BOARD OF VARIANCE

NOTICE OF OPEN MEETING

DATE: **THURSDAY, 2015 OCTOBER 01**

TIME: **1:00 PM**

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

A G E N D A

1. CALL TO ORDER **PAGE**

2. MINUTES

(a) Minutes of the Board of Variance Hearing held on 2015 September 03

3. APPEAL APPLICATIONS

(a) APPEAL NUMBER: B.V. 6191 **1:00 p.m.**

APPELLANT: Carman Kwan

REGISTERED OWNER OF PROPERTY: EC 888 Holdings Inc

CIVIC ADDRESS OF PROPERTY: 3701 Keith Street

LEGAL DESCRIPTION OF PROPERTY: Lot 1; District Lot 175; LMP13886

APPEAL: An appeal for the relaxation of Section 405.6 of the Burnaby Zoning Bylaw which, if permitted, would allow for the construction of a new warehouse and office building at 3701 Keith Street, with a front yard setback to the foundation of 15.0 feet where a minimun front yard setback of 29.53 feet is required. The canopy overhang would project up to 3.94 feet beyond the foundation where a maximum projection of 3.94 feet is permitted. (Zoning: Light Industrial District M5)

4. NEW BUSINESS

5. ADJOURNMENT

CITY OF BURNABY

BOARD OF VARIANCE

NOTICE OF OPEN MEETING

M I N U T E S

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 September 03 at 1:00 p.m.

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

THAT the Hearing of the Burnaby Board of Variance held on 2015 August 06 be adopted as circulated.

CARRIED UNANIMOUSLY

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. 6188

APPELLANT: Manjit Baughan

REGISTERED OWNER OF PROPERTY: Manjit Baughan

CIVIC ADDRESS OF PROPERTY: 7969 18th Avenue

LEGAL DESCRIPTION OF PROPERTY: Lot 10; District Lot 28; Plan 10459

APPEAL: An appeal for the relaxation of Section 6.2(2) of the Burnaby Zoning Bylaw which, if permitted, would allow for the construction of a new home at 7969 18th Avenue with an accessory building in a required front yard where an accessory building is not allowed. The accessory building would be located 3.94 feet from the northwest property line abutting 19th Avenue and 4.01 feet from the southwest property line. (Zone R5)

APPELLANT'S SUBMISSION:

Manjit Singh Baughan submitted an application to allow for the construction of a new home at 7969 18th Avenue.

An agent, on behalf of Mr. Baughan, appeared before members of the Board of Variance at the Hearing.

BURNABY PLANNING AND BUILDING DEPARTMENT COMMENTS:

The subject site, which is zoned R5 Residential District, is located in the Second Street neighbourhood, in which the age and condition of single dwellings vary. This interior through lot, approximately 49.5 ft. wide and 119.5 ft. deep, fronts onto Eighteenth Avenue to the southeast and Nineteenth Avenue to the northwest. Abutting the subject site to the southwest and northeast are single family dwellings. Vehicular access to the subject site is proposed via Nineteenth Avenue; currently there is no vehicular access. The site is flat, with a downward slope of up to 1 ft. from the southeast property line to the northwest property line.

The subject site is proposed to be redeveloped with a new single family dwelling, including secondary suite and accessory attached garage, and a new accessory building. The proposed accessory building is the subject of this appeal.

The appeal is to allow an accessory building in the Nineteenth Avenue front yard where no accessory buildings are permitted in any required front yard.

The intent of the Bylaw in prohibiting accessory buildings within the required front yard is to provide for a uniform streetscape with open front yards and to limit the massing impacts of such structures on neighbouring properties.

The proposed accessory building, approximately 30.92 ft. wide by 18.92 ft. deep, is proposed to be located at the west corner of the Nineteenth Avenue front yard, 3.94 ft. to 4.37 ft. away from the front (Nineteenth Avenue) property line, and 4.01 ft. away from the southwest side property line.

The proposed accessory building would occupy almost 2/3 of the lot width along the Nineteenth Avenue frontage, with the remainder accommodating a 12.58 ft. wide driveway access and small landscaped areas along the side property lines.

The accessory building would contain a storage alcove, approximately 13.42 ft. by 8.5 ft. in size, a powder room, 8.5 ft. by 5.5 ft. in size, and 2 parking spaces. The interior parking spaces would be accessed from the proposed driveway immediately to the northeast of the accessory building. This driveway would also provide vehicular access to the two-car attached garage proposed at the north corner of the principal building.

The accessory building is approximately 12.3 ft. high, as measured from the average natural grade to the top of its sloped roof, when viewed from the neighbouring properties across Nineteenth Avenue. Two of the proposed total five windows would be featured on this side.

This Department notes that it is difficult to provide four-car garage capacities on a standard sized lot without impacting adjacent properties. It is apparent that the neighbouring property across Nineteenth Avenue to the northwest would be impacted by this proposal. Also, the proposed accessory building would directly overlap the front lawn of the neighbouring property immediately southwest. Although the existing approximately 6 ft. high fence along the shared side property line would partially screen the proposed structure, substantial massing impacts are expected considering the proximity of the proposed accessory building to this property line and to the front property line.

As noted above, the proposal includes a two-car attached garage in addition to the two-car detached garage. As a result, a large paved maneuvering area/driveway is proposed, which would significantly reduce the available front yard green space on the subject site.

With respect to the broader neighbourhood context, Nineteenth Avenue provides vehicular access to the majority of lots in the subject block, with approximately half of the lots containing accessory buildings, mostly one-car detached garages. However, with the exception of two sheds at 7961 and 7991 Eighteenth Avenue (for which permit records have not been found), all other accessory buildings are located at least 17ft. away from the Nineteenth Avenue property line. The proposed accessory building would be substantially larger in massing and substantially closer to the front property line than any of these existing accessory buildings.

Further, Nineteenth Avenue provides the only street frontage for the opposite side of the block. There are no accessory buildings present on this side of the block, even though this is the only side from which vehicular access is available.

Therefore, the siting of the proposed accessory building would have a significant impact on the existing streetscape.

From an historical perspective there were number of appeals to the Board related to the siting of detached garages in the subject block. For example, the Board denied appeals to allow a front yard setback of 4 ft. for a detached garage at 7931 Eighteen Avenue (BV 4218), 7943 Eighteen Avenue (BV 5890), and 7981 Eighteen Avenue (BV 4932). The Board, however, allowed a front yard setback of 17.18 ft. for a detached garage (where a setback of 44.98 ft. was required) at 7943 Eighteenth Avenue (BV 5905 and BV 5927).

Furthermore, it is difficult to find a hardship in this case. The proposed two-car attached garage satisfies all parking requirements for the proposed single family dwelling and secondary suite. Therefore, an additional accessory building containing two parking spaces (and other uses) is a design choice, not a necessity. Although the subject site requires a front yard on both sides of the property, it is not a hardship, as designs are available to accommodate the double frontage.

Finally, allowing a new accessory building is significant because the Zoning Bylaw explicitly prohibits accessory buildings in front of a principal dwelling.

In summary, this variance is major and clearly defeats the intent of the Bylaw. For these reasons, this Department recommends that the Board reject the appeal in accordance with Section 901(2) of the *Local Government Act*.

ADJACENT OWNER'S COMMENTS:

A petition letter was received from the applicant containing signatures from residents/occupants of 7997, 7975, 7964, 7955, 7943, 7937, 7923 18th Avenue in agreement of the accessory building setback.

No further correspondence was received regarding this appeal.

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

THAT based on the plans submitted this appeal be ALLOWED.

FOR: MR. B. BHARAJ

OPPOSED: MS. C. RICHTER
MR. S. NEMETH
MR. G. CLARK
MR. B. POUND

DENIED

(b) APPEAL NUMBER: B.V. 6189

APPELLANT: Amit K. Mittal

REGISTERED OWNER OF PROPERTY: 1033906 BC LTD. INC

CIVIC ADDRESS OF PROPERTY: 6538 Orchard Place

LEGAL DESCRIPTION OF PROPERTY: Lot 7; District Lot 92; Plan BCP51424

APPEAL: An appeal for the relaxation of Section 102.10 of the Burnaby Zoning Bylaw which, if permitted, would allow for the construction of a new single family dwelling at 6538 Orchard Place. The rear yard setback, to the post, would be 4.0 feet where a minimum rear yard setback of 29.5 feet is required. The roof overhang would project 2.0 feet beyond the post. (Zone R2)

APPELLANT'S SUBMISSION:

Amit Mittal submitted an application to allow for the construction of a new home at 6538 Orchard Place.

Amit Mittall appeared before members of the Board of Variance at the Hearing.

BURNABY PLANNING AND BUILDING DEPARTMENT COMMENTS:

The subject property was recently created by the subdivision of three lots into eight single-family residential lots on a new cul-de-sac (SUB08-00006). The subject lot is located second from the southeast terminus of the eight-lot subdivision. Four lots, including the subject lot, are currently vacant; three lots contain residences under construction; and the remaining lot contains an existing dwelling. The property at 5971 Brantford Avenue, along the southern boundary of the Orchard Place right of way, is not part of this subdivision.

The subject site, zoned R2 Residential District, is located in the Kingsway-Beresford neighbourhood in which the age and condition of single family dwellings vary. This irregular through lot, approximately 119.68 ft. wide along the south property line and 93.87 ft. long along the west property line, fronts onto the Orchard Place cul-de-sac to the north and Oakland Street to the south. The north front property line parallels the Orchard Place cul-de-sac curvature, and then turns 90 degrees to the south. It continues southward approximately 22 ft., then turns 90 degrees to the east and continues approximately 50 ft. until connecting with the east side property line. The lot abutting the subject site along this 'offset' area, to the northeast of the subject site, is in the middle stages of construction for a single family dwelling. Single family dwellings adjoin the subject site to the east and to the northwest is a vacant lot. Vehicular access to the subject site is provided from the Orchard Place cul-de-sac. The site is relatively flat with a downward slope of approximately 4 ft. from the north to the south.

The subject site is proposed to be developed with a new single family dwelling, including secondary suite and accessory attached garage, for which a variance is requested.

The appeal is for a rear yard setback of 4.0 ft., measured to the entry porch posts of the proposed single family dwelling, 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 need for this relaxation is related to the unique property line configuration at the northeast portion of the site, as mentioned above. As a result, the 'offset' portion of the north property line is a rear property line. Given that the lot depth between this portion of the north property line and the south property line is 66 ft., and the required setbacks total 54.1 ft., a hardship is evident.

Further, this proposal would have a limited impact on the neighbouring property to the northeast. The shared portion of the north property line is a side property line for this lot, with the principal building (under construction) oriented towards Brantford Avenue. There is an accessory detached garage (under construction) located 4 ft. away from this shared property line and 24.5 ft. away from the west property line along the straight section of the Orchard Place cul-de-sac. The eastern portion of the proposed dwelling would overlap the garage and the 24.5 ft. wide front yard area to the west of the garage.

The main body of the dwelling within the overlap area, approximately 30 ft. long, would be set back 1 ft. further away from the entry porch posts. The 12 ft. wide covered deck, attached to the east side of the dwelling, would be set back further by 7 ft. The upper floor would be set back 8 ft. in relation to the entry porch posts. Only one larger window and three small windows are proposed within the overlap area. The proposed 'stepped back' design in combination with a limited amount of windows would help reduce massing impacts on the adjacent yard of the neighbouring property to the northeast.

In summary, given the hardship imposed by the unusual site geometry and the proposal's limited impacts on the neighbouring property to the northeast, this Department supports the granting of this variance.

ADJACENT OWNER'S COMMENTS:

No correspondence was received regarding this appeal.

MOVED BY MR. B. POUND:
SECONDED BY MR. G. CLARK:

THAT based on the plans submitted this appeal be ALLOWED.

CARRIED UNANIMOUSLY

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

THAT the Hearing do now recess until 1:15 p.m..

CARRIED UNANIMOUSLY

The Hearing recessed at 1:12 p.m.

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

THAT the Hearing do now reconvene.

CARRIED UNANIMOUSLY

The Hearing reconvened at 1:15 p.m.

(c) APPEAL NUMBER: B.V. 6190

APPELLANT: Tony Gill

REGISTERED OWNER OF PROPERTY: A-Pacific Development Ltd. Inc. and Belltown Homes Ltd

CIVIC ADDRESS OF PROPERTY: 7357 Newcombe Street
LEGAL DESCRIPTION OF PROPERTY: Lot 32; District Lot 25; Plan 14945

APPEAL: An appeal for the relaxation of Sections 6.3.1 and 110.8 of the Burnaby Zoning Bylaw which, if permitted, would allow for the construction of a new single family home at 7357 Newcombe Street. The following variances are being requested:

a) the distance between the principal building and the detached garage would be 9.75 feet where a minimum distance of 14.8 feet is required; and,

b) the front yard setback, to the foundation, would be 33.86 feet where a minimum front yard setback of 40.63 feet is required based on front yard averaging. The canopy overhang would project 3.94 feet beyond the foundation where a maximum projection of 3.94 feet is permitted. The porch stairs would project 2.0 feet beyond the foundation. (Zone R10)

A previous Board of Variance (BOV 6177 2015 July 09) denied an appeal requesting a front yard setback of 24.93 feet and porch stairs projecting 2.0 feet beyond the foundation.

APPELLANT'S SUBMISSION:

Tony Gill and Kanwaljit Khangura submitted an application to allow for the construction of a new home at 7357 Newcombe Street.

Tony Gill appeared before members of the Board of Variance at the Hearing.

BURNABY PLANNING AND BUILDING DEPARTMENT COMMENTS:

This property was the subject of an appeal before the Board on 2015 July 09 (BV6177). A variance was sought to allow for the construction of a new single family dwelling with a detached garage observing a front yard setback of 24.93 ft. where a front yard setback of 40.63 ft. is required. This Department did not support this request, and the Board of Variance denied the appeal.

Subsequently, in response to the concerns raised by neighbours at the hearing, the applicant has revised the proposal. The revised design locates the principal building 8.93 ft. further from the front property line; otherwise, except for a small reduction in size of the upper floor deck, the proposal is essentially the same as in the previous 2015 July 09 appeal.

The subject property is located in the Second Street area, in a mature R10 District neighbourhood characterized by low-scale single family dwellings. The R10 District in this area was established through an area zoning process at the request of residents, in order to control the form and character of new development. The subject lot measures 49.27 ft. in width and 109.14 ft. in depth. This interior site fronts onto Newcombe Street to the northeast and flanks the lane to the southwest. There are single family dwellings to the northwest, southeast and across the lane to the southwest of the subject site. To the northeast across Newcombe Street, the entire block is bordered by the Cariboo Conservation Area. Vehicular access to the subject site is from the rear lane. The site observes an ascending slope of approximately 12 ft. from the front to the rear.

The proposal is for a new single family dwelling with a detached garage, for which two appeals are requested.

As the second b) appeal concerns the front yard setback, it is discussed first.

The second b) appeal requests a front yard setback of 33.86 ft., measured to the foundation of the proposed single family dwelling, with a further canopy projection of 3.94 ft., where front yard averaging requires a minimum setback of 40.63 ft. from the Newcombe Street 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 adopted to address these concerns, including a requirement to set new construction back from the front property line based on the

average setback 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 immediately northwest of the subject site at 7325 and 7341 Newcombe Street, and the two dwellings immediately southeast of the subject site at 7375 and 7391 Newcombe Street. The front yard setbacks for these properties are 40.63 ft., 40.0 ft., 42.39 ft. and 39.49 ft. respectively.

The front yard setback is measured to the foundation of the main body of the dwelling. The proposed center element of the upper floor is set back 9.67 ft. from the foundation. In addition, the proposed northwest corner of the upper floor is set back approximately 16.83 ft. further in order to accommodate a high volume space over the main floor living/dining area; the northeast corner of the upper floor consists of an open deck, which is approximately 14.5 ft. wide and 11.5 ft. deep.

The proposed siting would place the subject dwelling 6.14 ft. in front of the neighbouring dwelling to the northwest and 8.53 ft. in front of the neighbouring dwelling to the southeast. The modified siting of subject dwelling (set further back by 8.93 ft.) is more compatible with the neighbouring residences. The recessed portions of the proposed upper floor would be behind the neighbouring dwellings, which would noticeably lessen the massing impacts on these neighbouring properties. It is noted, however, in the northeast corner of the upper floor, an approximately 128 sq. ft. deck area extends into the required setback area and approximately 8.53 ft. in front of the neighbouring dwelling to the southeast, potentially causing overlook and privacy impacts on this dwelling.

Otherwise, this Department does not object to the granting of this second b) variance.

The first a) appeal would permit a distance of 9.75 ft. from the accessory building to the principal building, with a 2.94 ft. roof projection and a 1.5 ft. bay window projection, where a minimum distance of 14.8 ft. is required.

The Bylaw requires a separation between buildings on the same lot in order to ensure that the overall massing of the building does not have a negative impact on the occupants of the buildings and neighbouring properties, as well as to provide for sufficient outdoor living space.

This variance is a direct result of the revised siting of the principal building discussed under the second b) appeal. In order to achieve a greater front yard setback, the proposed dwelling has been located 8.93 ft. closer to the accessory detached garage, which is located in the south corner of the rear yard, approximately 4 ft. from the southwest (rear) property line and 4 ft. from the southeast (side) property line.

The proposed detached garage is 22.6 ft. wide and 20.0 ft. long, and approximately 12.19 ft. high to the top of the hip roof as viewed from the lane. The proposed garage

contains two parking spaces, accessed off the rear lane, and is consistent with the existing detached garage immediately to the southeast of the subject lot.

With respect to outdoor living space, sufficient yard area would remain to the northwest of the garage.

The 9.75 ft. distance is measured from the proposed detached garage to the main body of the proposed principal building. The two bay windows at the upper floor of the dwelling would not effectively reduce the separation distance at the ground level. The overlap of the garage and residence would be 21 ft., which is almost the entire width of the garage. No primary living space would face the proposed garage.

However, the proposed secondary suite, located in the cellar, would be accessed via a sunken patio located directly opposite the garage. This patio is approximately 11.76 ft. below grade at the northeast elevation of the garage. The proposed northeast elevation of the garage is approximately 9.5 ft. high to the fascia board and approximately 14.29 ft. high to the top of the roof. The reduced distance between the proposed house and garage, in combination with the over 20 ft. height difference would unacceptably reduce the light available to the secondary suite. Furthermore, this variance could be eliminated by reducing the proposed two-car garage to a one-car garage and providing an additional surface parking space to satisfy parking requirements.

For these reasons, the Department cannot support the first a) variance.

ADJACENT OWNER'S COMMENTS:

A petition letter was received 2015 August 31, in opposition to the proposed variance appeal regarding the front yard setback. The petition was signed by owners/occupiers of 7275, 7291, 7307, 7325, 7341 and 7391 Newcombe Street and 8269 and 8275 18th Avenue and 8270 and 8278 19th Avenue.

A petition letter was received 2015 September 03, from the applicant in support of the variances requested. The petition was signed by owners/occupiers of 8290, 8272, 8266, 8262, 8248, 8238, 8236 18th Avenue, 8175, 8262, 8257, 8245, 8223 and 8250 19th Avenue, 8258 17th Avenue, 7439, 7355, 7345,7338, 7350, 7332, 7268, 7278 and 7373 1st Avenue, and 7241, 7538 and 7357 Newcombe Street.

Ms. C. Antunes, 7341 Newcombe Street, appeared before the Board in opposition to the front yard setback.

Mr. R. Arseneault, 8249 19th Avenue, appeared before the Board in opposition to the front yard setback.

Mr. D. Grant, 7391 Newcombe Street, appeared before the Board in opposition to the front yard setback.

No further correspondence was received regarding this appeal.

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

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

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

OPPOSED: MR. S. NEMETH
MR. G. CLARK

ALLOWED

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

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

FOR: MR. B. BHARAJ
MR. B. POUND

OPPOSED: MS. C. RICHTER
MR. S. NEMETH
MR. G. CLARK

DENIED

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 2:20 p.m.

_____
Ms. C. Richter

_____
Mr. B. Bharaj

_____
Mr. G. Clark

_____
Mr. S. Nemeth

_____
Mr. B. Pound

_____
Ms. E. Prior
ADMINISTRATIVE OFFICER

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: CARMAN KWAN

Mailing Address: 205-1730 W 2ND AVE.

City/Town: VANCOUVER Postal Code: V6J 1H6

Phone Number(s): ~~H~~ B(W) 6042664677 (C)

Email: CARMAN@hearthworks.ca

Preferred method of contact: ☑ email ☐ phone ☐ mail

Property

Name of Owner: ELMANO CARVALHO

Civic Address of Property: 3701 KEITH ST.

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.

SEPT. 1, 2015
Date

Applicant Signature

Office Use Only

Appeal Number BV# 6191

Required Documents:

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

CITY OF BURNABY
SEP 01 2015
CLERK'S OFFICE

HEARTH architectural

August 26, 2015

City of Burnaby
Board of Variance

4949 Canada Way
Burnaby, BC
V5G0 1M2

Attn: Margaret Malysz, *Architect AIBC, CP*
Development Plan Approvals Supervisor

Re: 3701 Keith Street - Warehouse

Dear Margaret,

This letter of hardship addresses the new proposed warehouse building located at 3701 Keith street. The city zoning of this site is M5 and the proposal is to construct a new warehouse with office and storage facilities. This warehouse proposal is purpose built by the owner of Alesther Metal Distributors who is currently located at 3117 Norland Avenue. Alesther Metal's is currently leasing the space housing its facilities and has received an eviction notice from their landlord. This has prompted the owner to build its own facilities within the city of Burnaby where he has owned and operated two long time businesses that have operated in Burnaby for over 10 years.

The design proposal for the new warehouse is requiring a relaxation of the front yard setback on the southeast corner of the property. The front yard setback allowable is 9 meters (29.53 feet). We are requesting a front yard variance for 4.57 meters (15 feet) at the southeast corner only.

The following items outline the hardships on the site and the reasons for the front yard relaxation on the southeast corner of the property:

1. 3701 Keith Street is an odd shaped lot that is located at the end of a cul-de-sac on Keith Street. The cul-de-sac's curved profile forms the southeast corner of the lot creating difficulties in locating the building on the site. Through months of preliminary design review with City planning, it was clear that accommodating parking and loading and ensuring that manoeuvring of trucks for loading was not encroaching on the front yard setback, was a difficult task due to the property's configuration. The office/storage 3 storey block was moved to the southeast corner from the southwest corner in order to address parking and loading requirements, therefore the request for a front yard variance was needed.

2. The change in vertical elevation from the northwest corner to the southeast corner is 43 feet. This lot is located just east of Boundary road and one block north of Marine Way. The south end of the lot which Keith street is located on is the low end of the site. This steeply sloped lot is also a hardship in accommodating for the parking that can only be sloped at a maximum 5%. As a result, the proposed parking and loading is located in 2 locations while minimizing the need for retaining walls which are all proposed to be compliant with the zoning bylaw.

Carman Kwan, Architect AIBC, LEED® AP
V. Joseph Muego, Architect AIBC, AAA
205-1730 West 2nd Ave. Vancouver BC V6J 1H6
tel. 604.266.4677 fax. 604.266.4679
www.HEARTHworks.ca

HEARTH architectural Inc. is a member of the Architectural Institute of BC

HEARTH architectural

3. There are 2 front yard setbacks for this property that was determined by City Planning. The cul-de-sac facing the street and the south property line were both determined to be front yards and therefore limiting the location of parking. In addition the west property has a restrictive covenant for a BC Hydro Right of Way therefore creating more limitations on the building footprint location.

The design proposal is seeking an approval from the Board of Variance for a front yard variance located at the southeast corner of the Office/Storage portion of the building. The proposed entrance is ideal for the street access off of Keith Street and provides an improved fire fighter's access and orientation. We appreciate your careful review of this variance request.

Sincerely,



Carman Kwan Architect AIBC, LEED® AP
Principal Architect

Carman Kwan, Architect AIBC, LEED® AP
V. Joseph Muego, Architect AIBC, AAA
205-1730 West 2nd Ave. Vancouver BC V6J 1H6
tel. 604.266.4677 fax. 604.266.4679
www.HEARTHworks.ca

HEARTH architectural Inc. is a member of the Architectural Institute of BC

City of Burnaby
Planning and Building Department

BOARD OF VARIANCE REFERRAL LETTER		
DATE: 2015 Sept. 01	**DEADLINE: 2015 Sept. 08** **Date of Hearing: 2015 Oct. 01**	*This is **not** an application.* *Please take referral letter to Board of Variance. (Clerk's office)*
NAME OF APPLICANT: Carman Kwan **Hearth Architectural Inc.**		
ADDRESS OF APPLICANT: 205-1730 West 2nd Avenue, Vancouver, BC, V6J 1H6		
TELEPHONE: 604 266 4677		

Preliminary Plan Approval Application: PPA #15-00178			
DESCRIPTION: New warehouse and office building			
ZONING: Light Industrial District M5			
ADDRESS: 3701 Keith Street			
LEGAL:	**LOT: 1**	**DL: 175**	**PLAN: LMP13886**

The above mentioned application for Preliminary Plan Approval has been suspended pending Board of Variance review pursuant to the following section(s) of the Zoning Bylaw.

Section(s) 405.6

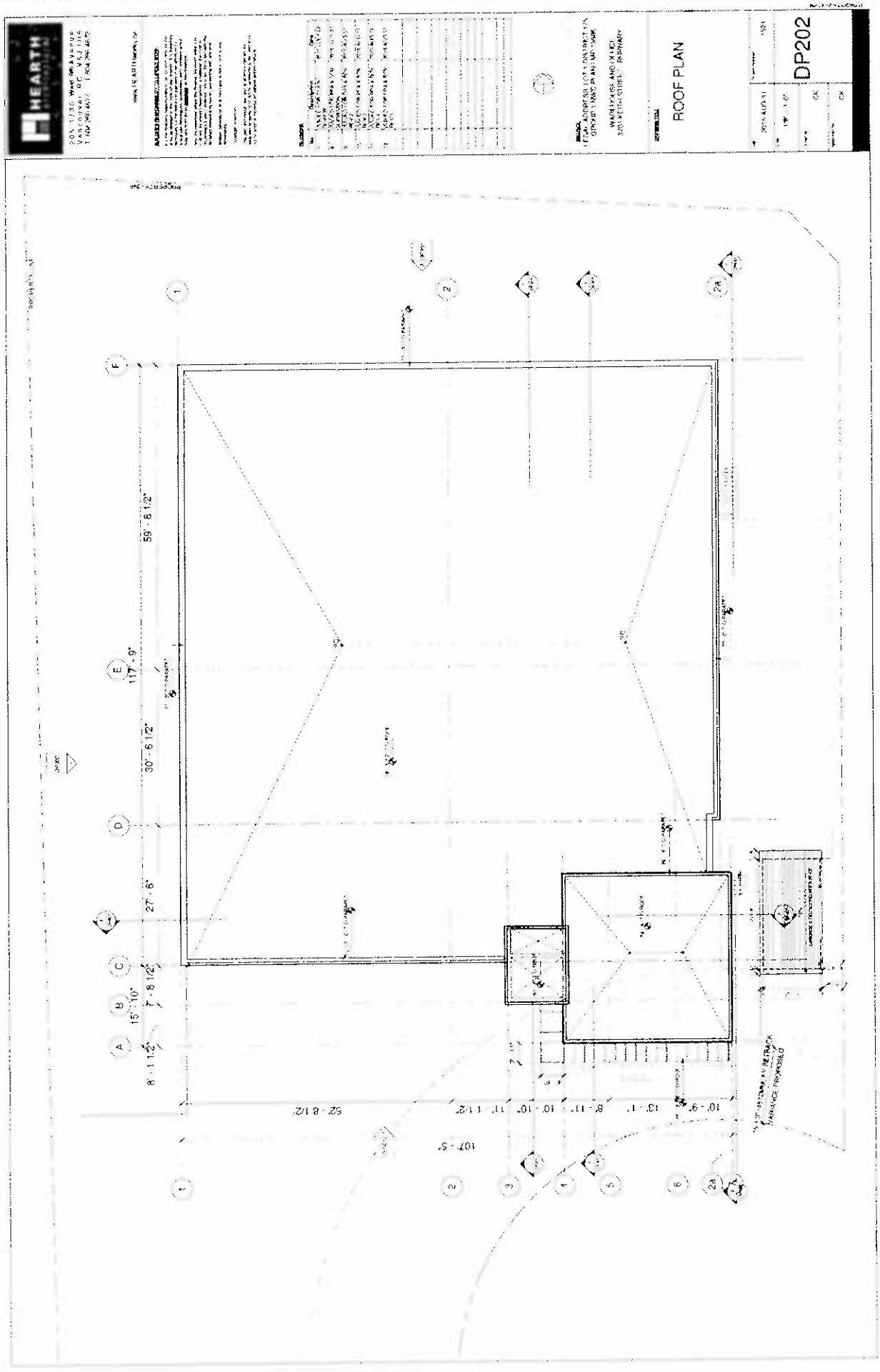
COMMENTS:
An appeal for the relaxation of Section 405.6 of the Burnaby Zoning Bylaw which, if permitted, would allow for the construction of a new warehouse and office building at 3701 Keith Street, with a front yard setback to the foundation of 15.0 ft. where a minimum front yard setback of 29.53 ft. is required. The canopy overhang would project up to 3.94 ft. beyond the foundation where a maximum projection of 3.94 ft. is permitted.

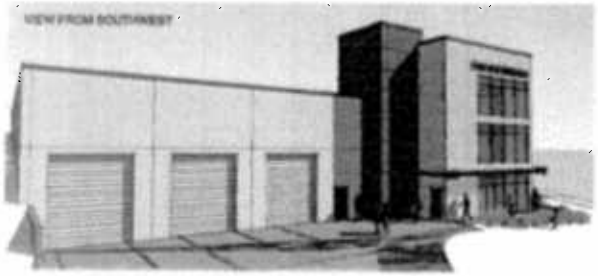
Note:
The applicant recognizes that this appeal request, as per the submitted drawings, if granted, would be subject to full compliance with all other applicable Municipal regulations and requirements. Should the project contain additional characteristics in contravention of the Zoning By-law, future appeal(s) may be required.

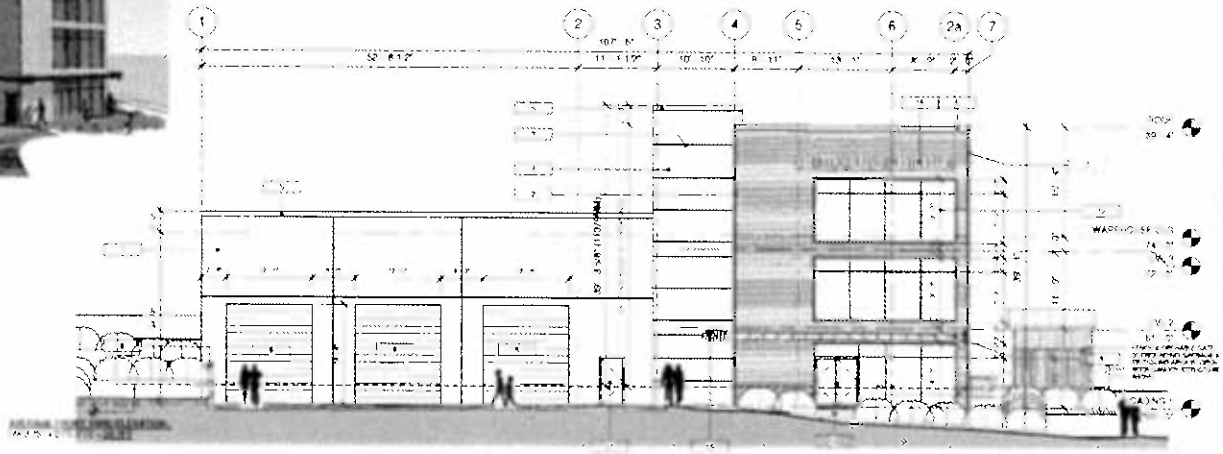
Margaret Malysz
Supervisor, Development Plan

P:\PPA\Applications\2015\PPA15-00178 3071 Keith St BOV Referral Letter.docx

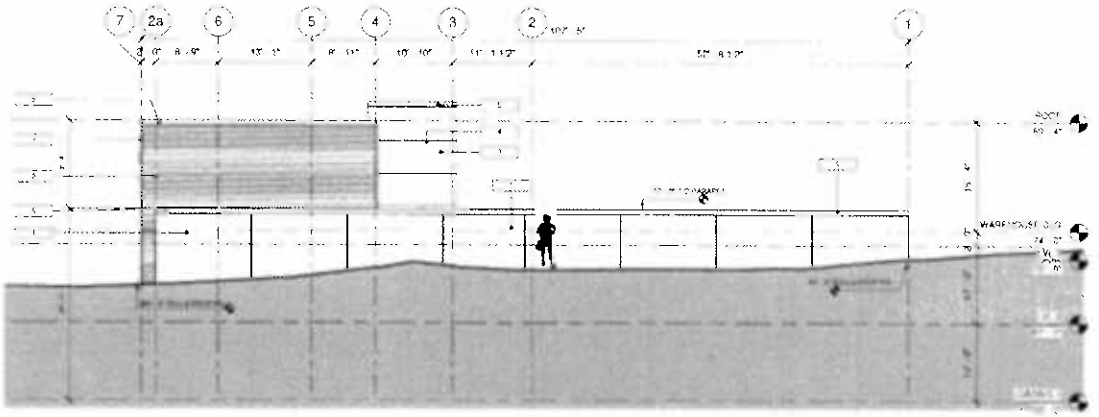
HEARTH
TITLESHEET
DP000
PROJECT STATISTICS : ZONING : M5
SITE AREA
PROPOSED USES: WAREHOUSING & OFFICE
BUILDING AREAS (REFER TO DP100 FOR FSR OVERLAYS)
MAIN FLOOR 1164.1SF
SECOND FLOOR 1484 SF
THIRD FLOOR 1293 SF
TOTAL GROSS FLOOR AREA: 15992 SF / 1473 SM
SITE COVERAGE: 1906/9873/50.75F = 0.35
SETBACKS
HEIGHTS
PROPOSED HEIGHTS
PARKING
PARKING REQUIREMENTS
LOADING REQUIREMENT
DRAWING LIST
SITE CONTEXT AERIAL PLAN
NOT TO SCALE
ZONING MAP
NOT TO SCALE
MARINE DRIVE
KEITH ST.
JOFFRE AVE.
MARINE WAY
BOUNDARY RD
3701
SOUTHEAST PERSPECTIVE
SOUTH ELEVATION
SOUTHWEST ROOF PERSPECTIVE


ROOF PLAN
DP202
59 - 6 1/2"
30 - 6 1/2"
27 - 6"
62' - 8 1/2"
107' - 5"





1 1-8 SOUTH ELEVATION
1/8" = 1'-0"



2 1-8 NORTH ELEVATION
1/8" = 1'-0"

MATERIAL NOTES

	DESCRIPTION
1	PREFINISHED CORRUGATED WALL PANELS
2	CORRUGATED METAL SIDING (COLOUR: GALVALUME FINISH)
3	COMPOSITE PANEL (COLOUR: BENJAMIN MOORE 2120-30 WITCHING HOUR)
4	1" METAL REVEAL
5	PAINTED METAL CAP FLASHING (COLOUR: BENJAMIN MOORE 2120-30 WITCHING HOUR)
6	OVERHEAD METAL DOOR (12'x14')
7	METAL FLASHING CORNER TRANSITION
8	CAST IN PLACE CONCRETE RETAINING WALL
9	STEEL CANTILEVERED ROOF CANOPY (W/ TEMPERED GLAZED CANOPY)
10	INSULATED PAINTED METAL DOOR
11	STOREFRONT WINDOW (DOUBLE GLAZED W/ FRAME COLOUR: CLEAR ANODIZED)
12	CAST IN PLACE CONCRETE STAIRS
13	LIT CHANNEL SIGNAGE

HEARTH ARCHITECTURE
505 - 1230 West Pender Avenue
Vancouver, B.C. V6E 2S4
T 604.259.4077 F 604.260.4079
www.HEARTHarchitecture.ca

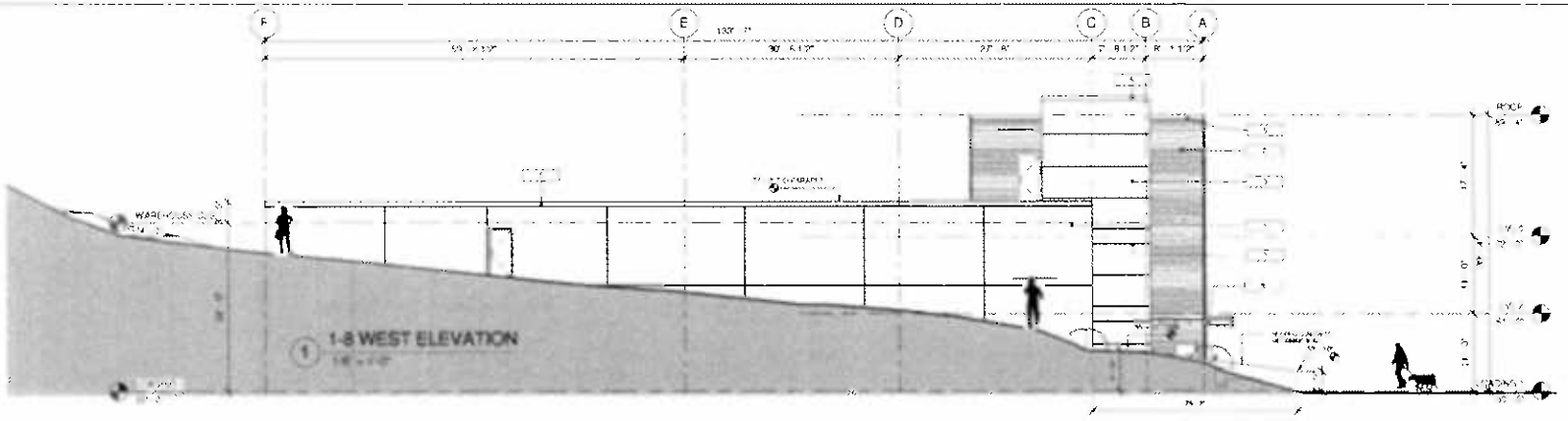
No.	Description	Date
1	ISSUED FOR DEVELOPMENT PERMIT REVIEW	2024-03-27

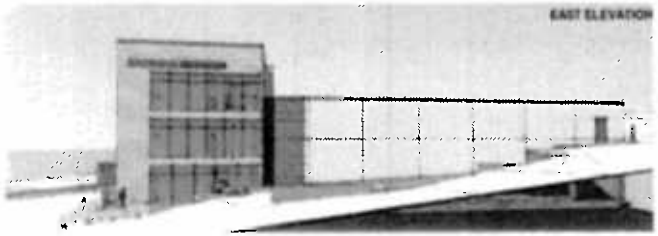
PROJECT:
LEGAL ADDRESS: LOT 1 DISTRICT LOT 175 GROUP 1 NWD PLAN LMP 13885

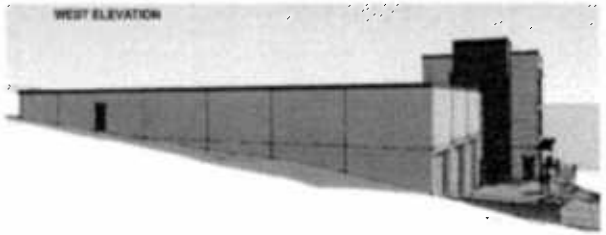
WAREHOUSE AND OFFICE
3171 KELLY STREET, ABBOTSFORD

DESCRIPTION:
ELEVATIONS (NORTH & SOUTH)

DATE:	2024.03.27
SCALE:	1/8" = 1'-0"
DRAWN:	CK
CHECKED:	CK
PROJECT NO:	1324
DRAWING NO:	DP301

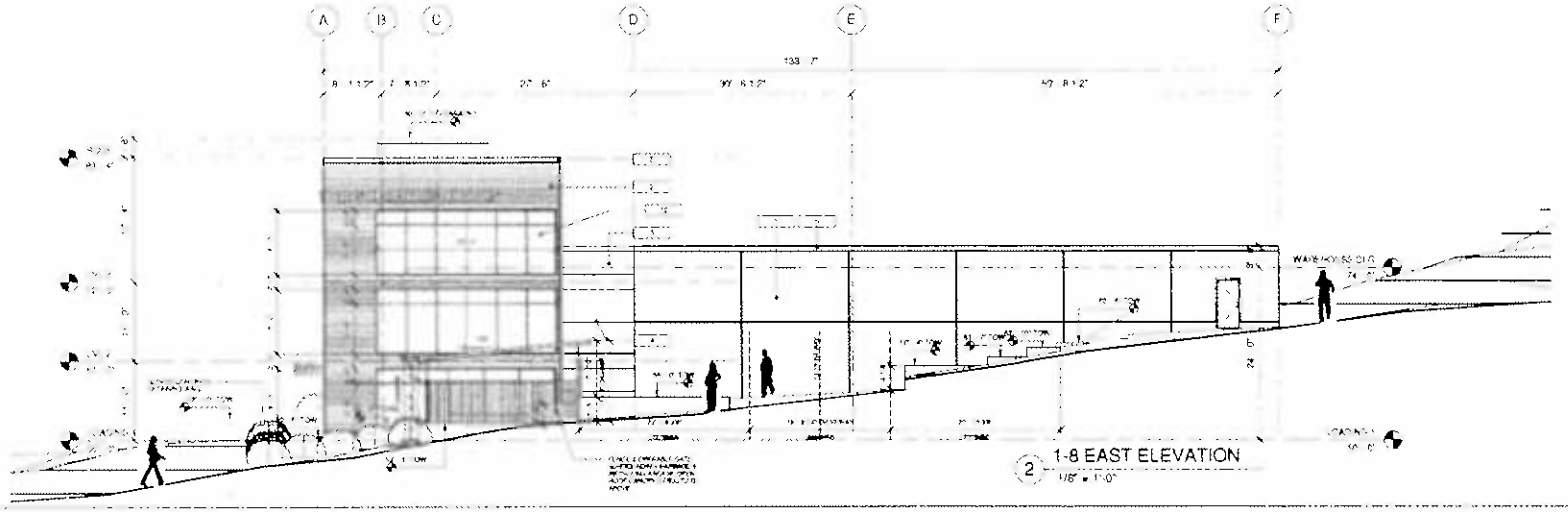






MATERIAL NOTES

	DESCRIPTION
1	PREFABRICATED CONCRETE WALL PANELS
2	CORRUGATED METAL SIDING (COLOUR: GALVALUME FINISH)
3	COMPOSITE PANEL (COLOUR: BENJAMIN MOORE 2120-30 WITCHING HOUR)
4	1" METAL REVEAL
5	PAINTED METAL CAP FLASHING (COLOUR: BENJAMIN MOORE 2120-30 WITCHING HOUR)
6	CAST IN PLACE CONCRETE RETAINING WALL
8	STEEL CANTILEVERED ROOF CANOPY C/W TEMPERED GLAZED CANOPY
10	STOREFRONT WINDOW SYSTEM C/W GLAZED OPENING UNITS AND CLEAR ANODIZED



HEARTH
205 - 1230 West 8th Avenue
Vancouver BC V6H 1H8
T 604 266 4022 F 604 266 4679
www.HEARTHarch.ca

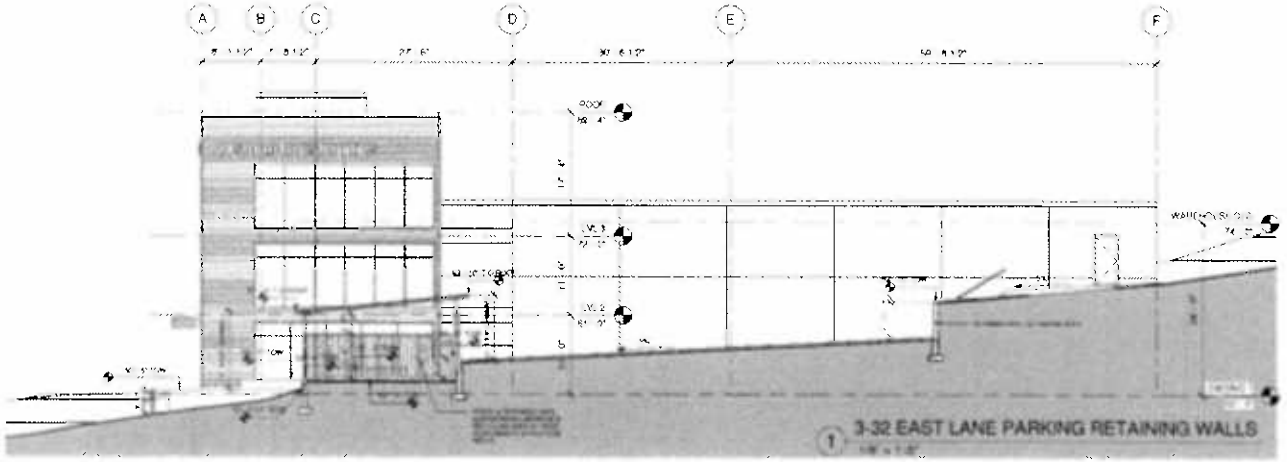
No.	Description	Date
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

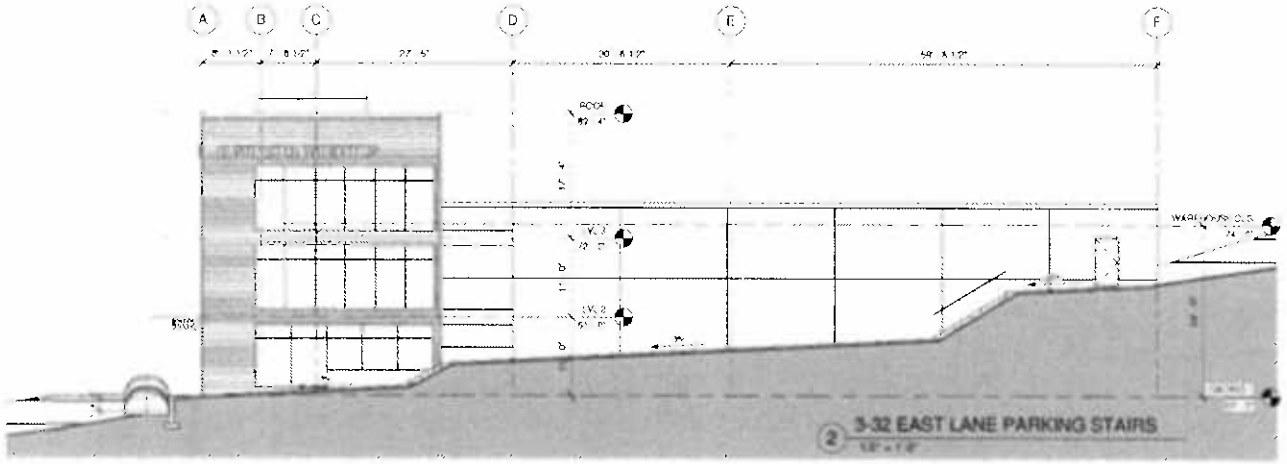
PROJECT
LEGAL ADDRESS: LOT 1 DISTRICT LOT 126 GROUP 1 NWD PLAN LMP 13855
WAREHOUSE AND OFFICE
3700 KETO STREET, SQUAMISH

DRAWING TITLE
ELEVATIONS (EAST & WEST)

2015 AUG 31	1524
1/8" = 1'-0"	DP302
CK	
CK	

3.(a)





HEARTH architecture

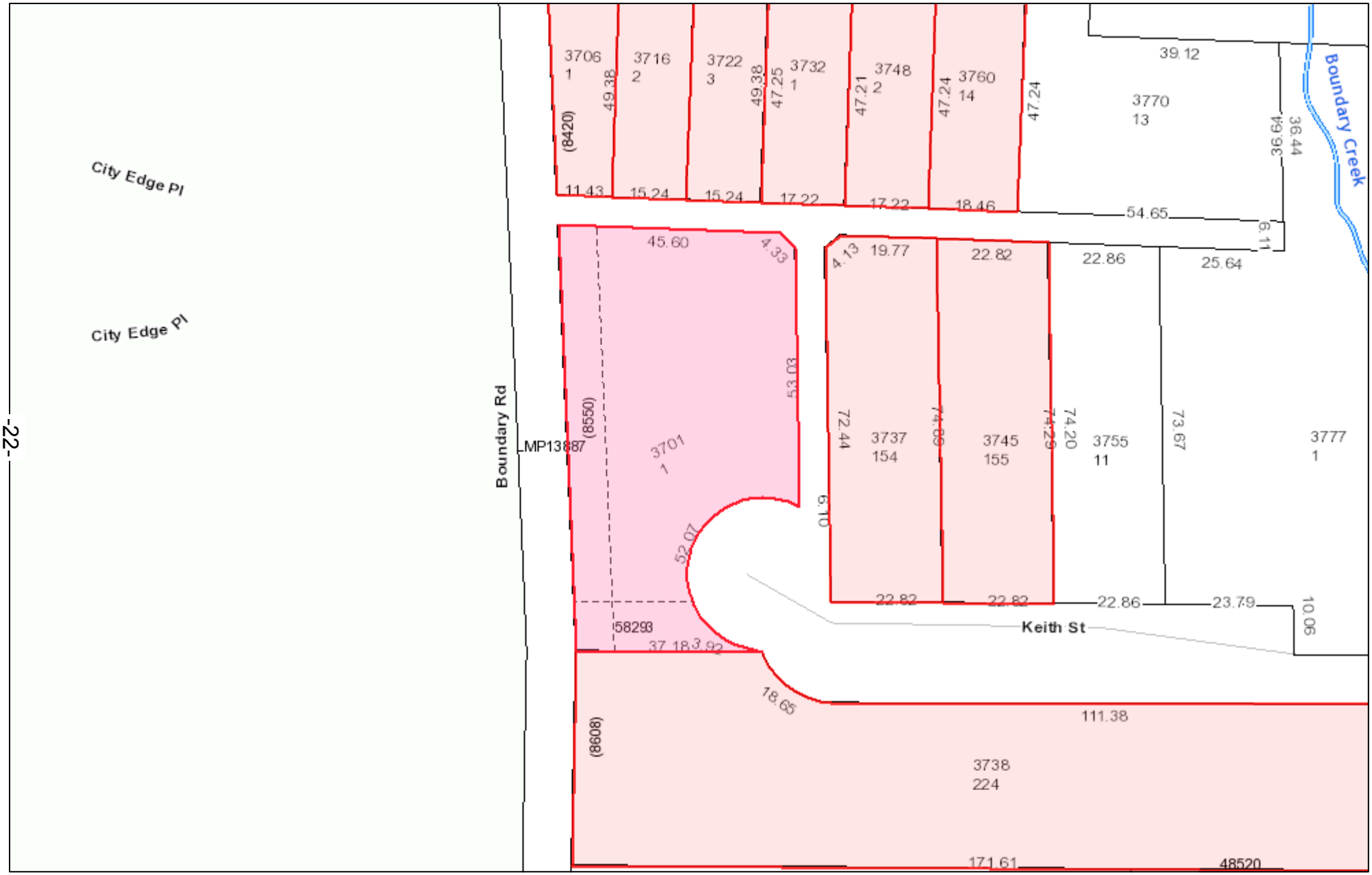
EAST LANE PARKING SECTIONS

DP402

3701 Keith Street

September 10, 2015

1:1,060



-22-

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 6191

3.(a)