATION
MECHANICALLY FASTENED OR INSTALLED ON 2x4 OR 2x6 STRAPPING @ 24" O.C.
WATERPROOF FOUNDATION COVERING MEMBRANE
2 COATS OF ASPHALT EMULSION
8" ENG'D CONCRETE FOUNDATION WALL ON ENG'D CONCRETE STRIP FOOTING ON GOOD BEARING SOIL, UNLESS NOTED OTHERWISE, OR 6" MIN. COARSE GRANULAR DRAIN ROCK CONTINUOUS R20 BATT INSULATION
2x4 OR 2x6 STRAPPING @ 24" O.C.
6 mil POLY VAPOUR BARRIER
½" DRYWALL ON WARM SIDE
TAPED + SANDED

TYPICAL SLAB ON GRADE FOUNDATION
FINISH AS REQUIRED
8" CONCRETE FOUNDATION WALL
ENG'D CONCRETE STRIP FOOTINGS
TREATED 2x6 THERMAL BREAK
R20 R60 INSULATION TO 24" BELOW GRADE OR 24" FROM PERIMETER

Floor Assembly:
TYPICAL FLOOR FRAMING
FINISH AS REQUIRED
3x4" T&G PLYWOOD SHEATHING
GLUED AND SCREWED TO
2x10 JOISTS @ 16" O.C. OR
1-3/4" LVL FLOOR JOISTS (as per Eng.)
2x2" CROSS BRIDGING @ 7'-0" O.C.
R28 FIBRE GLASS INSULATION BATTS
½" TYPE 'X' GYPSUM BOARD CEILING

TYPICAL RAFTER FRAMING
R28 FIBER GLASS BATTS AT ROOF JOIST
6 mil P.E. POLY VAPOUR BARRIER
SEALED WITH ACOUSTIC SEALANT OR ALTERNATIVE MATERIAL APPROVED AGAINST

TYPICAL BASEMENT FLOOR
FINISH AS REQUIRED
4" CONCRETE SLAB c.w.
FIBRE MESH REINFORCEMENT OR
6 x 6/6 WELDED WIRE MESH ON
2 in THICK NO. 1 POLYSTYRENE R10 INSULATION UNDER ENTIRE SLAB
6 mil POLY VAPOUR BARRIER
COMPACTED SAND/GRANULAR FILL
CONCRETE POLY OR VERTICAL CONC. POURED WALL + SEAL

TYPICAL GARAGE FLOOR
4" CONCRETE SLAB c.w.
FIBRE MESH REINFORCEMENT
6 mil POLY VAPOUR BARRIER
COMPACTED SAND/GRANULAR FILL
1% MIN. SLOPE TO ENTRY

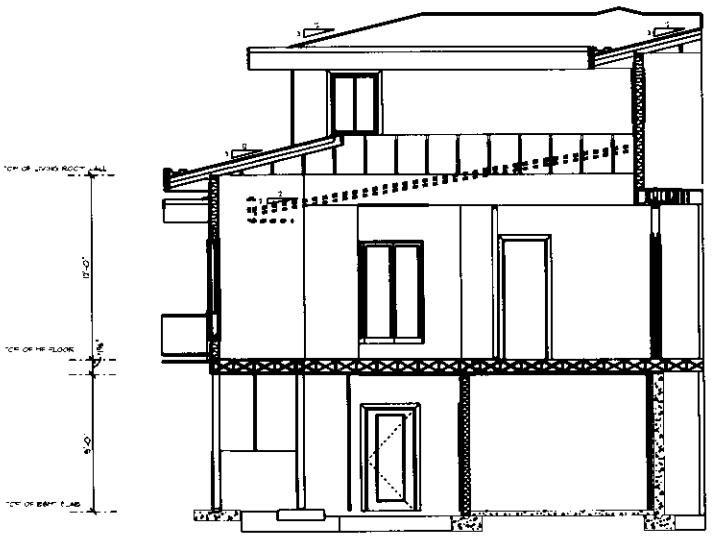
TYPICAL SLAB ON GRADE FLOOR
4" CONCRETE SLAB c.w.
FIBRE MESH REINFORCEMENT
OPTIONAL: 2 1/2" THICK POLYSTYRENE R10 RIGID INSULATION UNDER ENTIRE SLAB
6 mil POLY VAPOUR BARRIER
COMPACTED SAND/GRANULAR FILL

2 Level Drainage Assembly:
TOP LEVEL ROOF DRAIN
ROOF SLAB TO TIE INTO
4" DIA. SCH. 40 RIGID PVC
DRAIN PIPE ARC AND PERIMETER OF BUILDING CONNECTED INTO SUMP + STORM DRAIN

LOWER LEVEL ROOFING DRAIN
PROTECTIVE MESH FILTER ON
1" DIA. CALIBRED STONE CLEARED TO 12" MIN. ABOVE TOP OF 4" PERFORATED RIGID PVC DRAIN PIPE AROUND PERIMETER OF FOOTING AS SHOWN ON FOUNDATION PLAN, TIE INTO SUMP + DRAIN TO SEWER

SLOPE TO DRAIN MIN. 2%
PROVIDE CLEAN-OUTS TO BOTH SYSTEMS

Stair Assembly:
TYPICAL STAIRS
@ EQUAL RISERS = 7.5" EACH OR
@ EQUAL RISERS = 7.5" EACH
11" TREAD + 1.25" RUN = 9" W. (EQ.)
2x12 STRINGERS
MAINTAIN A MIN. 6'-8" HT. HEADROOM CLEARANCE AT STAIRWAY
HANDRAIL
36" MIN. HT. HANDRAIL ENTERIOR:
42" MIN. HT. HANDRAIL EXTERIOR:
@ 3 OR MORE RISERS
42" MIN. HT. HANDRAIL EXTERIOR:
@ HEADER TO EXTEND 12" BEYOND NO SPACES LARGER THAN 4" SHALL BE PRESENT



CR086 SECTION B - THRU 12' HIGH FAMILY ROOM

ZONE: 4 (3000 HD		
CHARACTERISTICS OF BUILDING ASSEMBLY:		
...Typical "R86 at 24" O.C.	R-40	(RSI 7.0)
...SLOPING + FLAT ROOFS	R-28	(RSI 4.9)
...ous part of [illegible]	R-20	(RSI 3.5)
...ALLS	R-13	(RSI 1.99)
...R UNHEATED SPACES	R-28	(RSI 4.9)
...R Radiant Heating	R-13	(RSI 2.32)
...ZONES BELOW FROST LINE	n/a	
...ZONES ABOVE FROST LINE	R-11	(RSI [illegible])
...LOORS	UG-37	(USI 1.80)
	UG-31	(USI 5.90)
...OR	UG-46	(RSI 2.64)
RAWL	R-6.75	(RSI [illegible])
[illegible]	UG-46	(USI 3.67)
...K	UG-31	(USI 2.81)

GENERAL INFORMATION:
VENTILATION DESIGN: PASS (E)
COMPLIANCE PATH: PERFORMANCE
HEATING SOURCE: HYDRONIC (RADIANT FLOOR)

NOTE: ALL STRUCTURAL FRAMING COMPONENTS TO BE DESIGNED BY A PROFESSIONAL ENGINEER. ENGINEER TO CHECK & VERIFY FOUNDATION, FOOTINGS AND SOIL BEARINGS PRIOR TO CONSTRUCTION

-48-

CONTACT: Kirenan Anand 604-730-7295

PROJECT: 7495 WHELEN COURT

CR086 SECTION

3(c)

POSTING PLAN OF LOT 2 EXCEPT: PART SUBDIVIDED BY PLAN 30433, DISTRICT LOT 86 GROUP 1 NWD PLAN 24141

PLAN EPP46093

PURSUANT TO SECTION 68, Land Title Act
B.C.G.S. 92G.026

SCALE 1 : 500

5 0 10 20 30
ALL DISTANCES ARE IN METRES

The intended plot size of this plan is 560mm in width and 432mm in height (C size) when plotted at a scale of 1:500.

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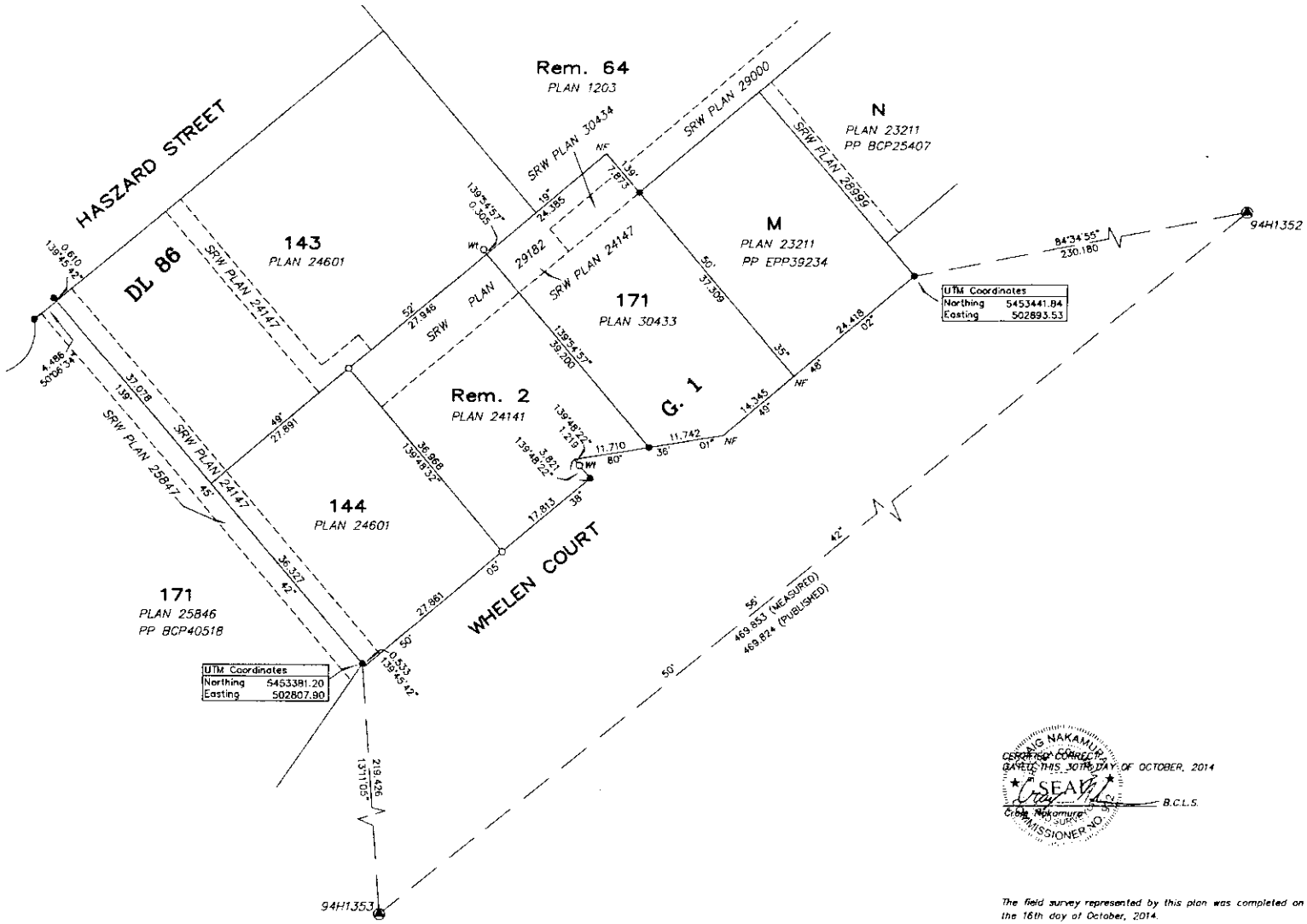
LEGEND

- DENOTES CONTROL MONUMENT FOUND
- DENOTES STANDARD IRON POST FOUND
- DENOTES STANDARD IRON POST SET
- WT DENOTES WITNESS
- NF DENOTES NOTHING FOUND
- PP DENOTES POSTING PLAN

Note:
This plan shows one or more witness posts which are not set on the true corner(s).



INTEGRATED SURVEY AREA No. 25, BURNABY
NAD 83 (CSRS) 4.0.0.BC.1.GVRD
Grid bearings are derived from observations between geodetic control monuments 94H1353 and 94H1352.

This plan shows horizontal ground-level distances unless otherwise specified. To compute grid distances, multiply ground-level distances by the average combined factor of 0.99959765 which has been derived from geodetic control monuments 94H1353 and 94H1352.

CERTIFIED CORRECT
DATED THIS 30TH DAY OF OCTOBER, 2014
CRAIG NAKAMURA
SEAL
Craig Nakamura B.C.L.S.
COMMISSIONER NO.

The field survey represented by this plan was completed on the 16th day of October, 2014.
Craig Nakamura, BCLS 932

TARGET LAND SURVEYING
www.targetlandsurveying.ca
FILE: N2605-POST

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THIS PLAN LIES WITHIN THE GREATER VANCOUVER REGIONAL DISTRICT

TOPOGRAPHIC SITE PLAN OVER LOT 2 EXCEPT: PART SUBDIVIDED BY PLAN 30433, DISTRICT LOT 86 GROUP 1 NWD PLAN 24141

CIVIC ADDRESS:
7495 Whelen Court, Burnaby
PID: 009-304-738

SCALE 1" : 20'

7.5 0 15 30
ALL DISTANCES ARE IN FEET

The intended plot size of this plan is 22" in width and 17" in height (C size) when plotted at a scale of 1":20'

LEGEND

●	DENOTES STANDARD IRON POST
Wt	DENOTES WITNESS
ft²	DENOTES SQUARE FEET
⌀	DENOTES CATCH BASIN – ROUND
◊	DENOTES POWER POLE
∈	DENOTES GUY WIRE
○San	DENOTES SANITARY MANHOLE
○	DENOTES TREE AND CANOPY EXTENT
x## ##	DENOTES GROUND ELEVATION
(tw)	DENOTES TOP OF RETAINING WALL ELEVATION
Dec.	DENOTES DECIDUOUS
Con.	DENOTES CONIFEROUS
Conc	DENOTES CONCRETE
Rt	DENOTES RETAINING WALL

NOTES:
Lot dimensions are derived from Posting Plan EPP46093.

Measurements shown are to the exposed exterior siding of buildings.

Elevations are Geodetic (CVD28 GVRD–2005 – IN FEET)
Derived from Control Monument 94H1352
located at the SE corner of the intersection of
Buckingham Ave. and Burris St. Elevation = 171.56ft.

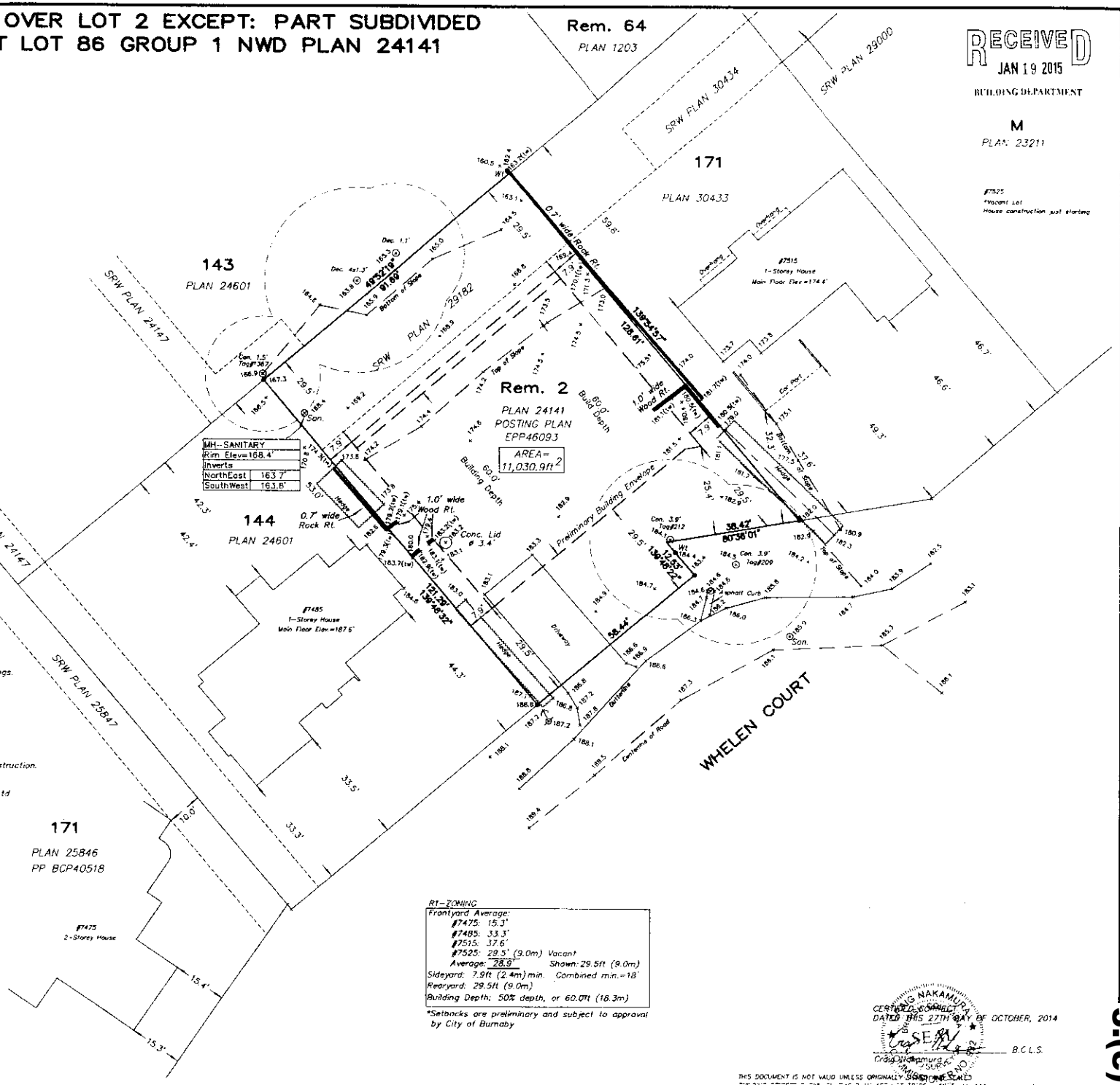
Invert elevations and offsets of services from property lines are derived from field survey.
Contractor to verify all service locations and inverts prior to construction.

If this plan is used in digital form, Target Land Surveying (NW) Ltd will only assume responsibility for information content shown on original unaltered drawing.

Tree diameters are taken at 4.6ft. above grade and are shown in feet.

This Plan was prepared for architectural design and site servicing purposes, and is for the exclusive use of our client. The signatory accepts no responsibility or liability for any damages that may be suffered by a third party as a result of reproduction, transmission or alteration to this document without consent of the signatory.

This lot is subject to the following charges on the title:
STATUTORY RIGHT OF WAY: 318066C (PLAN 24147)
STATUTORY RIGHT OF WAY: B10667 (PLAN 29182)



RT–ZONING

Frontyard Average:	
#7475: 15.3'	
#7485: 33.3'	
#7515: 37.6'	
#7525: 29.5' (9.0m)	Vacant
Average: 28.9'	Shown: 29.5ft (9.0m)
Sideyard: 7.9ft (2.4m) min.	Combined min.=18'
Rearyard: 29.5ft (9.0m)	
Building Depth: 50% depth, or 60.0ft (18.3m)	

*Setbacks are preliminary and subject to approval by City of Burnaby

RECEIVED
JAN 19 2015
BUILDING DEPARTMENT
M
PLAN: 23211

CERTIFIED CORRECT
DATED THIS 27TH DAY OF OCTOBER, 2014

Craig Nakamura B.C.L.S.

THIS DOCUMENT IS NOT VALID UNLESS ORIGINALLY SIGNED AND SEALED

TARGET LAND SURVEYING
www.targetlandsurveying.ca
FILE: N2605-TOPO-F1

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-50-

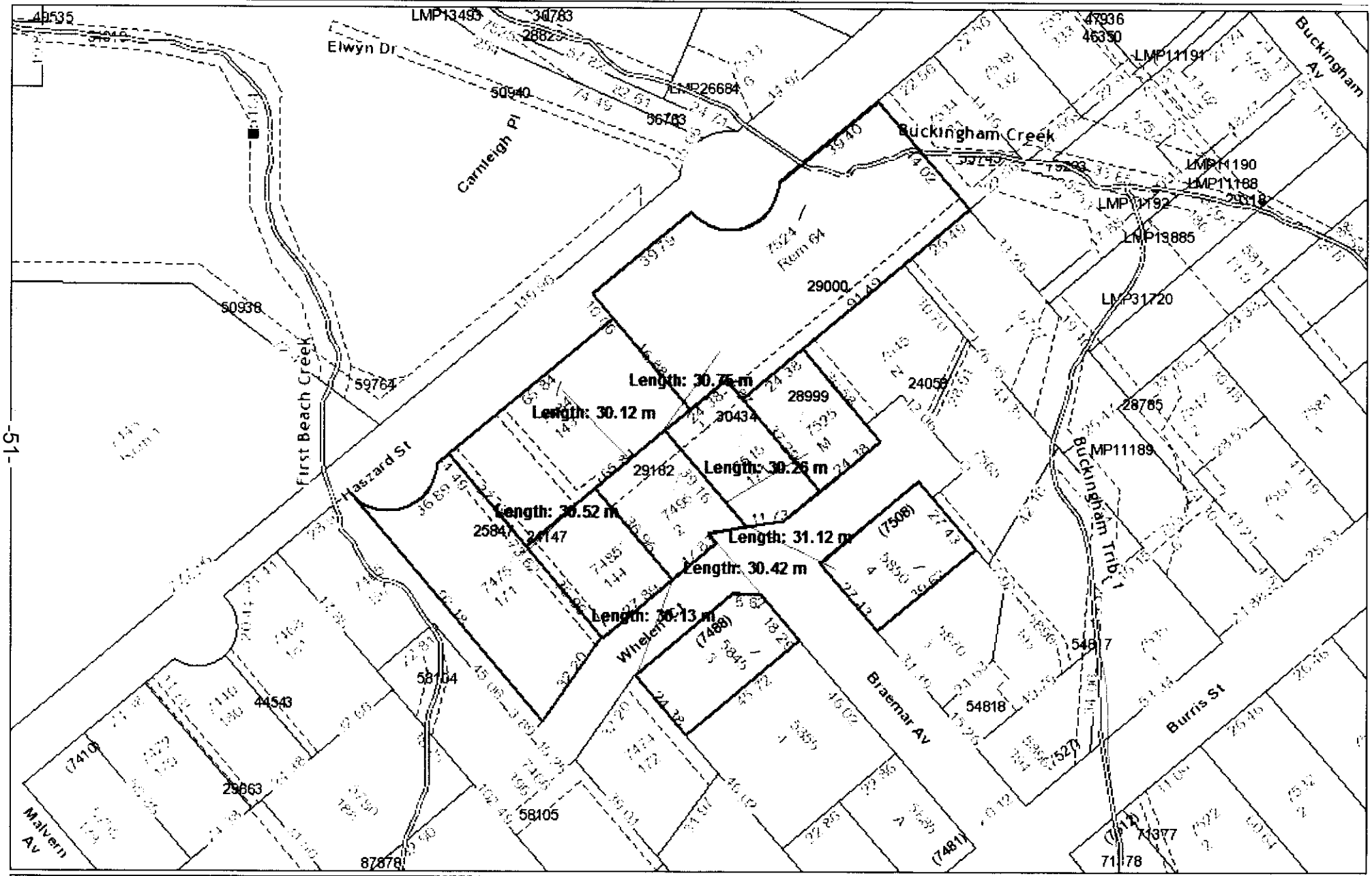
3.(c)

City of Burnaby

7495 Whelen Court

February 11, 2015

1:1,5



-51-

The information has been gathered and assembled on the City of Burnaby's computer systems. Data provided herein is derived from a a number of sources with varying levels of accuracy. The City of Burnaby disclaims all responsibility for the accuracy or completeness of information contained herein.

BOV 6149

N

City of Burnaby

Board of Variance Appeal Application Form

OFFICE OF THE CITY CLERK

Burnaby City Hall, 4949 Canada Way, Burnaby BC, V5G 1M2, Phone: 604-294-7290 Email: clerks@burnaby.ca

Applicant

Name of Applicant: VIKRAM TIKU (TD STUDIO INC.)

Mailing Address: 180-2250 BOUNDARY ROAD.

City/Town: BURNABY BC Postal Code: V5M 3Z3.

Phone Number(s): (H) 604 299 3821 (C) 604 838 9093

Email: tdstudio.vancouver@gmail.com.

Preferred method of contact: ☑ email ☑ phone ☐ mail

Property

Name of Owner: ZHUTING WU

Civic Address of Property: NORTH HALF of LOT 6 DL 93 GRP1 PLAN 21802 (5824 Burns Place)

MAILING ADDRESS
1806-8033 SABA RD
RICHMOND V6Y 4M8

I hereby declare that the information submitted in support of this application is, to the best of my knowledge, true and correct in all aspects, and further that my plans have no conflict with municipal bylaws other than those applied for with in this application.

Feb 10, 2015
Date

Applicant Signature

Office Use Only

Appeal Date: 2015 March 05 Appeal Number BV#: 6150

Required Documents:

- ☑ Hardship Letter from Applicant
- ☑ Site Plan of Subject Property
- ☑ Building Department Referral Letter

CITY OF BURNABY
FEB 10 2015
CLERK'S OFFICE

3.(d)

The Secretary,

Board of Variance,

City of Burnaby,

4949 Canada Way,

V5G 1M2 Feb. 10, 2015

Subject: Appeal for Variance to the front yard setback based on averaging requirements for 5824 Burns Pl.

Dear Sir,

Our client is proposing to construct a new single family dwelling with an attached garage on the subject property. The lot is located towards the southeast corner of the intersection of Burns Pl. with Kisbey Ave. There are only two lots between Burns Pl. & the lane to the South and therefore only the lot to the immediate south of the subject property has been used to calculate the required front yard based on averaging. This adjacent house is an older one storey bungalow with a small footprint and is set much further back than minimum required 24.6' for the prevailing R4 zone.

Furthermore, the houses on the other lots along Kisbey Ave., both towards the north & south of the subject property, have their side yards oriented towards Kisbey Ave. which requires a flanking setback of only 11.5'.

We have also explored several design options including trying to accommodate a detached garage but feel that a minor to variance to the fairly large setback requirement of 41.86' will lead to a much better design solution, without having a negative impact on the neighborhood.

The intent of the averaging bylaw is to ensure that new buildings integrate into the immediate neighborhood and usually involves two lots on either side to make that determination. In our case, only one adjacent lot has skewed the requirement due to its large setback. The streetscape in our case is also quite varied with the other houses along the street observing only a flanking yard setback and thus much closer to the property line along Kisbey Ave.

On behalf of the owner I would like to request the members of the board to give our request due consideration, and hope that the circumstances and the lack of any negative impact will help the board members support our appeal.

Thanks,

Vikram Tiku

TD Studio
180 - 2250 Boundary Road.
Burnaby. B.C. V5M 3Z3
ph: 604.299.3821
fax: 604.299.3826
e: tdstudio.vancouver@gmail.com

3.(d)

City of Burnaby

BOARD OF VARIANCE REFERRAL LETTER

DATE: February 6, 2015	**DEADLINE: February 10, 2015 for the March 5, 2015 hearing**	*This is **not** an application. Please take letter to Board of Variance. (Clerk's office - Ground Floor)*
NAME OF APPLICANT: Vikram Tiku		
ADDRESS OF APPLICANT: 180-2250 Boundary Rd, Burnaby V5M 3Z3		
TELEPHONE: 604.838.9093		

PROJECT			
DESCRIPTION: New Single Family Dwelling			
ADDRESS: 5824 Burns Place			
LEGAL:	**North Half of Lot 6**	**DL: 93**	**PLAN: 21802**

The above mentioned application, which includes the attached plan of the proposal, has been refused by the Building Department on the basis of contravention of:

Zone/Section(s) R4 [104.9]
of the Burnaby Zoning Bylaw No. 4742

COMMENTS:
The applicant is proposing to build a new single family dwelling. The following relaxation is being requested.

1) The front yard setback will be 36.08 feet to the foundation where a minimum front yard setback of 41.86 feet is required based on front yard averaging.

Note: The applicant recognizes that should the project contain additional characteristics in contravention of the zoning by-law a future appeal(s) may be required.

DS

Peter Kushnir
Assistant Chief Building Inspector, Permits and Customer Service

4949 Canada Way, Burnaby, BC V5G 1M2 • Telephone 604-294-7130 Fax 604-294-7986 • www.burnaby.ca

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JAN 22 2015
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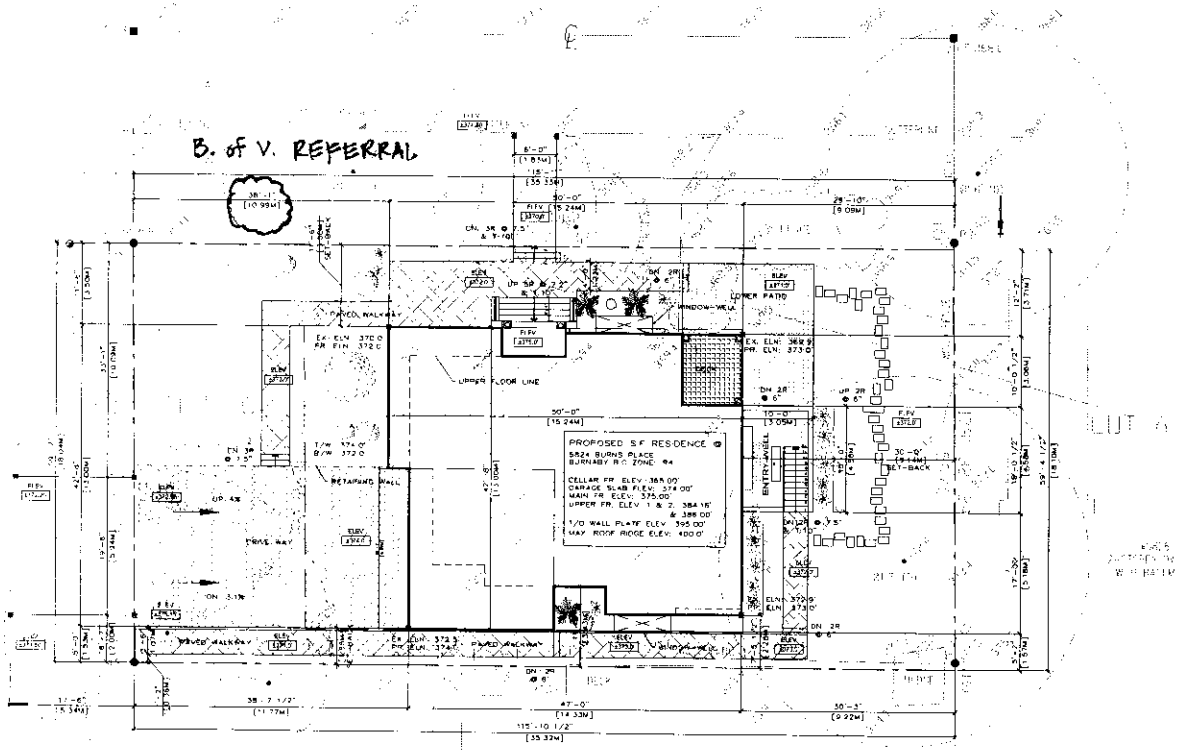
B. of V. REFERRAL



1 SITE PLAN
A100 SCALE: 1/8" = 1'-0"

PROJECT STATISTICS

Project:	TWO - FAMILY DWELLING
Civic Address:	5824 BURNS PLACE, BURNABY, B.C.
Legal Description:	LOT 13 OF D.L. 159 GROUP 1 NWD PLAN 3441
Zoning:	R4
Site Area:	[illegible]
Lot Size:	Approx. 50.32' x 135.96'

	Allowed / Required	Proposed / Existing
Uses (Outright):	Single Family Dwelling	Single Family Dwelling
Site Area	5826.00	6838.78
Site Coverage (40% Lot Area)	2730.40	2744.00
Building Height (Outright With Sloping Roof)	29.50'	8.79
Building Depth (Lesser of Total Depth / 35.0 / 28.5 m)	35.00'	35.00'

Setbacks:				
Front Side (North)	20.00'	6.10	20.00'	6.10
Rear Side (South)	4.00'	1.22	5.08'	1.55
Front Side (West)	11.75'	3.58	38.85'	11.84
Rear Side (East)	29.85'	9.10	44.08'	13.44
Combined Side Yard	11.48'	3.50	16.58'	5.05

Floor Areas:				
Main Floor Area (Total)	n/a	n/a	1813.53	168.50
Undeact Garage	452.00	41.99	452.00	41.99
Main Floor Area (Net)	n/a	n/a	1395.53	129.65
Upper Floor Area (Total)	n/a	n/a	1498.93	139.24
Deduct 10% Area Deduction	100.00	9.29	127.00	11.80
Upper Floor Area (Net)	n/a	n/a	1358.93	126.25
Total ABFA	2775.20	257.82	2753.60	255.80
Cellar Floor Area (Net)	1750.46	162.65	1750.46	162.65
Total GFA	4525.66	420.47	4504.06	418.45

Open Residential Decks / Balconies:				
Decks (8% of FAR)	420.048	39.00	39.00	3.62
Covered Entry Porch (North Side)	40.00	3.72	45.00	4.18
Rear Lower Deck (N/E Side)	n/a	n/a	95.00	8.83
Upper Floor Deck (Area Side)	n/a	n/a	35.00	3.25
Privacy Wall Area	150.00	13.94	69.90	6.50

NOTES:

1. WRITTEN DIMENSION SHALL HAVE PRECEDENCE OVER SCALED DIMENSIONS
2. CONTRACTOR SHALL VERIFY ALL ON SITE CONDITIONS PRIOR TO COMMENCEMENT OF THE WORK
3. ALL WORK SHALL CONFORM TO THE REQUIREMENT OF THE BCBC 2006 EDITION
4. ALL CONCRETE WORK SHALL CONFORM TO THE REQUIREMENT OF C.S.A. 3.A231 LATEST EDITION
5. CONCRETE STRENGTH AT 28 DAYS, MINIMUM 3,000 PSI.
6. ALL FRAMING AND NAILING SHALL CONFORM TO B.C. BUILDING CODE PART 9 AND DESIGN TO CSA LATEST EDITION
7. ALL FRAMING LUMBER SHALL BE DOUGLAS FIR #2 OR BETTER
8. WOOD TRUSSES SHALL BE DESIGN AND SEALED BY P.ENG. REGISTERED IN B.C.
9. ALL PLYWOOD SHALL BE DOUGLAS FIR CONFORM TO CSA 0121 LATEST EDITION
10. OWNER IS TO BE ENTIRELY RESPONIBLE FOR ALL STRUCTURAL ENGINEERING REQUIRMENTS
11. ALL DIMENSIONS ARE TO BE CHECKED ON SITE BEFORE WORK COMMENCES

NORTH

TD Studio

DESIGN CONSULTANT

CONSULTANT

SEAL

NO	DATE	REMARKS
02	01/21/2015	ISSUED FOR B.P.
01	09/12/2014	ISSUED TO STRUCTURAL

SINGLE FAMILY DWELLING

7509 VIVIAN DRIVE
VANCOUVER, B.C.

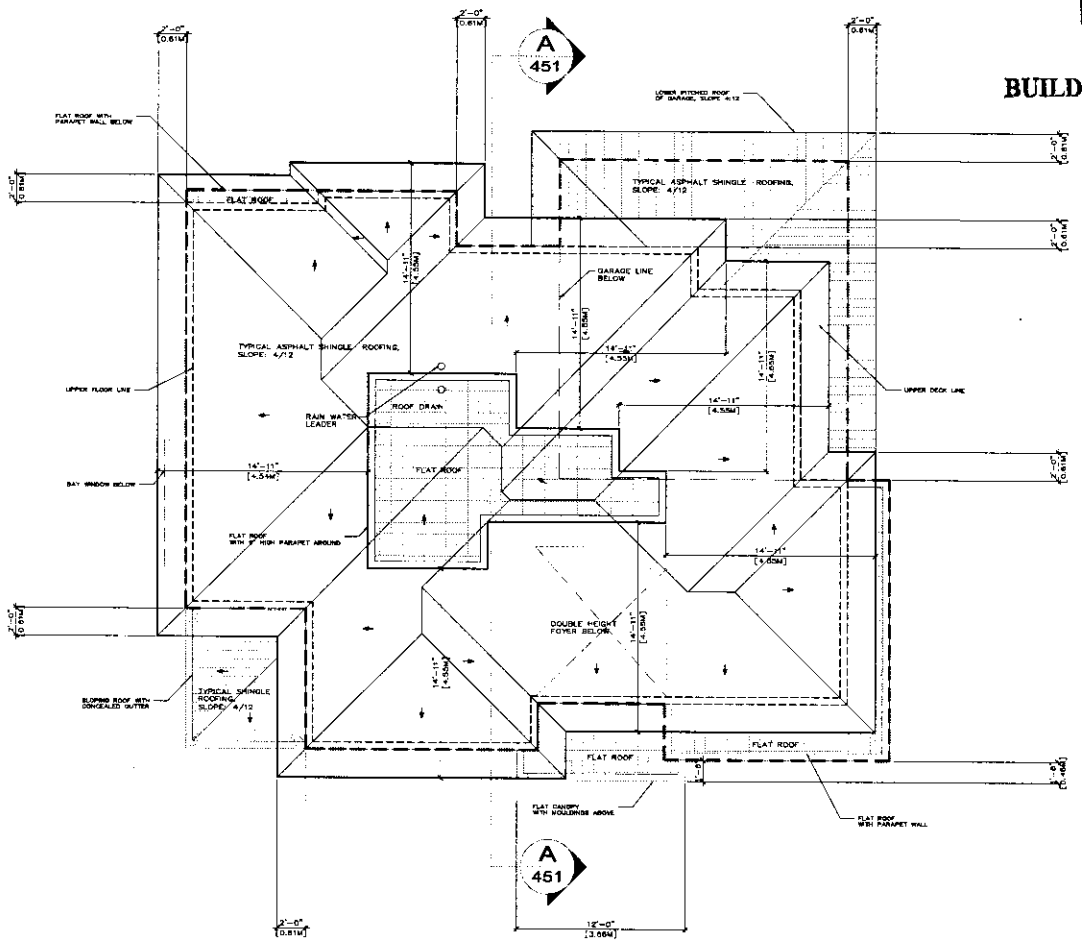
SITE PLAN

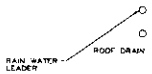
BUILDING PERMIT

A100

SCALE: 1/8" = 1'-0"	PROJECT NO: T1429
DRAWN BY: RS	DATE: MAY 2014
CHECKED BY: VT	

RECEIVED
FEB 10 2015
BUILDING DEPARTMENT





TOTAL SLOPING ROOF AREA: 2271.27 SQ. FT	
TOTAL FLAT ROOF AREA: 375.15 SQ. FT	
% OF PROPOSED FLAT ROOF AREA: 16.52 %	

1 A203 ROOF PLAN
SCALE: 1/4" = 1'-0"

TD Studio

PRIME CONSULTANT

CONSULTANT

SEAL

NO	DATE	REMARKS
03	02/09/2015	RE-ISSUED FOR B.P
02	01/21/2015	ISSUED FOR B.P
01	09/12/2014	ISSUED TO STRUCTURAL

SINGLE FAMILY DWELLING

5824 BURNS PLACE
BURNABY, B.C.

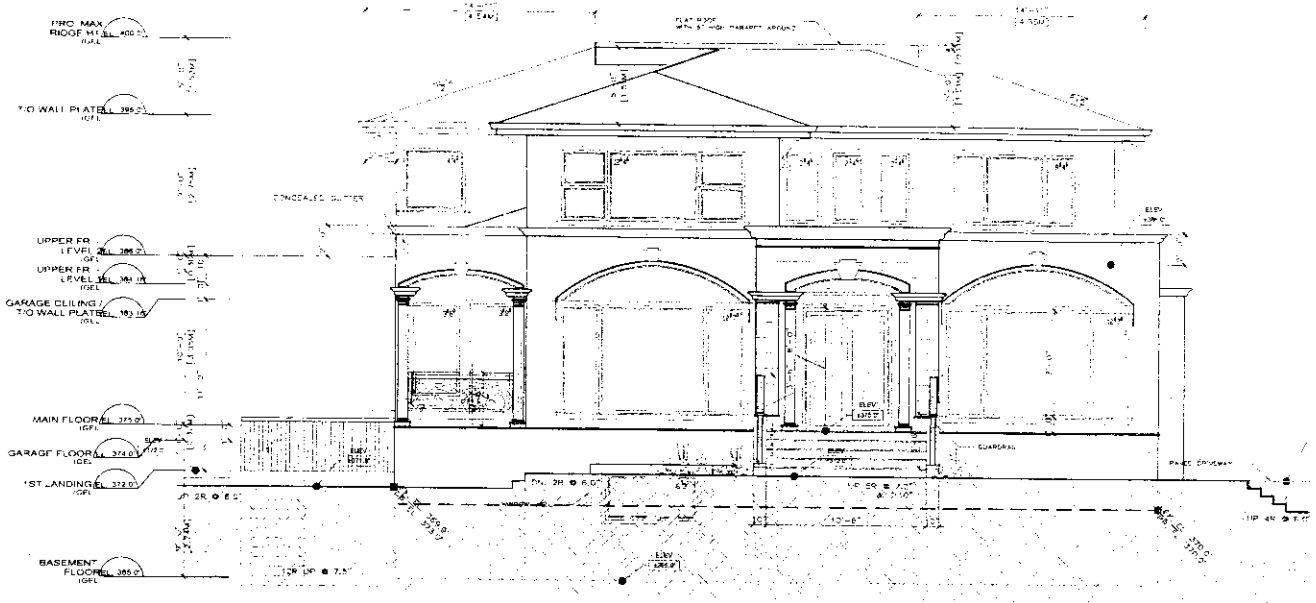
ROOF PLAN

BUILDING PERMIT

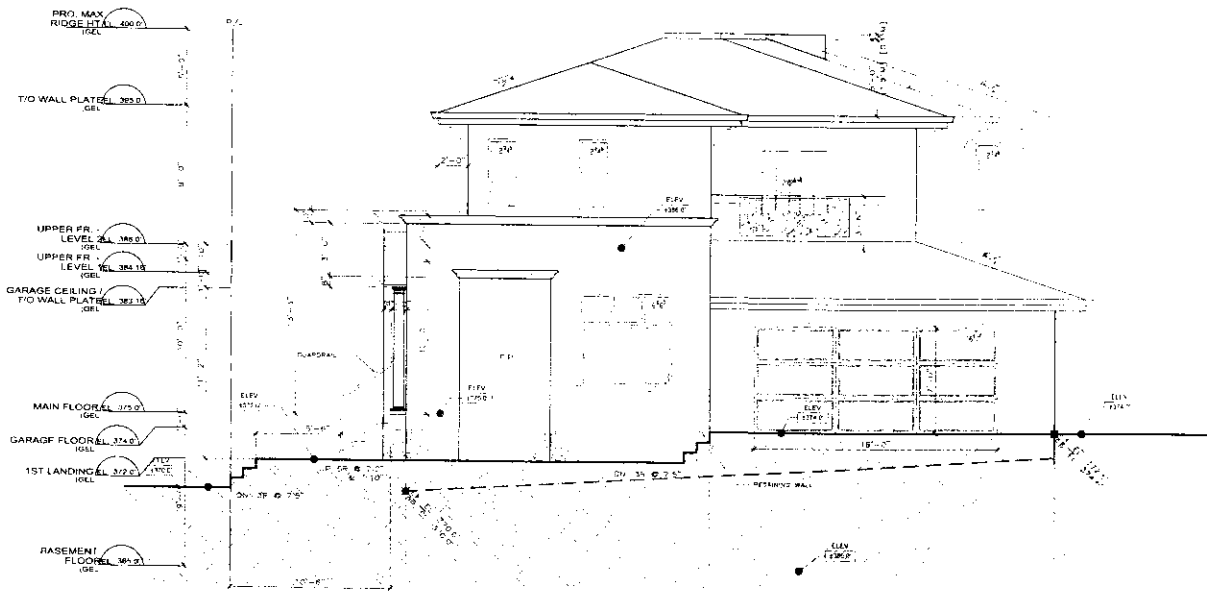
A203

SCALE: 1/4" = 1'-0"	PROJECT NO: T1429
DRAWN BY: RS	DATE: OCT 2014
CHECKED BY: VT	

RECEIVED
FEB 10 2015
BUILDING DEPARTMENT



1 NORTH ELEVATION
A401 SCALE 1/4" = 1'-0"



2 WEST ELEVATION
A401 SCALE 1/4" = 1'-0"

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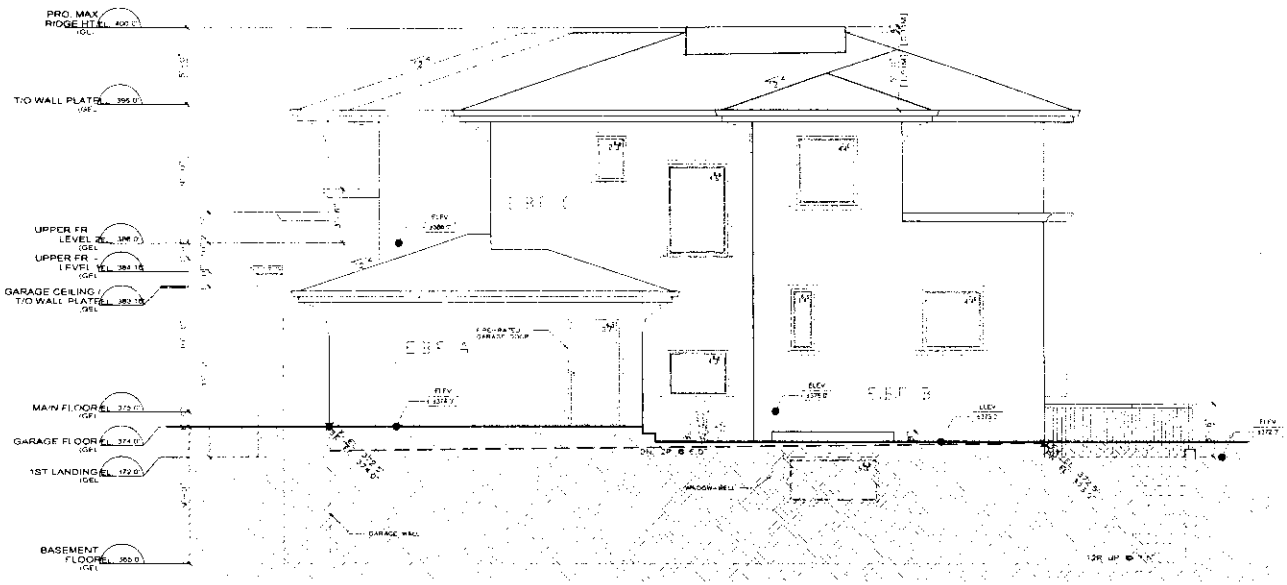
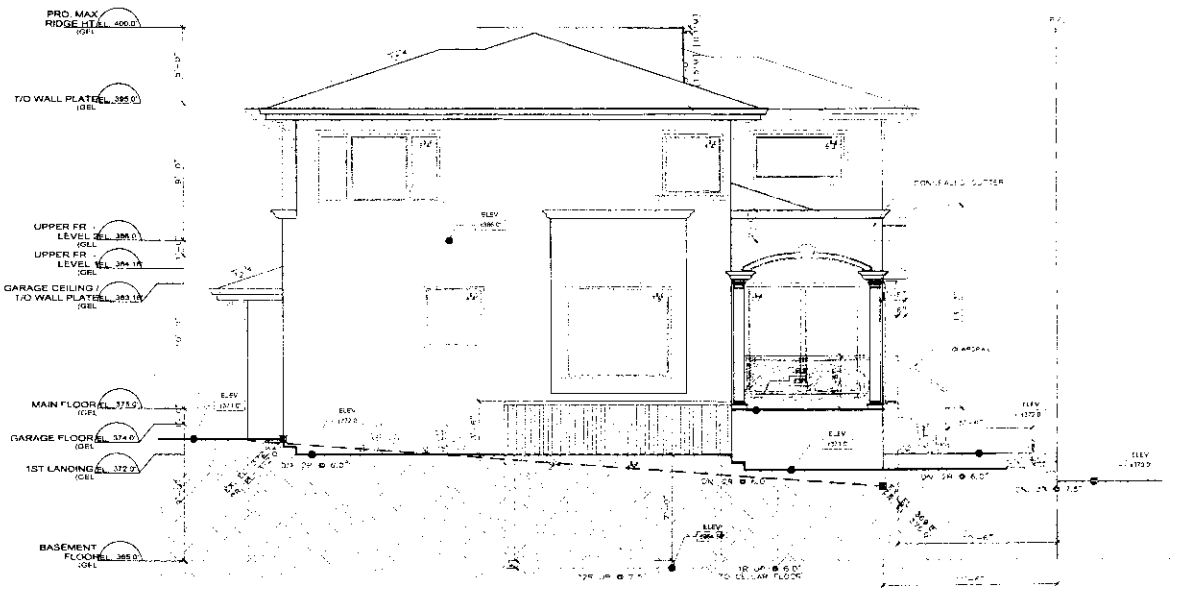
FEB 10 2015
BUILDING DEPARTMENT

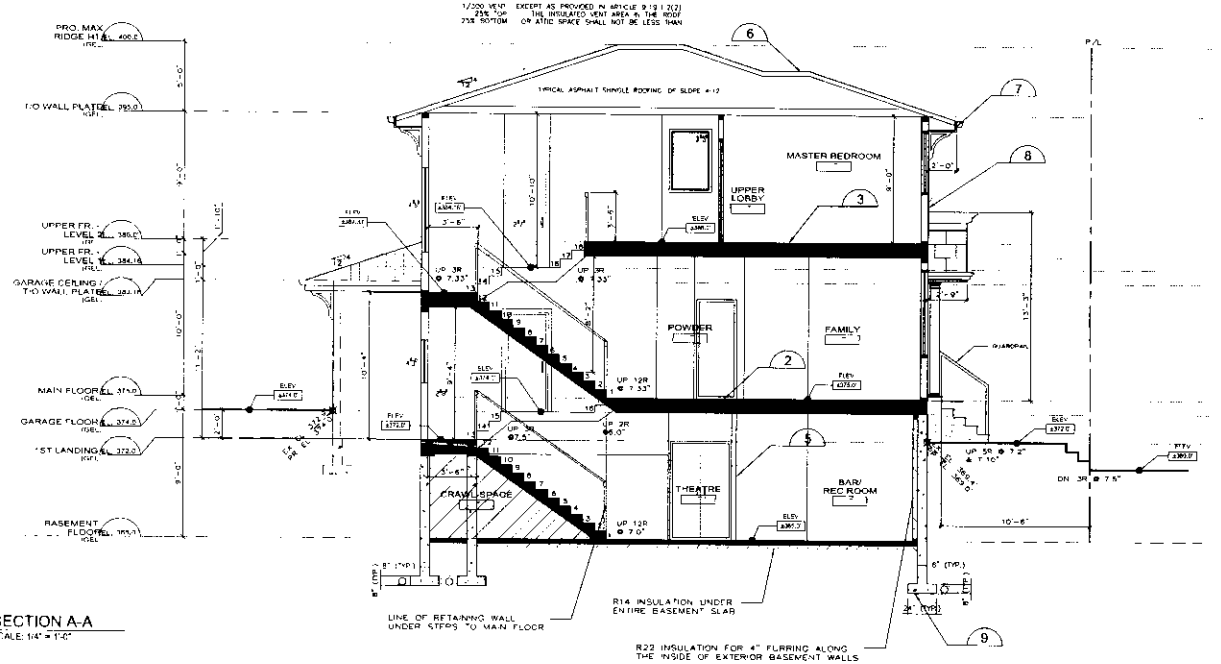


1 SOUTH ELEVATION
A402 SCALE: 1/4" = 1'-0"



2 EAST ELEVATION
A402 SCALE: 1/4" = 1'-0"

RECEIVED
JAN 22 2015
BUILDING DEPARTMENT



1 SECTION A-A
A451 SCALE: 1/4" = 1'-0"

CONSTRUCTION SPECIFICATIONS

1 BASEMENT SLAB
- R12 INSULATION UNDER ENTIRE BASEMENT SLAB
- 6x6 W1.4XW1.4 WIRE MESH
- 6 MIL POLY VAPOR BARRIER
- 4" MIN. COMPACTED SAND (TYPICAL)

2 MAIN FLOOR
- 1-1/2" CONC. TOPPING
- 3/4" T&G PLYWOOD SUBFLOOR GLUED & NAILED
- 2x10 O.C. @ OR #2 FL. @ 16" o/c (U.N.O.)
- 2x2 CROSS-BRIDGING @ 7'-0" o.c. MAX
- 1/2" GYPSUM BOARD

3 UPPER FLOOR
- 1-1/2" CONC. TOPPING
- 3/4" T&G PLYWOOD SUBFLOOR GLUED & NAILED
- 2x10 O.C. @ OR #2 FL. @ 16" o/c (U.N.O.)
- 2x2 CROSS-BRIDGING @ 7'-0" o.c. MAX
- 1/2" GYPSUM BOARD

4 EXTERIOR WALLS
- STUCCO / HARDIE / FASCIA STONE
- 2 LAYERS 30 MIN. BUILDING PAPER
- 3/4" AIR GAP
- PRE-PAINTED METAL FLASHING
- 1/2" EXT. GRADE PLYWOOD SHEATHING
- 2x6 STUDS @ 16" o/c (U.N.O.)
- R22 F.G. BATT INSULATION
- 6 MIL POLY VAPOR BARRIER U.N.O.
- 1/2" GYPSUM BOARD

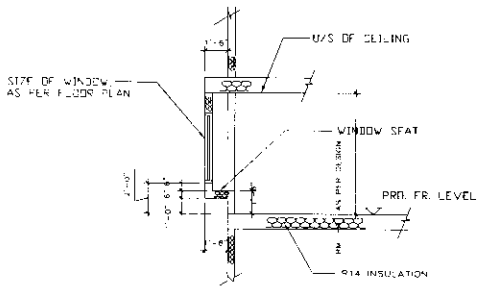
5 INTERIOR PARTITIONS
- 1/2" GYPSUM BOARD TO BOTH SIDES
- 2x4 STUDS @ 16" o/c (U.N.O.)

6 TRUSS ROOF
- TYPICAL ASPHALT SHINGLE ROOFING OF SLOPE AS SHOWN
- BUILDING PAPER
- 1/2" PLYWOOD SHEATHING
- ENGINEERED TRUSSES @ 24" o/c (SEE TRUSS LAYOUT)
- R-40 F.G. BATT INSULATION
- 6 MIL POLY VAPOR BARRIER
- 5/8" GYPSUM BOARD

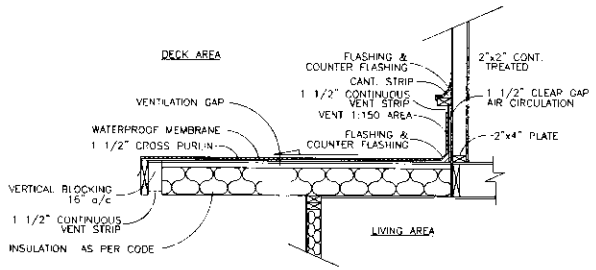
7 EAVES
- 2x4 FASCIA BOARD
- 2x4 BACK NAILER
- METAL SOFFIT WITH 2" CONT. SCREENED VENTILATION
- TONGUE & GROOVE WOOD SLOPED EAVES

8 ATTIC VENTILATION
- WITH INSULATION STOPS

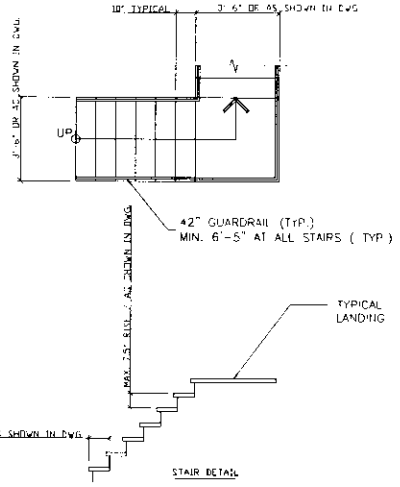
9 FOUNDATION
SEE FOUNDATION DETAIL



TYPICAL BAY WINDOW



CROSS VENTILATION DETAIL FOR ENCLOSED ROOFS



STAIR DETAIL

TD Studio

PRIME CONSULTANT

CONSULTANT

SEAL

NO	DATE	REMARKS
02	01/21/2015	ISSUED FOR B.P.
01	09/12/2014	ISSUED TO STRUCTURAL

SINGLE FAMILY DWELLING

5824 BURNS PLACE
BURNABY, B.C.

BUILDING SECTION A-A

BUILDING PERMIT

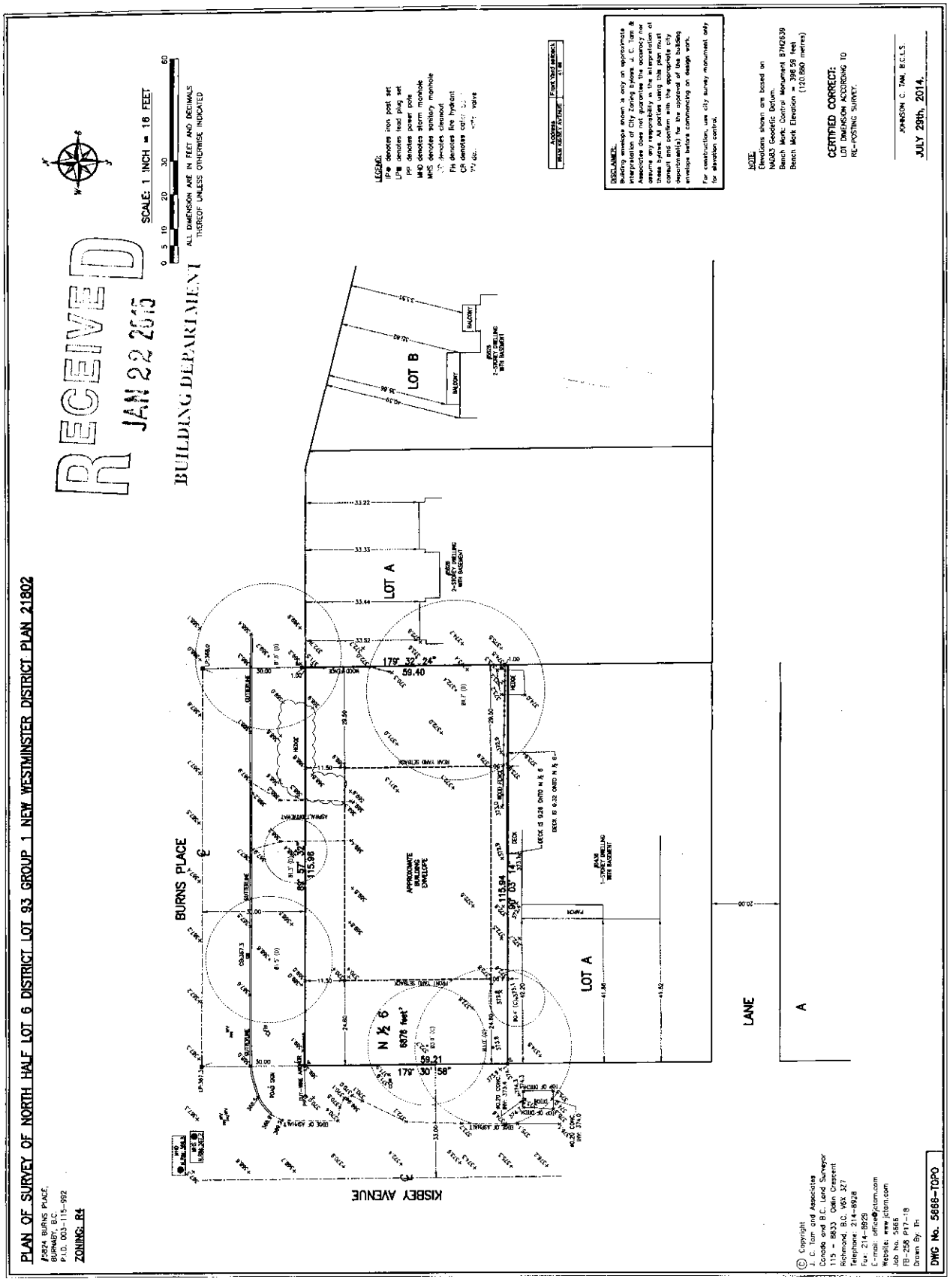
A451

SCALE:	PROJECT NO:
1/4" = 1'-0"	T1429
DRAWN BY: RS	DATE: MAY 2014
CHECKED BY: VT	

-60-

3.(d)

3.(d)

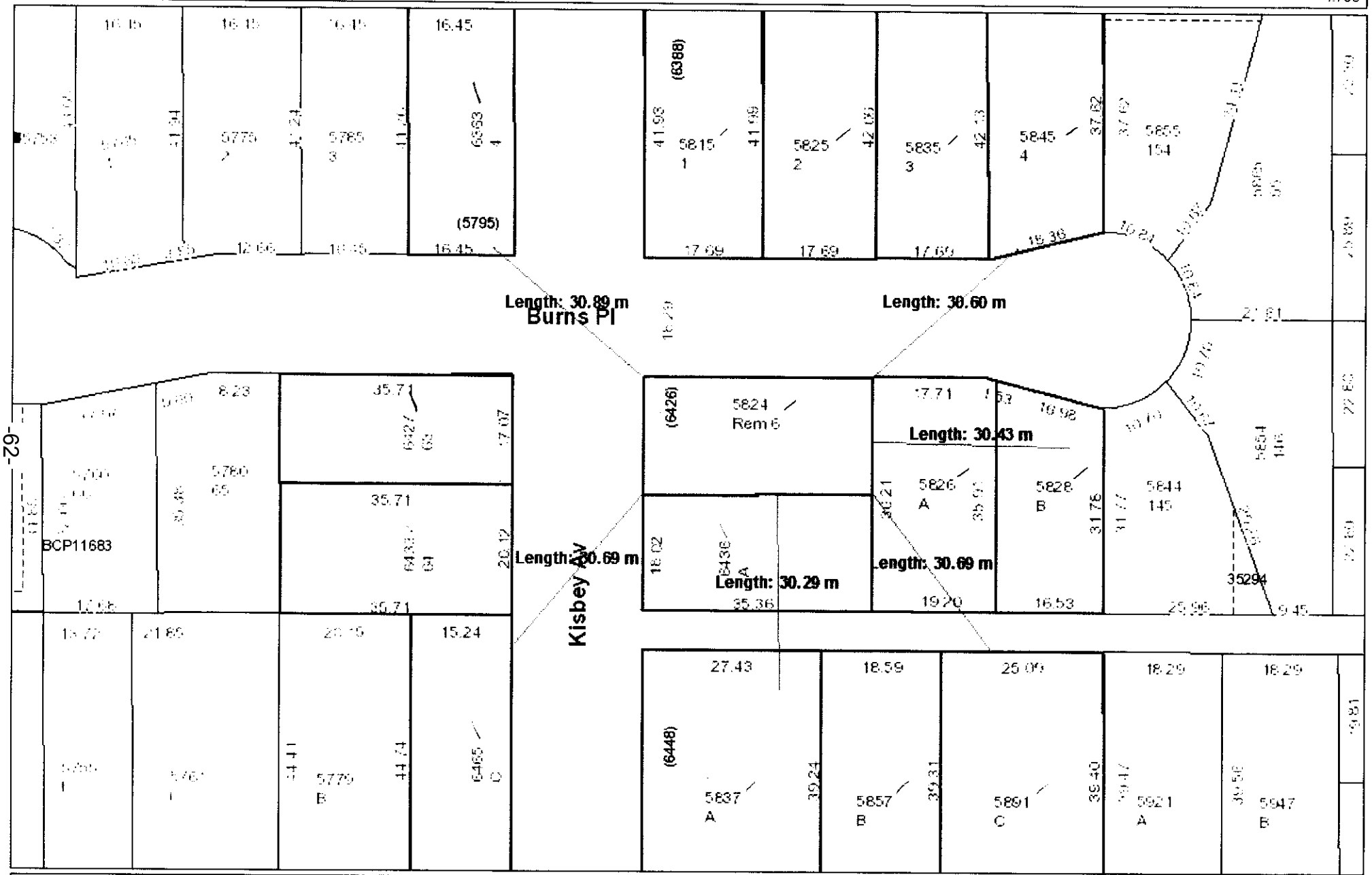

PLAN OF SURVEY OF NORTH HALF LOT 6 DISTRICT LOT 93 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 21802
#5824 BURNS PLACE,
BURNABY, B.C.
P.I.D. 003-115-992
ZONING: R4
RECEIVED
JAN 22 2015
BUILDING DEPARTMENT
SCALE: 1 INCH = 10 FEET
ALL DIMENSION ARE IN FEET AND DECIMALS THEREOF UNLESS OTHERWISE INDICATED
LEGEND:
IPe denotes iron post set
LPe denotes lead plug set
PP denotes power pole
MHD denotes storm manhole
MHS denotes sanitary manhole
Cl denotes cleanout
Fh denotes fire hydrant
GR denotes catch basin
WV denotes water valve
DISCLAIMER:
Building envelope shown is only an approximate interpretation of City Zoning bylaws. J. C. Tam & Associates does not guarantee the accuracy nor assume any responsibility in the interpretation of these bylaws. For exact zoning information, consult bylaw section with the appropriate City department(s) for the approval of the building envelope before commencing on design work.
For construction, use city survey monument only for elevation control.
NOTE:
Elevations shown are based on NAD83 Geodetic Datum.
Bench Mark: Control Monument 87H2639
Bench Mark Elevation = 396.59 feet (120.860 metres)
CERTIFIED CORRECT:
LOT DIMENSION ACCORDING TO RE-POSTING SURVEY.
JOHNSON C. TAM, B.C.L.S.
JULY 29th, 2014.
BURNS PLACE
KISBEY AVENUE
LANE
LOT A
LOT B
N ½ 6
6878 feet²
179° 32' 24"
59.40
179° 30' 58"
59.21
115.98
115.94
APPROXIMATE BUILDING ENVELOPE
2-STOREY DWELLING WITH BASEMENT
1-STORY DWELLING WITH BASEMENT
BALCONY
DECK
PATIO
HEDGE
ROAD SIGN
Access
Front Yard setback
© Copyright
J. C. Tam and Associates
Canada and B.C. Land Surveyor
115 - 8833 Odlin Crescent
Richmond, B.C. V6X 3Z7
Telephone: 214-8928
Fax: 214-8929
E-mail: office@jctam.com
Website: www.jctam.com
Job No. 5668
FB-258 P17-18
Drawn By: TH
DWG No. 5668-TOPO

City of Burnaby

5824 Burns Place

February 11, 2015

1:795



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3.(d)