



CITY OF BURNABY

BOARD OF VARIANCE

NOTICE OF OPEN MEETING

MINUTES

A Hearing of the Board of Variance was held in the Council Chamber, Main Floor, City Hall, 4949 Canada Way, Burnaby, B.C., on Thursday, 2015 August 06 at 1:00 PM

1. CALL TO ORDER

PRESENT: Ms. C. Richter, Chair
Mr. B. Bharaj, Citizen Representative
Mr. G. Clark, Citizen Representative
Mr. S. Nemeth, Citizen Representative
Mr. B. Pound, Citizen Representative

STAFF: Ms. E. Prior, Administrative Officer
Ms. M. Malysz, Development Plan Approvals Supervisor

The Chair for the Board of Variance called the meeting to order at 1:00 p.m.

2. MINUTES

MOVED BY MR. S. NEMETH:

SECONDED BY MR. B. BHARAJ:

THAT the Hearing of the Burnaby Board of Variance held on 2015 July 09 be adopted as circulated.

3. 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. 6187

APPELLANT: Christian Matifat

REGISTERED OWNER OF PROPERTY: Brian Yang and Angelique Schnerch

CIVIC ADDRESS OF PROPERTY: [6415 Chaucer Place](#)

LEGAL DESCRIPTION OF PROPERTY: Lot 282; District Lot 91; Plan 46431

APPEAL: An appeal for the relaxation of Sections 101.8 and 101.9(1) of the Burnaby Zoning Bylaw which, if permitted, would allow for the interior alterations and finishing to the upper floor and upper floor addition at 6415 Chaucer Place. The following relaxations are being requested:

a) a principal building depth, measured from the front face of the existing front attached garage to the rear face of the rear addition, would be 65.5 feet where a maximum depth of 60.0 feet is permitted; and

b) a rear yard setback of the principal building, measured from the rear (southwest) property line to the rear face of the rear addition, would be 26.0 feet where a minimum rear yard setback of 29.5 feet is required. (Zone R-1)

APPELLANT'S SUBMISSION:

Christian Matifat submitted an application for the relaxation of the Burnaby Zoning Bylaw to allow for interior alterations, addition and finishing to the upper floor at 6415 Chaucer Place.

Christian Matifat and Angelique Schnerch appeared before members of the Board of Variance at the Hearing.

BURNABY PLANNING AND BUILDING DEPARTMENT COMMENTS:

The subject site, zoned R1 Residential District, is located in a stable single-family neighbourhood in the Morley-Buckingham area. This trapezoid shaped interior lot, approximately 74 ft. wide along the front property line and 120 ft. long along the northwest side property line, fronts onto Chaucer Place to the northeast. Single family dwellings abut the subject site to the northwest, southeast and across the rear lane to the southwest. The site observes a downward slope of approximately 6 ft. from front to rear. Vehicular access to the subject site is provided from Chaucer Place.

The site is improved with a single family dwelling with attached carport, originally built in 1976, for which various alterations and a rear addition are proposed. The proposed rear addition is the subject of two appeals, which are co-related.

The first a) appeal is for a rear addition to the existing single family dwelling, which would result in a principal building depth of 65.5 ft. as measured to the rear addition, where a maximum building depth of 60.0 ft. is permitted.

The Bylaw's intent in limiting building depth is to prevent the visual intrusion and sense of confinement that a long building wall can impose on neighbouring properties.

The second b) appeal is for a rear yard setback of 26.0 ft., measured to the proposed rear addition, with a further projection for roof eaves of up to 2.0 ft., where a minimum rear yard setback of 29.5 ft. is required.

The intent of the Bylaw is to mitigate the massing impacts of buildings and structures on neighbouring properties and to ensure sufficient outdoor living area in the rear yard.

The appeal proposes a minor renovation of the upper floor, resulting in a 4.5 ft. deep by 16 ft. wide upper floor overhang in the middle of the rear elevation. This upper floor overhang affects both building depth and the rear yard setback calculations.

The existing dwelling observes a building depth of 61 ft., which is legal non-conforming with respect to the maximum 60 ft. building depth requirement. The existing 30 ft. rear yard setback meets the minimum 29.5 ft. rear yard setback requirement.

With respect to **the first a) appeal**, although the allowable building depth is exceeded by 5.5 ft. (of which 4.5 ft. is contributed by the proposed addition), given the small scale of the proposed upper floor overhang and its placement in the center of the existing building, approximately 34 ft. and 45 ft. from the northwest and southeast (side) property lines respectively, the proposed addition would not result in a long wall effect as viewed from the neighbouring properties to the northwest and southeast.

With respect to **the second b) appeal**, although the required rear yard is reduced by 4.5 ft., the proposed upper floor overhang would not reduce the utility of the rear yard for outdoor living. Further, no impacts are expected with respect to the neighbouring residences across the lane to the southwest, considering the distant siting of these residences approximately 130 ft. from the rear property line.

In summary, given the modest scale of this proposal and its limited impacts on neighbouring properties, this Department **does not object** to the granting of **the first a) and second b) variances**.

ADJACENT OWNER'S COMMENTS:

No correspondence was received regarding this appeal.

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

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

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

CARRIED UNANIMOUSLY

4. NEW BUSINESS

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

5. ADJOURNMENT

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

THAT this Hearing do now adjourn.

CARRIED UNANIMOUSLY

The Hearing adjourned at _1:06 p.m.

Ms. C. Richter

Mr. B. Bharaj

Mr. G. Clark

Mr. S. Nemeth

Ms. E. Prior
ADMINISTRATIVE OFFICER

Mr. B. Pound