



## **BOARD OF VARIANCE**

### ***NOTICE OF OPEN MEETING***

**DATE:** THURSDAY, 2015 DECEMBER 03

**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 November 05

3. **APPEAL APPLICATIONS**

(a) **APPEAL NUMBER:** B.V. 6196 **1:00 p.m.**

**APPELLANT:** Tony Gill

**REGISTERED OWNER OF PROPERTY:** Belltown Homes LTD and A-Pacific Development 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 Section 6.3.1 of the Burnaby Zoning Bylaw, which, if permitted, would allow for the construction of a new single family home at 7357 Newcombe Street. The distance between the principal building and the detached garage and carport would be 3.43 feet where a minimum distance of 14.8 feet is required. (Zone R10)

A previous Board of Variance (BOV 6177 2015 July 09) denied an appeal requesting the front yard setback of 24.93 feet measured to the foundation where a minimum front yard setback of 40.63 feet is required.

A previous Board of Variance (BOV 6190 2015 September 03) denied an appeal requesting the front yard setback of 33.86 feet measured to the foundation where a minimum front yard setback of 40.63 feet is required; and allowed the distance between the principal building and the detached garage of 9.75 feet where a minimum distance of 14.8 feet is required.

A previous Board of Variance (BOV 6194 2015 November 05) denied an appeal requesting the distance between the principal building and the detached garage of .53 feet where a minimum distance of 14.8 feet is required.

**(b) APPEAL NUMBER: B.V. 6197 1:00 p.m.**

APPELLANT: Edward Vega

REGISTERED OWNER OF PROPERTY: Darlene Sorel

CIVIC ADDRESS OF PROPERTY: 175 Delta Avenue

LEGAL DESCRIPTION OF PROPERTY: Lot 10; DL 122/188; Plan NWP4953

APPEAL: An appeal for the relaxation of Section 105.6(1)(b) of the Burnaby Zoning Bylaw, which, if permitted, would allow for interior alterations and an addition to an existing single family dwelling, with secondary suite and detached garage, at 175 Delta Avenue. The following variances are being requested:

a) The principal building height, measured from the rear average elevation, would be 33.55 feet where a maximum height of 24.3 feet is permitted;

b) The principal building height, measured from the front average elevation, would be 25.71 feet where a maximum height of 24.3 feet is permitted; and,

c) The principal building height would be 3 storeys where a maximum of 2.5 storeys is permitted. (Zone R5)

**(c) APPEAL NUMBER: B.V. 6198 1:15 p.m.**

APPELLANT: Ying Muoi Ho

REGISTERED OWNER OF PROPERTY: Ying Muoi Ho

CIVIC ADDRESS OF PROPERTY: 8210 Burnlake Drive

LEGAL DESCRIPTION OF PROPERTY: Lot 202; District Lot 40; Plan 48688

APPEAL: An Appeal for the relaxation of Sections 101.8 of the Burnaby Zoning Bylaw which, if permitted, would allow for the construction of an addition and interior alterations to main and upper floor of an existing single family dwelling with a secondary suite and detached garage at 8210 Burnlake Drive. The front yard setback from the Winston Street property line would be 74.10 feet to the foundation where a minimum front yard setback of 85.24 feet is required based on front yard averaging. A balcony would project 1.5 feet beyond the foundation and two window bays would project 1.0 feet beyond the foundation. (Zone R1)

A previous Board of Variance (BOV 6175 2015 July 09) decision allowed a front yard setback on Winston Street of 72.62, as well as, a roof overhang projecting 2.5 feet on all sides beyond the foundation of the addition, except with a roof overhang of 3 feet where 2 roofs meet.

(d) **APPEAL NUMBER: B.V. 6199** **WITHDRAWN**

APPELLANT: Amitoj Sanghera

REGISTERED OWNER OF PROPERTY: Agiakar and Pritpal Gill

CIVIC ADDRESS OF PROPERTY: 3526 Colter Court

LEGAL DESCRIPTION OF PROPERTY: Lot 100; District Lot 43; Plan NWP39458

(e) **APPEAL NUMBER: B.V. 6200** **1:30 p.m.**

APPELLANT: Helder Baptista

REGISTERED OWNER OF PROPERTY: Helder Baptista

CIVIC ADDRESS OF PROPERTY: 6200 Buchanan Street

LEGAL DESCRIPTION OF PROPERTY: Lot 119; District Lot 130; Plan 61236

APPEAL: An appeal for the relaxation of Sections 6.2(2) and 800.6(1) of the Burnaby Zoning Bylaw, which, if permitted, would allow for the construction of an accessory building in a required front yard at 6200 Buchanan Street, located 9.0 feet from the south property line abutting Parkcrest Drive and 13.61 feet from the east property line, where siting of an accessory building in a required front yard is prohibited. (Zone R2)

(f) **APPEAL NUMBER: B.V. 6201** **1:30 p.m.**

APPELLANT: Helen Soderholm

REGISTERED OWNER OF PROPERTY: Peter Buchanan and Helen Soderholm

CIVIC ADDRESS OF PROPERTY: 5724 Eglinton Street

LEGAL DESCRIPTION OF PROPERTY: Lot 79; District Lot 83; Plan 24961

APPEAL: An appeal for the relaxation of Section 6.14(5)(b) of the Burnaby Zoning Bylaw which, if permitted, would allow for the retention of a fence to an existing family home at 5724 Eglinton Street. The fence height, in the required side and rear yard, would be of varying heights of up to 9.97 feet where a maximum height of 5.91 feet is permitted. (Zone R-2)

A previous Board of Variance (BOV 6178 2015 July 09) denied an appeal for a fence height, in the required side and rear yard, of varying heights of up to 10.13 feet where a maximum 5.91 feet is permitted.

**4. NEW BUSINESS**

**5. ADJOURNMENT**

**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 November 05 at 1:00 p.m.

**1. CALL TO ORDER**

PRESENT: Ms. C. Richter, Chair  
Mr. B. Bharaj, Citizen Representative  
Mr. B. Pound, Citizen Representative

ABSENT: Mr. G. Clark, Citizen Representative  
Mr. S. Nemeth, Citizen Representative

STAFF: Ms. M. Malysz, Development Plan Approvals Supervisor  
Ms. J. Adam, Planning Assistant  
Ms. E. Prior, Administrative Officer

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. B. BHARAJ:

THAT the Hearing of the Burnaby Board of Variance held on 2015 October 01 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. 6192                      WITHDRAWN**

APPELLANT:      Ron Bijok

REGISTERED OWNER OF PROPERTY:    Kevin Snelgrove and Sabrina Machel

CIVIC ADDRESS OF PROPERTY:      5883 Monarch Street

LEGAL DESCRIPTION OF PROPERTY:    Lot 22; District Lot 80; Plan 1798

This appeal was WITHDRAWN prior to the Hearing.

**(b)      APPEAL NUMBER:    B.V. 6193**

APPELLANT:      Rosa Alexander

REGISTERED OWNER OF PROPERTY:    Rosina Alexander

CIVIC ADDRESS OF PROPERTY:      175 Ranelagh Avenue North

LEGAL DESCRIPTION OF PROPERTY:    Lot 22; District Lot 189; Plan 4953

APPEAL:    An Appeal for the relaxation of Sections 105.6(1)(a) and 6.12(3)(a) of the Burnaby Zoning Bylaw which, if permitted, would allow for the substantive reconstruction of the basement, main floor and upper floor of an existing single family home at 175 Ranelagh Avenue North. These would include interior alterations to the basement and main floor; a new porch, deck and addition to the main floor; and a new upper floor. The following variances are being requested:

a) the principal building height, measured from the rear average grade, would be 30.41 feet where a maximum of 29.5 feet is permitted. Note the height measured from the front average grade would be 28.31 feet, and

b) the side yard setback would be 2.6 feet where a minimum side yard setback of 3.3 feet is required. (Zone R5)

**APPELLANT'S SUBMISSION:**

Rosa Alexander submitted an application to allow for substantive interior and exterior reconstruction of an existing single family home at 175 Ranelagh Avenue.

Rosa Alexander and Michael Haig 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 Capitol Hill neighbourhood, in which the age and condition of single and two-family dwellings vary. This interior lot, which is approximately 33 ft. wide and 121.4 ft. deep, fronts onto the west side of Ranelagh Avenue North. The subject site observes a downward slope of approximately 7.3 ft. in the northeast - southwest direction. Single family dwellings are located immediately north, south, directly across Ranelagh Avenue North to the east and directly across the lane to the west of the subject site.

The subject site was originally improved with a two storey single family dwelling (main floor and basement), built in 1956. In 2014, a building permit (BLD14-01151) was issued for further improvements to the dwelling, including an upper floor addition and various exterior/interior alterations to the basement and main floor. Subsequently, when construction started, a deviation from the building permit drawings was identified by the City staff. As a result, the applicant is requesting two variances in order to legalize the unpermitted construction.

The first a) appeal proposes a building height of 30.41 ft., measured from the rear average elevation to the upper floor addition, where a maximum height of 29.5 ft. is permitted for sloping roofs.

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

The second b) appeal proposes a side yard setback of 2.6 ft. from the north property line to the existing dwelling, with a further projection for roof eaves of up to 2.0 ft., where a minimum side yard setback of 3.3 ft. is required.

The intent of the Bylaw is to mitigate the impacts of building massing on neighbouring properties.

In this case, the existing dwelling observes a north side yard setback of 2.6 ft., and is legal-non-conforming with respect to the side yard setback requirement (3.3 ft.).

The approved building permit drawings indicate that the non-conforming part of the dwelling, particularly the outermost north wall and adjacent floor area at the basement and ground level, were to be retained. However, during construction, the wall and floor were removed and rebuilt, as they were in poor condition. The portion of this new floor and wall that encroaches into the required side yard is approximately 0.7 ft. wide and 31 ft. long, and is the subject of the second b) appeal.

In addition, this new wall/floor construction required slightly higher wall studs, which increased the overall building height. The proposed increase in building height from the

originally approved 29.5 ft. to the constructed 30.41 ft., as viewed from the rear property line, is the subject of the first a) appeal.

With respect the second b) variance, the increased side yard encroachment does not materially change the massing relationship, at the ground floor, between the existing dwelling and the neighbouring property to the north of the subject site. In addition, the new upper floor is proposed to be set back an additional 3.25 ft. from the outermost north face of this encroachment area. The resulting total upper floor setback of 5.85 ft. is well over the minimum side yard setback requirement of 3.3 ft.

With respect to the first a) appeal, the proposed height encroachment of 0.91 ft. would be limited to a very small triangular area at the top fascia board junction of the upper roof (the small roof over the upper deck would not be part of this encroachment). In addition, the proposed upper floor is set back 10.18 ft. from the outermost west face of the rear elevation at the ground level, which further mitigates any impacts. Also, when viewed from the front property line, the proposed building height of 28.31 ft. is well under the dimensional height requirement for the R5 District (29.5 ft.).

In summary, considering the small scale of the proposed side yard and height encroachments, no significant impacts are expected to neighbouring properties and the existing streetscape.

In view of the above, this Department does not object to the granting of the first a) and second b) variances.

ADJACENT OWNER'S COMMENTS:

Correspondence was received from Mr. Michael Wong, concerned that the height variance would block their view. The writer also expressed concern that allowing this variance would set a precedent in the neighbourhood.

No further correspondence was received regarding this appeal.

MOVED BY MR. B. POUND:

SECONDED BY MR. B. BHARAJ:

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

CARRIED UNANIMOUSLY

MOVED BY MR. B. POUND:

SECONDED BY MR. B. BHARAJ:

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

CARRIED UNANIMOUSLY



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

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

CARRIED UNANIMOUSLY

The Hearing recessed at 1:08 p.m.

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

THAT the Hearing do now reconvene.

CARRIED UNANIMOUSLY

The Hearing reconvened at 1:15 p.m.

**(c) APPEAL NUMBER: B.V. 6194**

APPELLANT: Tony Gill

REGISTERED OWNER OF PROPERTY: Belltown Homes LTD and A-Pacific Development 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 Section 6.3.1 of the Burnaby Zoning Bylaw, which, if permitted, would allow for the construction of a new single family home at 7357 Newcombe Street. The distance between the principal building and the detached garage would be 0.53 feet where a minimum distance of 14.8 feet is required. (Zone R10)

A previous Board of Variance (BOV 6177 2015 July 09) denied an appeal requesting the front yard setback of 24.93 feet measured to the foundation where a minimum front yard setback of 40.63 feet is required.

A previous Board of Variance (BOV 6190 2015 September 03) denied an appeal requesting the front yard setback of 33.86 feet measured to the foundation where a minimum front yard setback of 40.63 feet is required; and allowed the distance between the principal building and the detached garage of 9.75 feet where a minimum distance of 14.8 feet is required.

**APPELLANT'S SUBMISSION:**

Tony Gill, Belltown Homes Ltd and and A-Pacific Development Ltd, submitted an application to allow for the construction of a new home at 7357 Newcombe Street.

Tony Gill and Inderjit Dhillon, designer, 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) and 2015 September 03 (BV6190).

In the 2015 July 09 appeal, a variance was sought for the construction of a new single family dwelling and 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.

In the 2015 September 03 appeal, two variances were sought for the construction of a new single family dwelling with a detached garage. The first a) appeal was for a distance of 9.75 ft. from the accessory building to the principal building, where a minimum distance of 14.8 ft. is required. The second b) appeal was for a front yard setback of 33.86 ft. where a front yard setback of 40.63 ft. is required. While this Department did not support the first a) appeal for a reduced distance between the garage and residence, the Board granted it. Similarly, this Department supported the request for a reduced front yard setback, but the Board denied the second b) appeal.

This Department's comments on the 2015 September 03 appeal, which also references the 2015 July 09 appeal, are included as Item 1 in the attached supplementary materials.

Subsequently, in response to concerns raised by neighbours at the hearing, the applicant has revised the proposal. The revised design locates the principal building 40.63 ft. from the front property line, which meets the minimum front yard setback; however, this is achieved by a further reduction in the distance between the residence and the garage. Some changes to the windows, sunken patio and detached garage are also proposed. Otherwise, the revised proposal is similar to that presented in the 2015 July 09 appeal.

More specifically, the following relaxation is requested:

The appeal would permit a distance of 0.53 ft. from the detached garage to the principal building, with a 2.94 ft. roof projection from the principal building, where a minimum distance of 14.8 ft. is required.

The Bylaw requires a separation between buildings on the same lot in order to prevent massing impacts on the occupants of the subject property and neighbouring properties, as well as to provide for sufficient outdoor living space.

This variance relates directly to the revised siting of the principal building. In order to achieve the minimum required front yard setback, the proposed dwelling has been located 6.77 ft. closer to the accessory detached garage.

The siting of the detached garage remains the same, 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 detached garage has been reduced in width from 22.6 ft. to 20 ft.; in length from 20 ft. to 19.5 ft.; and in height

from approximately 12.19 ft. to the top of a hip roof to 9.45 ft. high to the top of a flat roof as viewed from the lane. This reduction in size and height helps mitigate, to a degree, the impacts of the reduced separation.

The proposed detached 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.

The 0.53 ft. distance is measured from the detached garage to the rear deck, which is proposed over the sunken patio immediately northwest of the garage. The proposed horizontal overlap between the deck and the garage is only 2.57 ft. The small overlap area, in this case, would not create substantial impacts, given the openness of the deck area. However, the proposed location of the deck itself is questionable. The proposed deck is located over the sunken patio, which is a primary source of daylight for the proposed secondary suite in the cellar. The deck would cover almost 2/3 of the sunken patio, which would result in substantial shading of this area.

In addition, the proposed distance of 3.43 ft. between the garage and the dwelling, which represents a dramatic reduction from the previously approved 9.75 ft., is a concern. The dwelling/garage overlap would be 18.5 ft., which is almost the entire width of the garage. It is noted that an attempt has been made to minimize impacts on the occupants of the residence, by removing all windows from the area of overlap (including the previously proposed two bay windows at the upper floor of the dwelling). As such, no primary living space would face the garage. However, with the required separation reduced by 11.37 ft. or 77 %, the dwelling and garage would effectively appear as a single building form. The neighbouring property immediately southeast of the subject site would be most affected by this proposal.

Furthermore, this variance could be substantially lessened by reducing the proposed two-car garage to a one-car garage and providing an additional surface parking space to satisfy parking requirements.

With respect to outdoor living space, a small yard area would remain to the northwest of the garage, but would be insufficient to meet the needs of both a primary dwelling unit

and a secondary suite. Additional outdoor space would be available in the sizable front yard; however, this area would not afford the privacy of a rear yard.

For the above reasons, the Department cannot support the requested variance.

**ADJACENT OWNER'S COMMENTS:**

Mr. R. Arseneault, 8249 19<sup>th</sup> Avenue, and Mr. D. Grant, 7391 Newcombe Street, appeared before the Board in opposition to the appeal.

No correspondence was received regarding this appeal.

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

THAT based on the plans submitted this appeal be ALLOWED.

FOR: MR. B. BHARAJ

OPPOSED: MS. C. RICHTER  
MR. B. POUND

**DENIED**

**(d) APPEAL NUMBER: B.V. 6195**

**APPELLANT:** Xiao Jia Hu

**REGISTERED OWNER OF PROPERTY:** Yang and Xiao Hu

**CIVIC ADDRESS OF PROPERTY:** 4862 Gilpin Court

**LEGAL DESCRIPTION OF PROPERTY:** Lot 3; District Lot 34; Plan 15142

**APPEAL** : An appeal for the relaxation of Section 105.6(1)(b) of the Burnaby Zoning Bylaw which, if permitted, would allow for: additions to the basement, main floor and upper floor; interior alterations/finishing to the basement and main floor; new main porch and deck; new upper floor deck, and a new basement attached garage at 4862 Gilpin Court. The following variances are being requested:

a) the principal building height, measured from the rear average elevation, would be 28.57 feet where a maximum of 24.3 feet is permitted, and

b) the principal building height, measured from the front average

elevation, would be 27.45 where a maximum of 24.3 feet is permitted. (Zone R5)

A previous Board of Variance (BOV 6111 2014 June 05) allowed a principal building height of 27.95 feet measured from the rear yard and 26.83 measured from the front yard, a principal building depth of 38.75 feet, a front yard setback of 14.08 feet and a rear yard setback of 7.92 feet.

#### APPELLANT'S SUBMISSION:

Xiao Jia Hu submitted an application to allow for additions and interior alterations of an existing home at 4862 Gilpin Court.

Xiao Jia and Yang Hu 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 2014 June 06 (BV6111). The following variances were allowed for the construction of new additions to an existing single family dwelling:

- a) a building height of 27.95 ft., measured from the rear average elevation, where a maximum height of 24.3 ft. is permitted.
- b) a building height of 26.83 ft., measured from the front average elevation, where a maximum height of 24.3 ft. is permitted.
- c) a principal building depth of 38.75 ft. where a maximum building depth of 30.45 ft. is permitted.
- d) a front yard setback of 14.08 ft., where a minimum front yard setback of 19.7 ft. is required.
- e) a rear yard setback of 7.92 ft., where a minimum rear yard setback of 24.6 ft. is required.

Subsequently, a building permit (BLD14-00573) was issued and the construction of various additions and alterations to the existing dwelling began. When construction progressed to the framing stage, deviations from the permitted building height were identified by the City staff. As a result, the applicant is requesting two appeals for a further relaxation of building height, in attempt to legalize the as-built construction.

The first a) appeal proposes a building height of 28.57 ft., measured from the rear average elevation, where a maximum height of 24.3 ft. is permitted for a flat roof.

The second b) appeal proposes a building height of 27.45 ft., measured from the front average elevation, where a maximum height of 24.3 ft. is permitted for a flat roof.

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

Both requests propose a 0.62 ft. (7.5 inch) increase to the previously relaxed building heights, as viewed from the front and rear of the dwelling. This additional overheight area is generally limited to an approximately 22 ft. by 10 ft. flat roof area. This area is centrally located at the top of the upper roof at the northern portion of the existing dwelling, where the new 2 ½ storey addition is being constructed.

Considering the relatively minor scale of the proposed increase to the granted height variances, this Department's comments remain similar to the comments for the 2014 June 06 appeal.

The subject site, which is zoned R5 Residential District, is located in the Garden Village neighbourhood, in which the age and condition of single and two-family dwellings vary. This interior lot, which is approximately 60.9 ft. deep and 115.5 ft. wide, observes a frontage of approximately 50 ft. along Gilpin Court to the west. Abutting the subject site to the north, south and around the Gilpin Court cul-de-sac to the west are single family dwellings, and across the lane to the east are two-family dwellings. Vehicular access is provided from the Gilpin Court cul-de-sac. The site observes a downward slope of approximately 6 ft. in the south-north direction. The subject site contains a single family dwelling that was constructed in 1968 along with an attached carport.

The subject lot is unusual in that it is oriented laterally to its only road frontage, at the terminus of Gilpin Court along the western property line. It appears that because of this, the front yard has historically been measured from the shorter northern lot line, despite its lack of road frontage; and the rear yard has historically been measured from the southern lot line.

Consequently, the height of the residence was measured from the average natural grade of the lower of its north facade or its south facade, rather than from its actual front and rear elevations, which face Gilpin Court and the rear lane respectively. The height of the existing one and a half storey dwelling is proximately 18 ft. as measured from the actual rear elevation.

The proposed height relaxations are reviewed in the context of the rear elevation facing the lane (east) and the front elevation facing the Gilpin Court (west). In both cases, the height calculations are based on the existing natural grade at the rear elevation and front elevation respectively. The 6 ft. grade change from the rear to the front of the subject site contributes to the excess height of the building.

With respect to the first a) variance, the proposed 4.27 ft. (previously 3.65 ft.) height encroachment, as viewed from the rear elevation, consists of the upper roof of the proposed addition, above the approximate mid-point of the fascia board. Considering

that views from the neighbouring properties across the lane to the east are predominantly oriented to the east, it is not expected that the additional massing created by the proposed height encroachment would negatively impact these neighbouring sites.

With respect to the second b) variance, the proposed 3.15 ft. (previously 2.53 ft.) height encroachment, as viewed from the front elevation, consists of the upper roof of the proposed addition above the fascia board as well as a small decorative dormer in the center. This area of encroachment is relatively limited.

Considering the distant siting of the upper roof from the neighbouring properties to the north and to the southwest, and the absence of any direct conflict with views from these properties, it is not expected that the additional massing created by the proposed height encroachment would negatively impact these neighbouring sites.

Further, the proposed 4 in 12 roof pitch would result in a gently sloping design that minimizes the roof massing above the fascia board level, as viewed from the rear and front elevations.

Given the incremental nature of the proposed height encroachments, which increase the previously granted height relaxation by only 0.62 ft., and the limited impacts of this increase on the neighbouring properties and the existing streetscape, this Department does not object to the granting of both first a) and second b) variances.

#### ADJACENT OWNER'S COMMENTS:

Correspondence was received from a resident expressing concern regarding loss of privacy in his home and backyard as well as the enjoyment of his home due to the significant renovations being done to 4862 Gilpin Court.

No further correspondence was received regarding this appeal.

MOVED BY MR. B. POUND:

SECONDED BY MR. B. BHARAJ:

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

CARRIED UNANIMOUSLY

MOVED BY MR. B. POUND:

SECONDED BY MR. B. BHARAJ:

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. B. BHARAJ:

THAT this Hearing do now adjourn.

CARRIED UNANIMOUSLY

The Hearing adjourned at 1:58 p.m.

\_\_\_\_\_  
Ms. C. Richter

\_\_\_\_\_  
Mr. B. Bharaj

\_\_\_\_\_  
Mr. B. Pound

\_\_\_\_\_  
Ms. E. Prior  
ADMINISTRATIVE OFFICER





# 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 TONY GILL - BELLTOWN HOMES LTD  
 Mailing Address 9558 - 134 St  
 City/Town SURREY Postal Code V3V 5S5  
 Phone Number(s) (H) \_\_\_\_\_ (C) 604-728-3078  
 Email TONY.GILL@BELLTOWNHOMES.COM  
 Preferred method of contact: ☐ email ☒ phone ☐ mail

### Property

Name of Owner BELLTOWN HOMES LTD / A-PACIFIC DEV LTD  
 Civic Address of Property 7351 - NEWCOMBE ST, BAY

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.

NOV 6<sup>th</sup> / 15  
 Date

[Signature]  
 Applicant Signature

### Office Use Only

Appeal Number BV# 6196 @ 1:00p m.

#### Required Documents:

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

Nov 6, 2015

Letter of Hardship

The city of Burnaby

4949 Canada Way, Burnaby

Belltown Homes Ltd

A-Pacific Developments Ltd

9558-134 St

Surrey, BC

I am the owner of the property located at 7357 Newcombe st, Burnaby. I am hoping to get an approval for relaxing the setback between the principle building and the accessory building from 14'8" to 3.43 ft. Our hardship begins with the lot being an R10 Zoning, which allows for a second story of the building to be half the size of the main floor. Currently the average setback as assessed by the survey of the property comes in at 40.63 ft. So, this does not leave enough room in the rear to build the garage in the back with the required setback as the lot is only 109' ft deep. We have moved the retaining walls to make better use of the lot, and this lot also slopes quite a bit from the rear to the front and that makes it not possible to have a built in garage in the main building. We have also changed the Double car garage to a single car garage with a carport for more light to get through to the basement & in the backyard. We have also redesigned the rear deck and made it smaller and it now sit further away from the Garage/carport. The whole neighborhood wanted the house to be moved back, so now we are trying to keep everyone happy in the neighborhood and accommodate everyone. We have moved the house to the average front yard setback of 40.63 ft. With our new proposal we would like a relaxation for the rear yard setback so we can keep the whole neighborhood happy and still be able to build a decent house. We are further limited to the size of the second floor of the building being only half of the main floor else, it would be feasible to build a bigger in the second floor and decrease the size of the footprint of the main building. We have made every effort possible to design the house in such a way that would have the minimal impact on the surrounding area but it is not feasible to build a new house with these limitations. We have spent a lot of time trying to make different styles of plans and none of them work. I hope everyone can understand the hardship we are facing and make an accurate judgement for this variance application. I would like to thank everyone for their time and consideration in this process and hope to go forward with the proposed building plans.

Thanks

Regards,

  
Tony (Simarpreet) Gill

  
Kanwaljit Khangura



## BOARD OF VARIANCE REFERRAL LETTER

<b>DATE:</b> Nov 6, 2015		<b>DEADLINE:</b> Nov 10, 2015 for the Dec 3, 2015 hearing	<i>This is <u>not</u> an application. Please take letter to Board of Variance. (Clerk's office - Ground Floor)</i>
<b>NAME OF APPLICANT:</b> Tony Gill			
<b>ADDRESS OF APPLICANT:</b> 9558 134 St., Surrey V3V 5S5			
<b>TELEPHONE:</b> 604-728-3078			
<b>PROJECT</b>			
<b>DESCRIPTION:</b> New single family dwelling			
<b>ADDRESS:</b> 7357 Newcombe Street			
<b>LEGAL:</b>	<b>LOT:</b> 32	<b>DL:</b> 25	<b>PLAN:</b> 14945

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) R10 [6.3.1]**  
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 distance between the principal building and the detached garage and carport is 3.43 feet where a minimum distance of 14.8 feet is required.

*Note: A previous Board of Variance (B.V. 6177) denied an appeal requesting the front yard setback of 24.93 feet measures to the foundation where a minimum front yard setback of 40.63 feet is required.*

*Note: A previous Board of Variance (B.V. 6190) denied an appeal requesting the front yard setback of 33.86 feet measures to the foundation where a minimum front yard setback of 40.63 feet is required; and allowed the distance between the principal building and the detached garage of 9.75 feet where a minimum distance of 14.8 feet is required.*

*Note: A previous Board of Variance (B.V. 6194) denied an appeal requesting the distance between the principal building and the detached garage of 0.53 feet where a minimum distance of 14.8 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.*

BHS

Peter Kushnir  
Deputy Chief Building Inspector



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NOV 06 2015


3.(a)

**GENERAL NOTES:**  
 Plans by design:  
 It is the responsibility of the owner and  
 builder to verify all dimensions and  
 construction to report all errors or  
 omissions to the designer. Failure to report  
 any errors or omissions will be the  
 responsibility of the owner and builder.  
 The designer is not responsible for the  
 construction of this project.

**ALL NOTES OF THIS PLAN  
 APPLY TO ALL OTHER PAGES.**

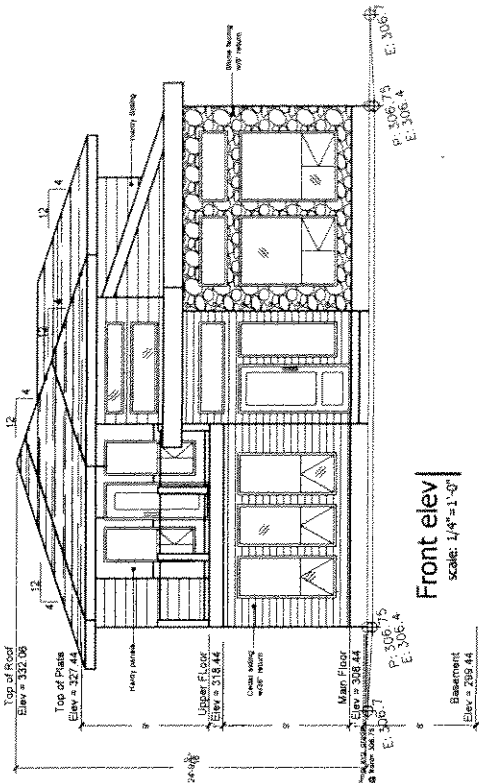
**COPYRIGHT:**  
 Designs, drawings, instructions and  
 specifications are the property of the  
 designer. No part of this document may  
 be reproduced without the written consent of the designer.

**THESE PLANS  
 CONFORM TO  
 BCBC 2012**

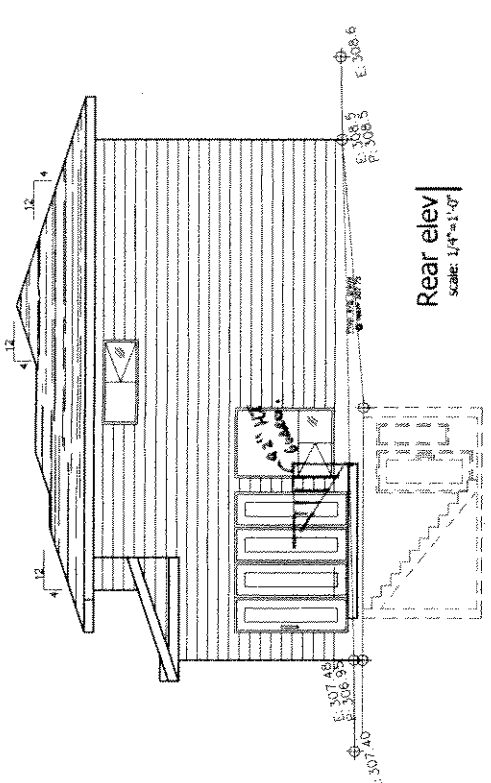


Unit 344 - 1145 128 St  
 Burnaby, BC  
 V5C 2G7  
 Contact Us @  
 604.431.1234  
 info@i-design.ca

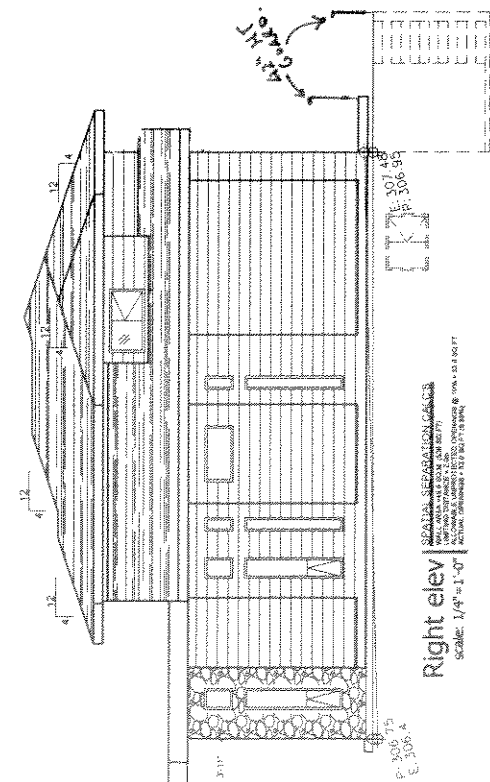
Project: 7357 Newcombe St  
 Location: Burnaby B.C.  
 Drawing Name: Elevations  
 Date: 5 Nov 2015  
 Scale: 1:48  
 Page: 4 of 6



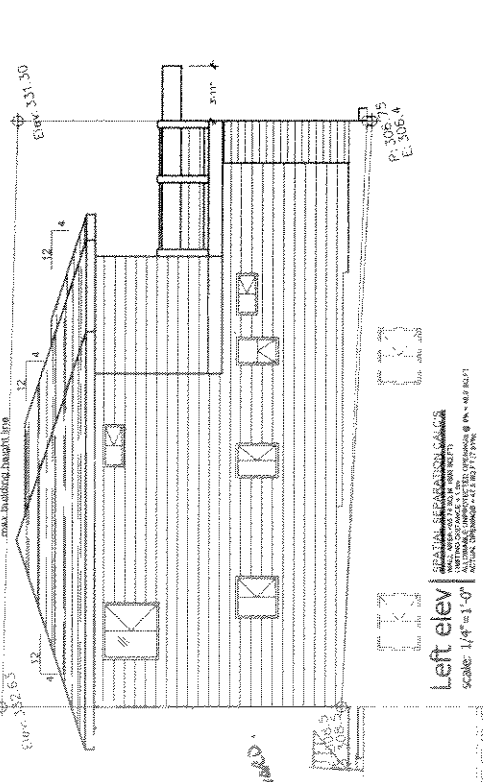
**Front elev**  
 scale: 1/4"=1'-0"



**Rear elev**  
 scale: 1/4"=1'-0"



**Right elev**  
 scale: 1/4"=1'-0"



**Left elev**  
 scale: 1/4"=1'-0"

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NOV 19 2015

BUILDING DEPARTMENT

**GENERAL NOTES:**

Plans by design:  
It is the responsibility of the owner and architect to ensure that the design is suitable for construction. It is the responsibility of the architect to ensure that the design is suitable for construction. It is the responsibility of the architect to ensure that the design is suitable for construction.

**ALL NOTES OF THIS PLAN APPLY TO ALL OTHER PAGES.**

**COPYRIGHT:**

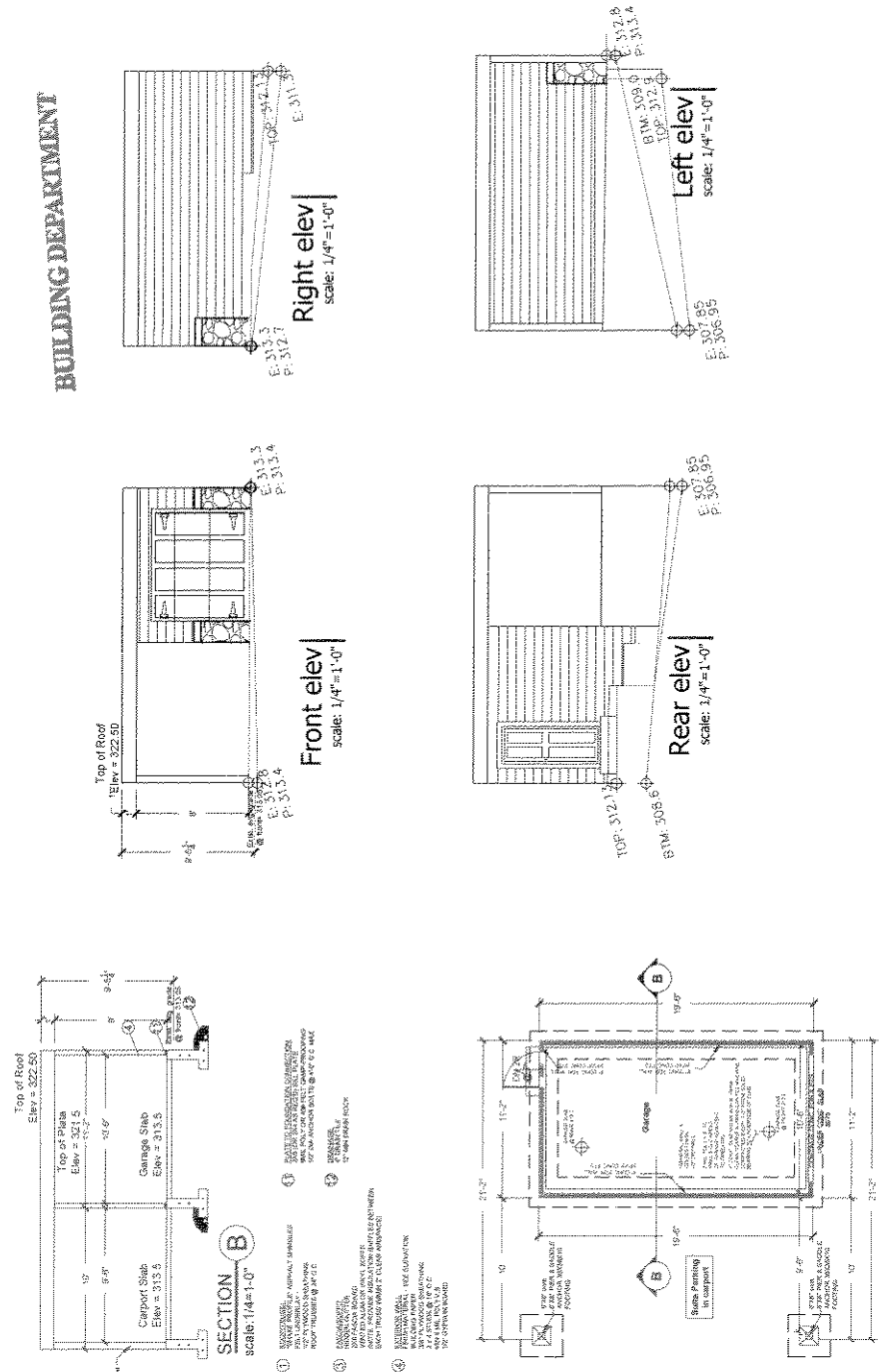
Designs, drawings, calculations and renderings are instruments of service and remain the property of design. This is a limited agreement which gives the client the right to use the design for the project for which it was prepared. The design and plans are not to be duplicated or copied without the written consent of design.

THESE PLANS CONFORM TO BCBC 2012

**DESIGN**

Unit 384 - 9448 128 st  
Payal Building Centre  
Surrey BC  
Contact us @  
info@designperformance.ca

Project: Burnaby B.C.  
Location: 7357 Newcombe S  
Drawing name: Garage  
Date: 5 Nov 2015  
Scale: 1:48  
Page #: 6 of 6



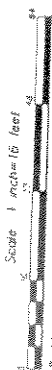
TOPOGRAPHICAL PLAN OF LOT 32 BLOCK "D" DISTRICT  
LOT 25 GROUP 1 NWD PLAN 14945

**BUILDING DEPARTMENT**

FD: 010-028-29J

Cine Address: 7357 Newcombe Street,  
City of Glenbury

Investment and profits are made up of 100% of income and equity value



There is increased need here at this time to help women participating in a variety of strengthening food

16. Davidson and Gorman are to first and second

THE UNIVERSITY OF CHICAGO PRESS

2018

- .. Standard Iron Plug
- ... Iron Plug
- .. Type (screws) as nuts  
and Spacers,  
Don't Comfy
- .. Power Pole
- .. Maritime

1998

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Elizabeth M. S.

Address: 2800 N. 46th St., Suite 157, Phoenix, AZ 85018

$$\mathcal{L}_\mu^2 = \mathcal{L}_\mu^2(\mathcal{H}_\mu^2) \quad (\text{for } \mu \in \mathcal{M}_\infty)$$

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Wanted by the Government of India and the Government of Madras.

Wiederholungsfragen sind in der Regel mit einem Sternchen (\*) gekennzeichnet.

© 2000 Blackwell Science Ltd *Journal of Internal Medicine* 247: 399–406

Lot	Fract	AdS 952
14	40.43	73.25
15	40.0	73.41
16	42.19	75.75
20	58.48	77.05

Figure 10.10

and bearings are derived from observations between periodic control monuments 9411472 and P-52-17.

[illegible][illegible]

File No. 01474-10000

This document is not valid unless  
officially signed and sealed

File No. 01474-10000

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MAY 21 2015

BUILDING DEPARTMENT

LOT 25 GROUP 1 NWD PLAN 14945

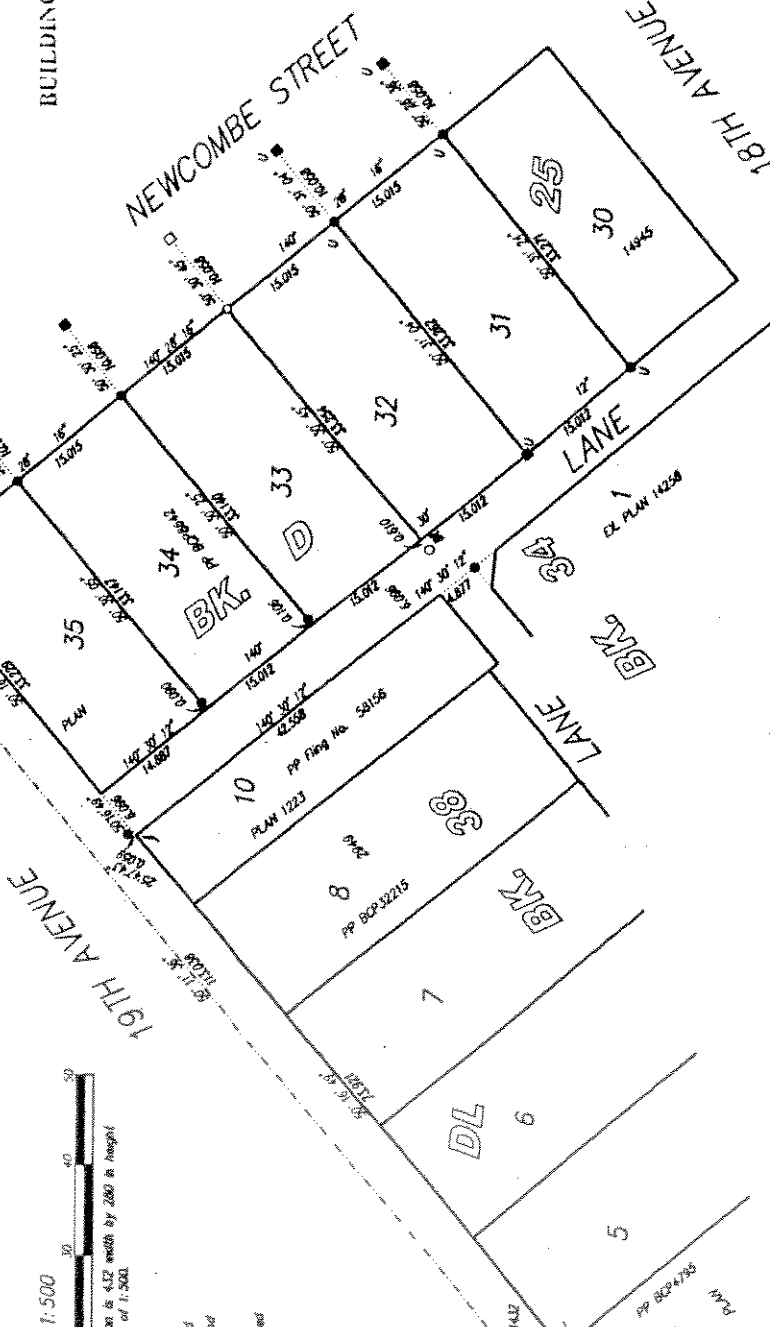
Pursuant to Section 68 of the Land Title Act  
B.C.G.S. 92C.026



Legend:

- - Control Monument Found
- - Standard Iron Post Found
- - Lead Plug Found
- - Standard Iron Post Proposed
- - Lead Plug Proposed
- - Fencing Plan
- PP - Witness
- U - Unregistered

UTM Northings: 543134.839  
UTM Eastings: 505410.048  
Point Combined Factor: 0.9955883  
Estimated Positional Accuracy: 0.01m



Integrated Survey Area No.25  
City of Burnaby, NAD83 (CPRS)  
4.0.0.BC.1.GVRD

Grid bearings are derived from observations between geodetic control monuments 94W1432 and P-52-17.

Note:

This plan shows one or more witness points which are set along the production of property boundary unless otherwise stated.

This Plan shows horizontal ground-level distances unless otherwise specified. To compute grid distances, multiply ground-level distances by the average combined factor of 0.9955883 which has been derived from 94W1432 and P-52-17.

The UTM coordinates and estimated horizontal positional accuracy achieved are derived from the NAD83 published coordinates and standard deviations for geodetic control monuments 94W1432 and P-52-17.

This Plan Lies Within The Greater Vancouver Regional District

Note:

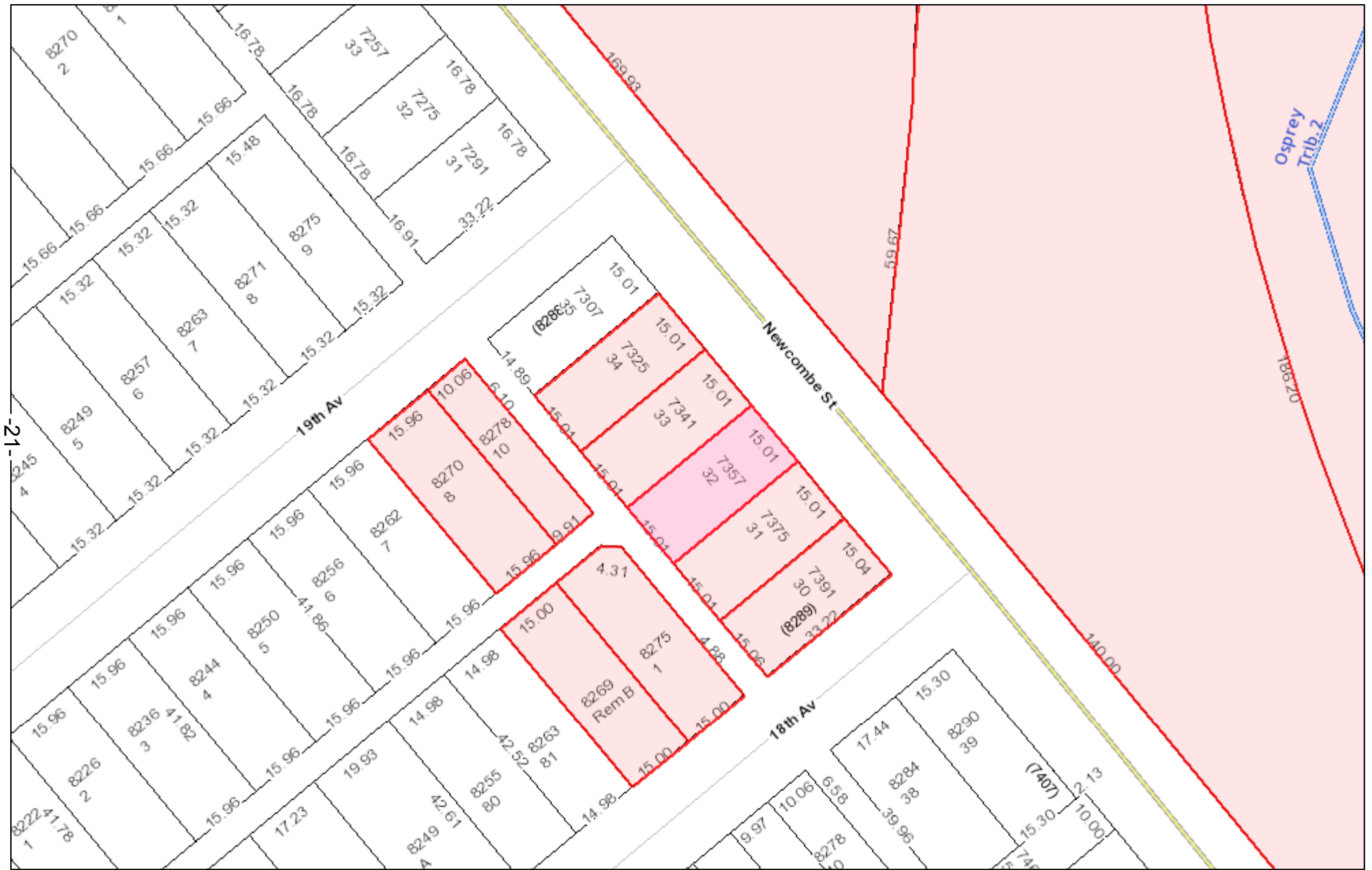
Some parts and lines have been exaggerated for clarity.

The field survey represented by this plan was completed on the 23rd day of April, 2015  
Leaving from B.C.S. 94W19

4201-5010 South Avenue Burnaby, BC V5C 2H5 Tel: 604-292-5288

Fig No. B1274-Posters







# 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 Darlene Sorel  
 Mailing Address 200 - 1177 W. Hastings St  
 City/Town Vancouver Postal Code V6E 2K3  
 Phone Number(s) (H) 778 873 7720 (C) \_\_\_\_\_  
 Email dsorel@BFLCanada.ca  
 Preferred method of contact: ☒ email ☐ phone ☐ mail

### Property

Name of Owner Darlene Sorel  
 Civic Address of Property 175 Delta Ave  
Burnaby

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.

Nov 10 / 2015  
 Date

[Signature]  
 Applicant Signature

### Office Use Only

Appeal Date \_\_\_\_\_ Appeal Number BV# \_\_\_\_\_

#### Required Documents:

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

City of Burnaby

Board of Variance

November 10, 2015.

Re: 175 Delta Avenue, Burnaby BC

I am writing to you to ask for permission to increase the project height for my renovation at 175 Delta Avenue, Burnaby, BC.

While the overall height does not change much, it is still a change from a pointed roof now to a flat roof. The neighbouring houses on either side are taller than how my house currently sits.

We are renovating a small 800 sq ft foot print, by adding a 2nd floor to get some much needed space for a main living quarters and to develop the basement into a 2 bedroom rental suite.

By renovating rather than rebuilding, the amount of waste going into landfills is seriously reduced. As well the completion dates will be roughly 4 months (considerably shorter time than building new)

With a flat roof, we are allowed 25' from the lowest point. Our design is for 31'.6" But I really want to point out that from the front of the house we are at height 22.8"

This a sloping lot and the height from the road to the front door drops down roughly 4 feet;

Thanks and I appreciate your time and hope you will be able to grant us our request to build to this height as noted in the above and our plans.

Sincerely Yours



Darlene Soled

4750 Westlawn Avenue, Burnaby, BC

Phone 778-873-7720




**BOARD OF VARIANCE REFERRAL LETTER**

<b>DATE:</b> October 23, 2015		<b>DEADLINE:</b> November 10, 2015 for the December 3, 2015 hearing		<i>This is <b>not</b> an application. Please take letter to Board of Variance. (Clerk's office - Ground Floor)</i>
<b>NAME OF APPLICANT:</b> Edward Vega				
<b>ADDRESS OF APPLICANT:</b> 2259 E 5 <sup>th</sup> Avenue, Vancouver				
<b>TELEPHONE:</b> 604.442.1900				
<b>PROJECT</b>				
<b>DESCRIPTION:</b> Int. alt. and addition to an ESFD with secondary suite and detached garage				
<b>ADDRESS:</b> 175 Delta Avenue				
<b>LEGAL:</b>	<b>LOT:</b> 10	<b>DL:</b> 122/188	<b>PLAN:</b> NWP4953	

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) R5 [105.6(1)(b)]**  
of the Burnaby Zoning Bylaw No. 4742

**COMMENTS:**

The applicant is proposing to build an addition and undertake an interior alteration to an existing single family dwelling with a secondary suite and detached garage. The following relaxation is being requested.

- 1) The principal building height, measured from the rear average elevation will be 33.55 feet where a maximum of 24.30 feet is permitted.
- 2) The principal building height measured from the front average elevation will be 25.71 feet.
- 3) The principal building height will be 3 storeys where a maximum of 2.5 storeys is permitted.

*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.*

JQ

Peter Kushnir  
Deputy Chief Building Inspector, Permits and Customer Service

CALCULATIONS:

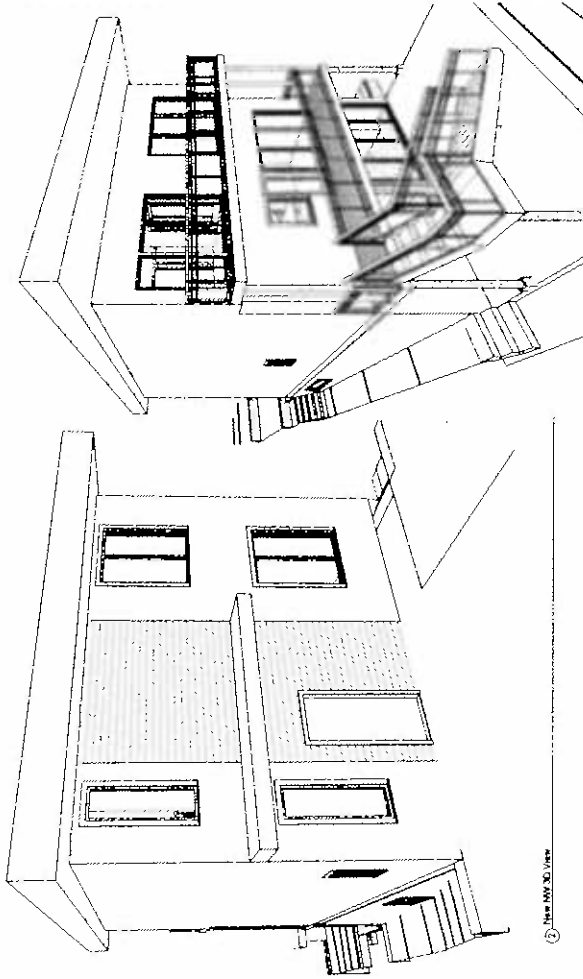
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## NOTES

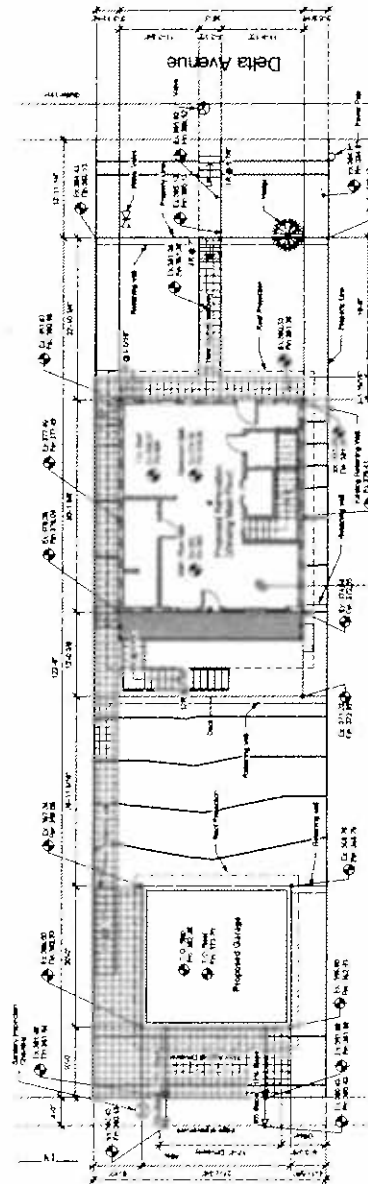
1. THE CONTRACTOR SHALL CONDUCT ALL FIELD WORK IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS FOR CONSTRUCTION, LATEST EDITION, AND THE STANDARD SPECIFICATIONS FOR THE CONSTRUCTION OF HIGHWAYS, LATEST EDITION, BOTH PUBLISHED BY THE MISSOURI DEPARTMENT OF TRANSPORTATION.
2. THE CONTRACTOR SHALL CONDUCT ALL FIELD WORK IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS FOR THE CONSTRUCTION OF HIGHWAYS, LATEST EDITION, BOTH PUBLISHED BY THE MISSOURI DEPARTMENT OF TRANSPORTATION.
3. THE CONTRACTOR SHALL CONDUCT ALL FIELD WORK IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS FOR THE CONSTRUCTION OF HIGHWAYS, LATEST EDITION, BOTH PUBLISHED BY THE MISSOURI DEPARTMENT OF TRANSPORTATION.
4. THE CONTRACTOR SHALL CONDUCT ALL FIELD WORK IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS FOR THE CONSTRUCTION OF HIGHWAYS, LATEST EDITION, BOTH PUBLISHED BY THE MISSOURI DEPARTMENT OF TRANSPORTATION.
5. THE CONTRACTOR SHALL CONDUCT ALL FIELD WORK IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS FOR THE CONSTRUCTION OF HIGHWAYS, LATEST EDITION, BOTH PUBLISHED BY THE MISSOURI DEPARTMENT OF TRANSPORTATION.
6. THE CONTRACTOR SHALL CONDUCT ALL FIELD WORK IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS FOR THE CONSTRUCTION OF HIGHWAYS, LATEST EDITION, BOTH PUBLISHED BY THE MISSOURI DEPARTMENT OF TRANSPORTATION.

SITE PLAN NOTES:

- [illegible]

[illegible]

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10	10	0,5	1	10	10	0,5	1
8	8	0,5	1	8	8	0,5	1
6	6	0,5	1	6	6	0,5	1
4	4	0,5	1	4	4	0,5	1
2	2	0,5	1	2	2	0,5	1
0	0	0,5	1	0	0	0,5	1
-2	-2	0,5	1	-2	-2	0,5	1
-4	-4	0,5	1	-4	-4	0,5	1
-6	-6	0,5	1	-6	-6	0,5	1
-8	-8	0,5	1	-8	-8	0,5	1
-10	-10	0,5	1	-10	-10	0,5	1
-12	-12	0,5	1	-12	-12	0,5	1



SHEET LIST

A6	Calculations, Notes & Site Plan
A7	New Building & Garage Floor Plans
A8	New Building Elevations
A9	Building Sections & Garage Elevations
A10	Existing Building Site & Floor Plans
A11	Existing Building Elevations & Sections

175 Delta ave, Burnaby  
175 Delta ave, Burnaby, BC  
C. 104-464-0170 FAX 104-464-0170  
Ask: Number: 104-464-0170 Web: 104-464-0170

## Calculations, Notes & Site Plan

2015004	10-May-2016	Edward Vega	DS
---------	-------------	-------------	----

AO



**3dVega**  
Architectural Drafting  
450 Westview Street  
Coquitlam, BC V3K 6C9  
Tel: (604) 442-1800  
Email: info@3dvega.com  
Web: www.3dvega.com

175 Delta Ave, Burnaby  
175 Delta Ave, Burnaby  
175 Delta Ave, Burnaby

Sheet	Description
A0	Calculations, Notes & Title Block
A1	New Building Elevations
A2	New Building Elevations
A3	New Building Elevations
A4	New Building Elevations
A5	New Building Elevations
A6	New Building Elevations

**SHEET LIST**

- A0 Calculations, Notes & Title Block
- A1 New Building Elevations
- A2 New Building Elevations
- A3 New Building Elevations
- A4 New Building Elevations
- A5 New Building Elevations
- A6 New Building Elevations

175 Delta Ave, Burnaby

175 Delta Ave, Burnaby

175 Delta Ave, Burnaby

175 Delta Ave, Burnaby

175 Delta Ave, Burnaby

175 Delta Ave, Burnaby

175 Delta Ave, Burnaby

175 Delta Ave, Burnaby

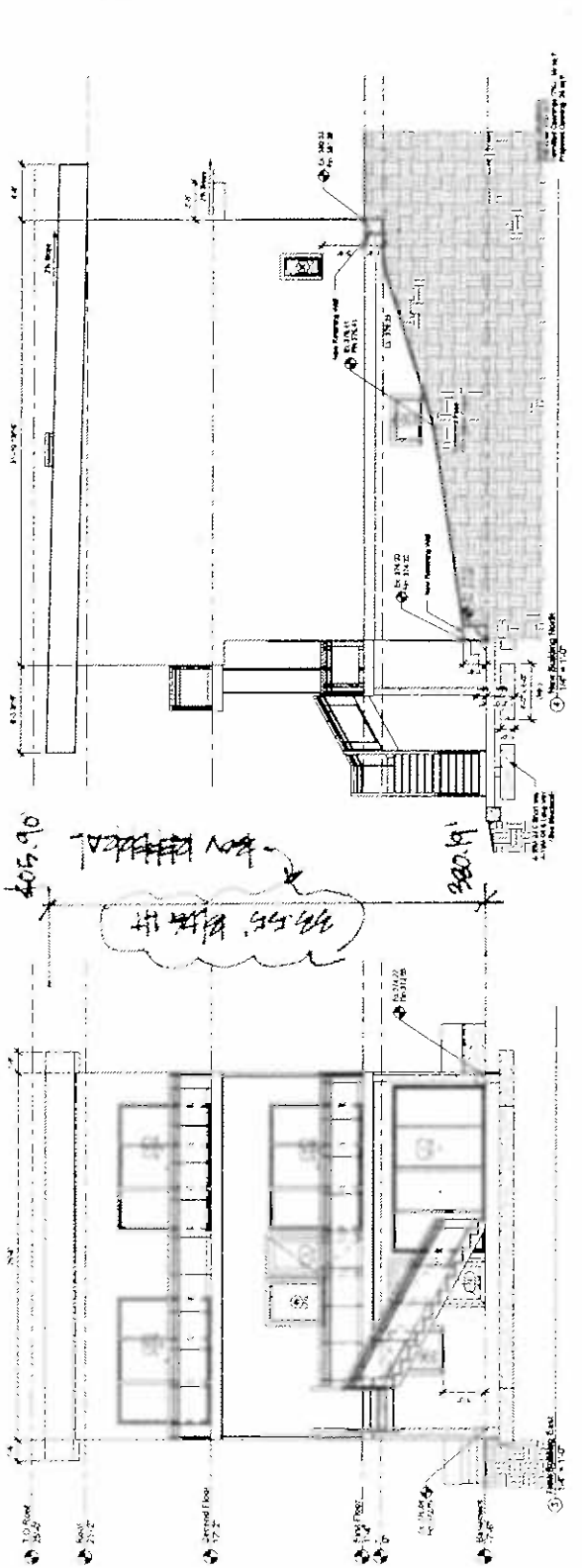
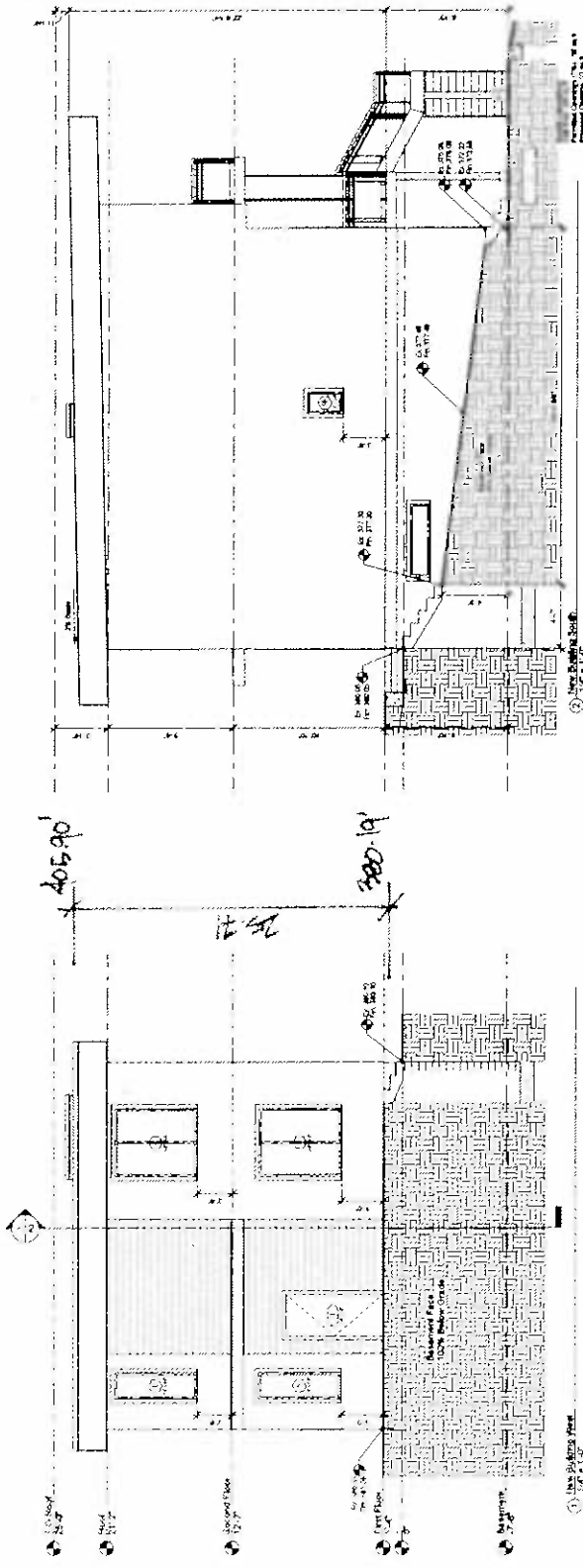
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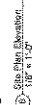


# LISTEN

- 175 Delta ave, Burnaby**  
170 Delta Ave Burnaby BC  
Tel: 604-663-1737 Fax: 604-663-398  
Web: [www.175.com](http://www.175.com) E-mail: [info@175.com](mailto:info@175.com)

2015004	2015004
10-May-2015	10-May-2015
Author	Author
Checker	Checker

As presented





Rev	Description	Date
1	Issue for Review	15-Mar-2015
2	Issue for Review	15-Mar-2015
3	Issue for Review	15-Mar-2015
4	Issue for Review	15-Mar-2015
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100	Issue for Review	15-Mar-2015

**SHEET LIST**

- A0 Conditions: Notes & Title
- A1 New Building & Change: Plot Plan
- A2 New Building & Change: Section 1
- A3 Building Sections & Change: Elevations
- A4 Existing Building & Change: Elevations
- A5 Existing Building & Change: Section

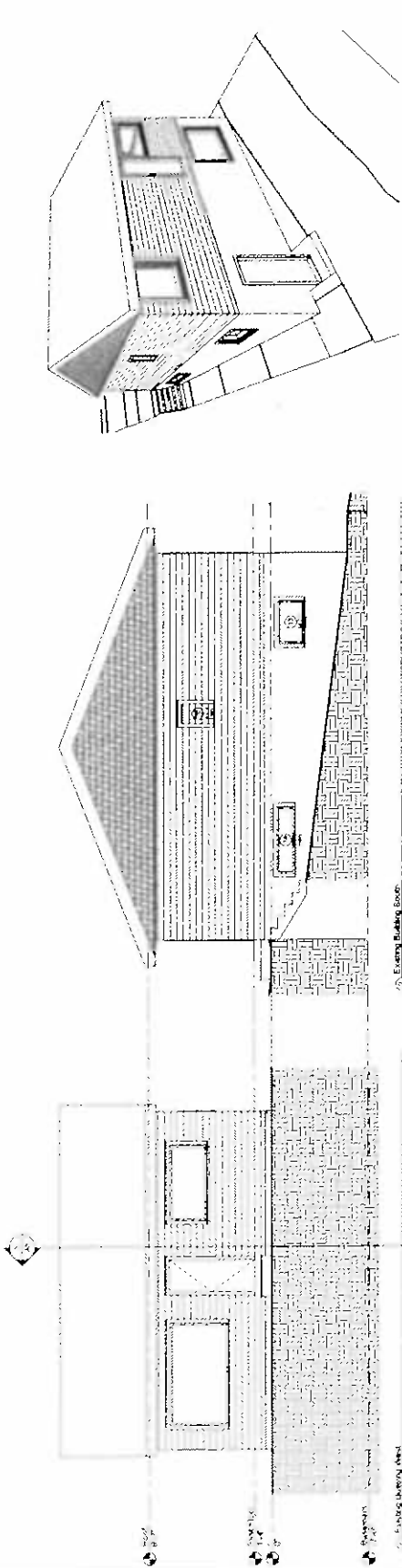
175 Delta ave, Burnaby  
1000 Westview Street, Esquimalt, BC V8K 6C9  
Tel: (250) 442-1900  
Email: info@3dvega.com  
Web: www.3dvega.com

Existing Building  
Elevations & Section

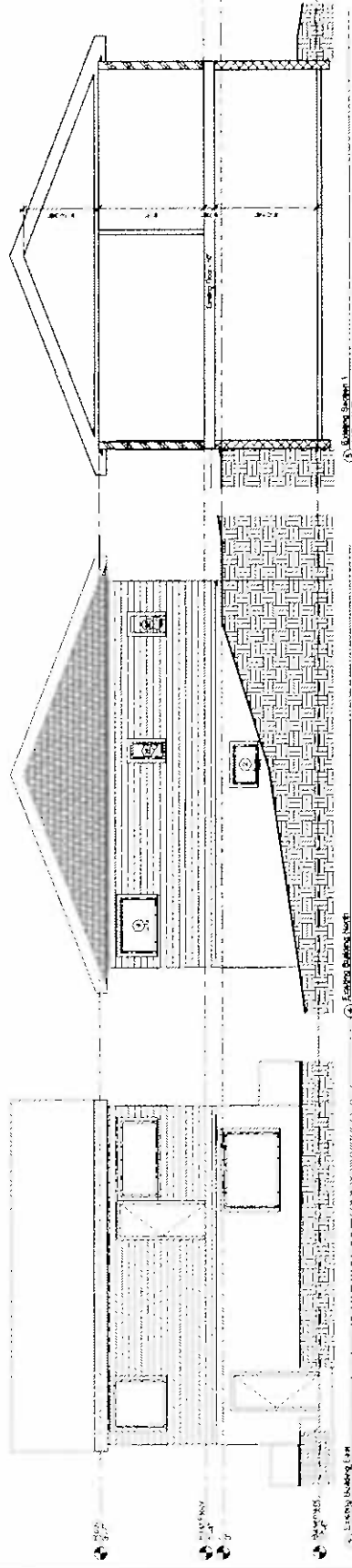
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Date	15-Mar-2015
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Checked By	DS

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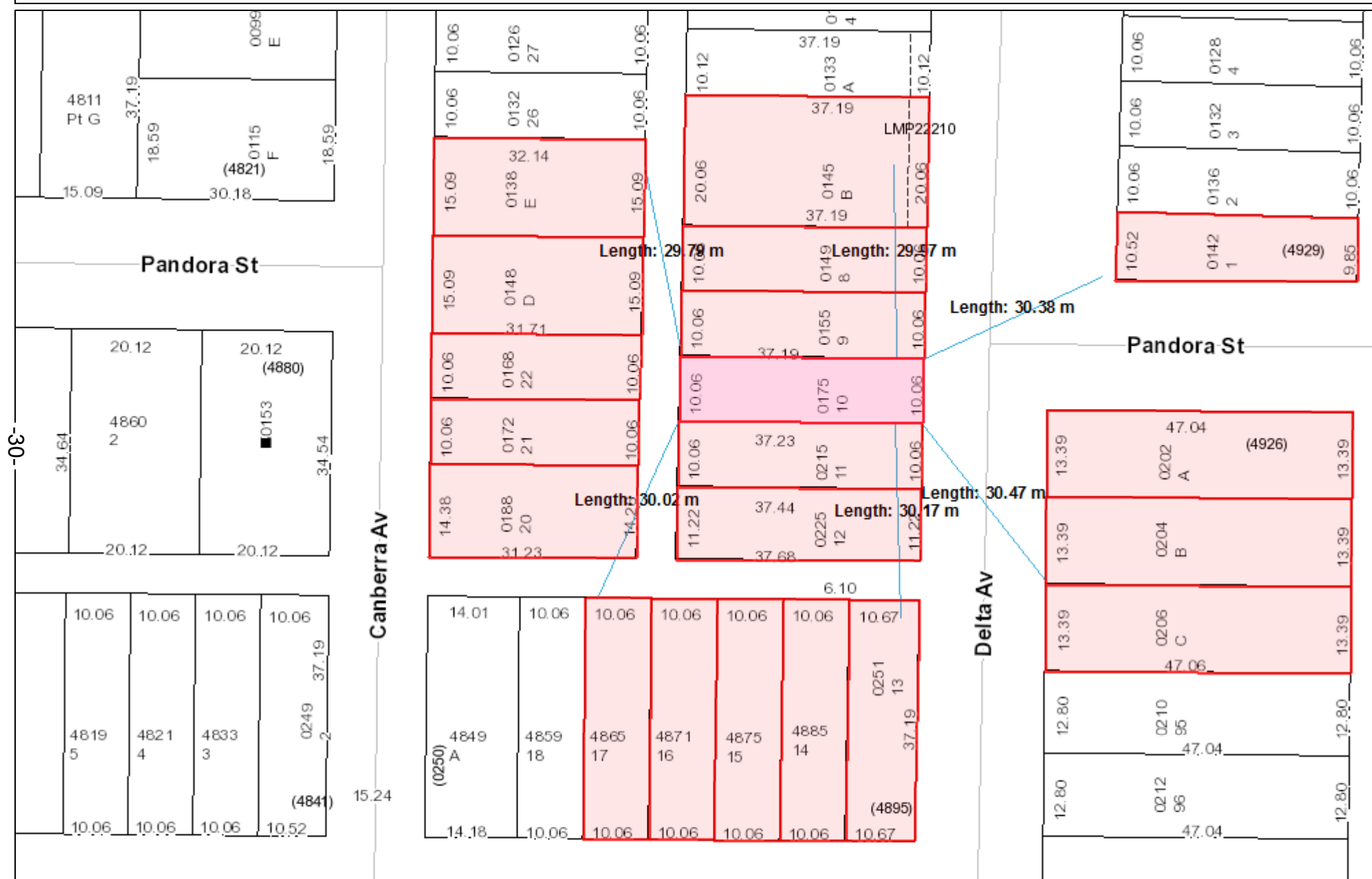
1000 Westview Street, Esquimalt, BC V8K 6C9  
Tel: (250) 442-1900  
Email: info@3dvega.com  
Web: www.3dvega.com



Existing Building Elevation  
1/4\"/>



Existing Building Elevation  
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# 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 IAN GUAN  
 Mailing Address 200-1892 W. BROADWAY  
 City/Town VANCOUVER Postal Code V6J 1Y9  
 Phone Number(s) (H) 604 721 7738 (C) \_\_\_\_\_  
 Email ian@gradualarchitecture.com  
 Preferred method of contact: ☒ email ☐ phone ☐ mail

### Property

Name of Owner HO, YING MUOI  
 Civic Address of Property 8210 BURNLAKE DRIVE  
BURNABY

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.

OCT. 19, 2015

Date

[Signature]  
Applicant Signature

### Office Use Only

Appeal Number BV# 6198 @ 1.15 p.m.

#### Required Documents:

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



**Gradual Architecture inc.**

t. 604.721.7738 f. 604.222.0198

e. [ian@gradualarchitecture.com](mailto:ian@gradualarchitecture.com)

a. 200 - 1892 West Broadway, Vancouver, BC,  
Canada, V6J, 1Y9

[www.gradualarchitecture.com](http://www.gradualarchitecture.com)

Date: November 5, 2015

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

**Subject: Hardship Letter for 8210 Burnlake Drive  
Amendments on Architectural drawings for Previously Approved Setback BOV 6175**

Dear Sir, dear Madam,

On behave of the property owner, I am writing to you to request minor amendments to Architectural drawings for Previously Approved BV 6175.

On BV 6175, the Board has granted the relaxation for the setback of 72.62 ft from Winston Street property line to the proposed addition. However, due to the plan discrepancies, the actual proposed setback is 74.62 ft measured to the new proposed addition. Within this two-foot space, the property owner would like to propose a two-foot balcony and 2 one-foot box-windows. With these three projections, the 72.62 ft approved setback is still being maintained.

With above said, I believe that these minor amendments to the existing architectural drawings will have no impact on the approved BV 6175.

Sincerely,

Ian Guan, Architect, AIBC  
Gradual Architecture Inc.



### BOARD OF VARIANCE REFERRAL LETTER

<b>DATE:</b> October 20, 2015		<b>DEADLINE:</b> November 10, 2015 for the December 03, 2015 hearing		<i>This is <b>not</b> an application. Please take letter to Board of Variance. (Clerk's office - Ground Floor)</i>
<b>NAME OF APPLICANT:</b> Ying Muoi HO				
<b>ADDRESS OF APPLICANT:</b> 8210 Burnlake Drive				
<b>TELEPHONE:</b> 778.929.8918				
<b>PROJECT</b>				
<b>DESCRIPTION:</b> Addition and interior alteration to main & upper floor of an existing family dwelling				
<b>ADDRESS:</b> 8210 Burnlake Drive				
<b>LEGAL:</b>	<b>LOT:</b> 202	<b>DL:</b> 40	<b>PLAN:</b> 48688	

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 [101.8]**  
of the Burnaby Zoning Bylaw No. 4742

**COMMENTS:**

The applicant is proposing to build an addition to an existing single family dwelling. The following relaxation is requested:

- 1) The front yard setback from the Winston Street property line will be 74.10 feet to the foundation where a minimum front yard setback of 85.24 feet is required based on front yard averaging. A balcony will project 1.5 feet beyond the foundation and two window bays will project 1.0 feet beyond the foundation.

*Note: A previous Board of Variance (B.V. 6175) decision allowed a front yard setback on Winston Street of 72.62 feet; as well as, a roof overhang projecting 2.5 feet at all sides beyond the foundation of addition, except with 3 feet where 2 roofs meet.*

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

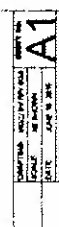
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Peter Kushnir  
Deputy Chief Building Inspector, Building Department

OCT 19 2015

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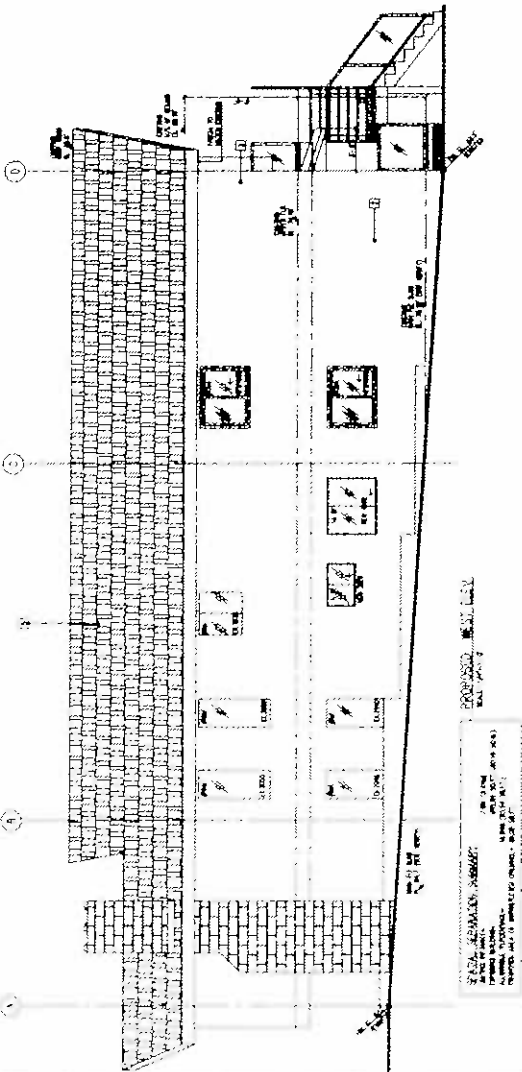
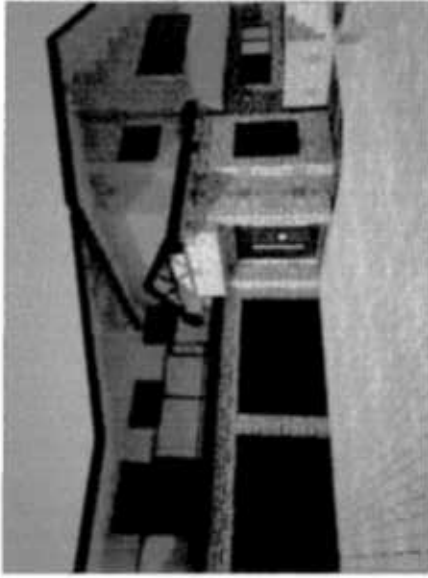
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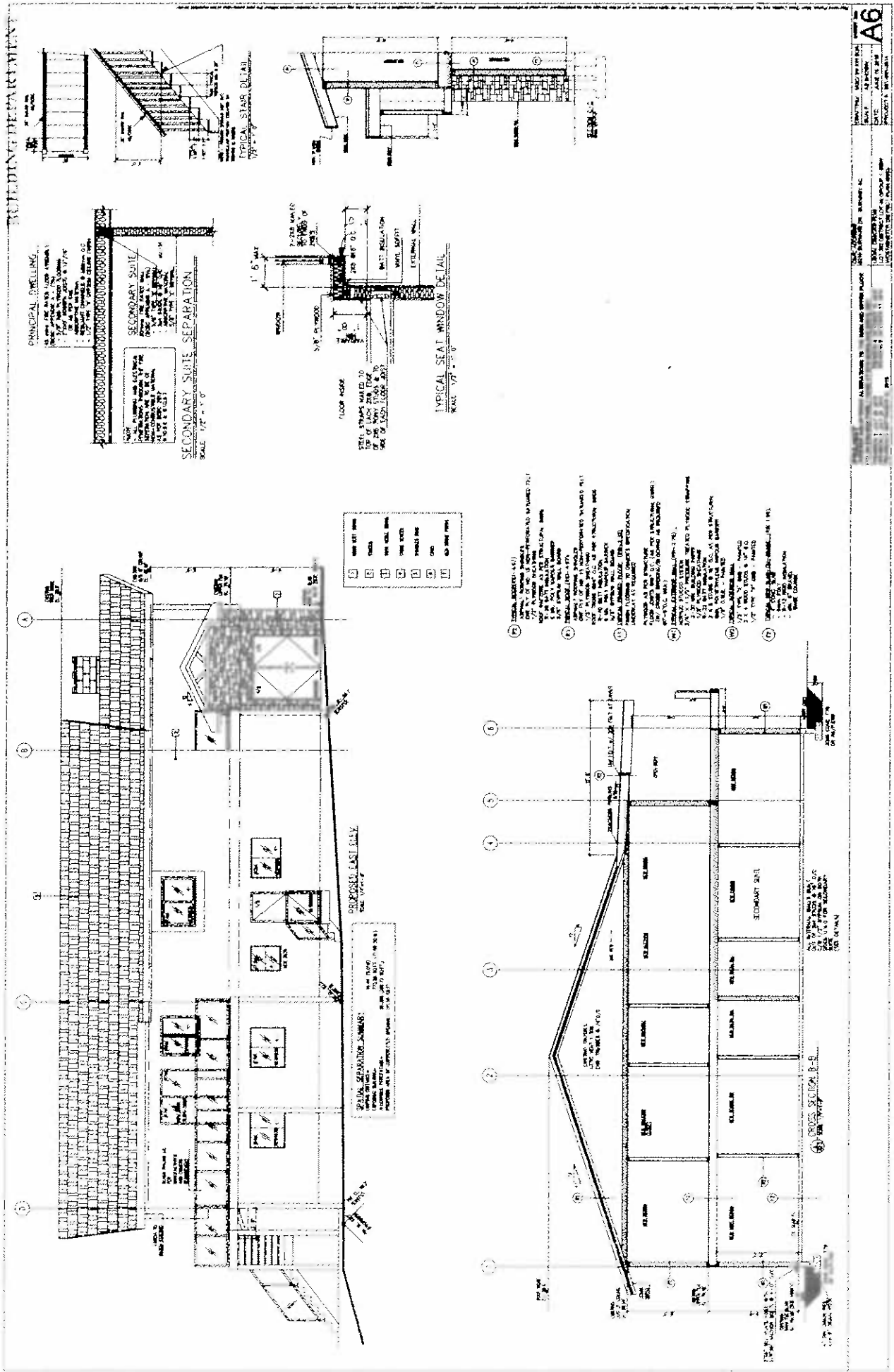
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1. **THE STATE OF TEXAS, COUNTY OF DALLAS, ss. I, J. L. [Name],** a Justice of the Peace for and in and for the County of Dallas, State of Texas, do hereby certify that the within and foregoing is a true and correct copy of the original as the same appears from the records of said County.

2. **WITNESSES MY HAND AND SEAL OF OFFICE, this [Date] day of [Month], 19[Year].**

3. **ATTEST:**

4. **My Commission Expires [Date].**

5. **NOTARY PUBLIC, STATE OF TEXAS.**

1. The first of these is the fact that the United States is a free country. This means that we have a right to express our opinions and to criticize our government. This is a fundamental principle of our democracy.

2. The second is the fact that the United States is a country of laws. This means that we are all subject to the same laws and that no one is above the law. This is a fundamental principle of our justice system.

3. The third is the fact that the United States is a country of freedom. This means that we have the right to live our lives as we see fit, as long as we do not harm others. This is a fundamental principle of our individual liberties.

4. The fourth is the fact that the United States is a country of opportunity. This means that we have the chance to improve our lives and to achieve our dreams. This is a fundamental principle of our American dream.

5. The fifth is the fact that the United States is a country of hope. This means that we have the belief that a better future is possible for all of us. This is a fundamental principle of our optimism and our faith in the future.

1. What are the three main components of a business plan?  
A. Executive Summary, Financial Projections, and Marketing Strategy.

2. What is the purpose of a business plan?  
A. To provide a clear roadmap for the business, attract investors, and guide decision-making.

3. What are the key elements of a financial plan?  
A. Revenue Projections, Expense Projections, and Profitability Analysis.

4. What is the importance of market research?  
A. It helps identify target audiences, understand market trends, and assess competition.

5. What are the common mistakes to avoid when creating a business plan?  
A. Lack of realistic financial projections, insufficient market research, and unclear goals.

[illegible][illegible][illegible]

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- B. A decrease in the number of people who are employed in the manufacturing sector.
- C. A decrease in the number of people who are employed in the agricultural sector.
- D. A decrease in the number of people who are employed in the construction sector.

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1. What is the purpose of the document?  
The purpose of the document is to provide information about the company's financial performance for the year 2010.

2. What are the main findings of the report?  
The main findings of the report are that the company's revenue increased by 10% compared to the previous year, while its expenses remained relatively stable.

3. What are the key challenges facing the company?  
The key challenges facing the company are the increasing competition in the market and the rising costs of raw materials.

4. What are the recommendations for the future?  
The recommendations for the future are to focus on improving the company's operational efficiency and to explore new market opportunities.

5. What is the conclusion of the report?  
The conclusion of the report is that the company has achieved a significant increase in revenue, but it must continue to work on improving its operational efficiency to maintain its competitive advantage.

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AL, APPROXIMATELY 4'10" TALL, 160-170 LBS, 35 YEARS OF AGE, WHITE MALE, 1960S, 1970S, 1980S, 1990S, 2000S, 2010S, 2020S, 2030S, 2040S, 2050S, 2060S, 2070S, 2080S, 2090S, 2100S, 2110S, 2120S, 2130S, 2140S, 2150S, 2160S, 2170S, 2180S, 2190S, 2200S, 2210S, 2220S, 2230S, 2240S, 2250S, 2260S, 2270S, 2280S, 2290S, 2300S, 2310S, 2320S, 2330S, 2340S, 2350S, 2360S, 2370S, 2380S, 2390S, 2400S, 2410S, 2420S, 2430S, 2440S, 2450S, 2460S, 2470S, 2480S, 2490S, 2500S, 2510S, 2520S, 2530S, 2540S, 2550S, 2560S, 2570S, 2580S, 2590S, 2600S, 2610S, 2620S, 2630S, 2640S, 2650S, 2660S, 2670S, 2680S, 2690S, 2700S, 2710S, 2720S, 2730S, 2740S, 2750S, 2760S, 2770S, 2780S, 2790S, 2800S, 2810S, 2820S, 2830S, 2840S, 2850S, 2860S, 2870S, 2880S, 2890S, 2900S, 2910S, 2920S, 2930S, 2940S, 2950S, 2960S, 2970S, 2980S, 2990S, 3000S, 3010S, 3020S, 3030S, 3040S, 3050S, 3060S, 3070S, 3080S, 3090S, 3100S, 3110S, 3120S, 3130S, 3140S, 3150S, 3160S, 3170S, 3180S, 3190S, 3200S, 3210S, 3220S, 3230S, 3240S, 3250S, 3260S, 3270S, 3280S, 3290S, 3300S, 3310S, 3320S, 3330S, 3340S, 3350S, 3360S, 3370S, 3380S, 3390S, 3400S, 3410S, 3420S, 3430S, 3440S, 3450S, 3460S, 3470S, 3480S, 3490S, 3500S, 3510S, 3520S, 3530S, 3540S, 3550S, 3560S, 3570S, 3580S, 3590S, 3600S, 3610S, 3620S, 3630S, 3640S, 3650S, 3660S, 3670S, 3680S, 3690S, 3700S, 3710S, 3720S, 3730S, 3740S, 3750S, 3760S, 3770S, 3780S, 3790S, 3800S, 3810S, 3820S, 3830S, 3840S, 3850S, 3860S, 3870S, 3880S, 3890S, 3900S, 3910S, 3920S, 3930S, 3940S, 3950S, 3960S, 3970S, 3980S, 3990S, 4000S, 4010S, 4020S, 4030S, 4040S, 4050S, 4060S, 4070S, 4080S, 4090S, 4100S, 4110S, 4120S, 4130S, 4140S, 4150S, 4160S, 4170S, 4180S, 4190S, 4200S, 4210S, 4220S, 4230S, 4240S, 4250S, 4260S, 4270S, 4280S, 4290S, 4300S, 4310S, 4320S, 4330S, 4340S, 4350S, 4360S, 4370S, 4380S, 4390S, 4400S, 4410S, 4420S, 4430S, 4440S, 4450S, 4460S, 4470S, 4480S, 4490S, 4500S, 4510S, 4520S, 4530S, 4540S, 4550S, 4560S, 4570S, 4580S, 4590S, 4600S, 4610S, 4620S, 4630S, 4640S, 4650S, 4660S, 4670S, 4680S, 4690S, 4700S, 4710S, 4720S, 4730S, 4740S, 4750S, 4760S, 4770S, 4780S, 4790S, 4800S, 4810S, 4820S, 4830S, 4840S, 4850S, 4860S, 4870S, 4880S, 4890S, 4900S, 4910S, 4920S, 4930S, 4940S, 4950S, 4960S, 4970S, 4980S, 4990S, 5000S, 5010S, 5020S, 5030S, 5040S, 5050S, 5060S, 5070S, 5080S, 5090S, 5100S, 5110S, 5120S, 5130S, 5140S, 5150S, 5160S, 5170S, 5180S, 5190S, 5200S, 5210S, 5220S, 5230S, 5240S, 5250S, 5260S, 5270S, 5280S, 5290S, 5300S, 5310S, 5320S, 5330S, 5340S, 5350S, 5360S, 5370S, 5380S, 5390S, 5400S, 5410S, 5420S, 5430S, 5440S, 5450S, 5460S, 5470S, 5480S, 5490S, 5500S, 5510S, 5520S, 5530S, 5540S, 5550S, 5560S, 5570S, 5580S, 5590S, 5600S, 5610S, 5620S, 5630S, 5640S, 5650S, 5660S, 5670S, 5680S, 5690S, 5700S, 5710S, 5720S, 5730S, 5740S, 5750S, 5760S, 5770S, 5780S, 5790S, 5800S, 5810S, 5820S, 5830S, 5840S, 5850S, 5860S, 5870S, 5880S, 5890S, 5900S, 5910S, 5920S, 5930S, 5940S, 5950S, 5960S, 5970S, 5980S, 5990S, 6000S, 6010S, 6020S, 6030S, 6040S, 6050S, 6060S, 6070S, 6080S, 6090S, 6100S, 6110S, 6120S, 6130S, 6140S, 6150S, 6160S, 6170S, 6180S, 6190S, 6200S, 6210S, 6220S, 6230S, 6240S, 6250S, 6260S, 6270S, 6280S, 6290S, 6300S, 6310S, 6320S, 6330S, 6340S, 6350S, 6360S, 6370S, 6380S, 6390S, 6400S, 6410S, 6420S, 6430S, 6440S, 6450S, 6460S, 6470S, 6480S, 6490S, 6500S, 6510S, 6520S, 6530S, 6540S, 6550S, 6560S, 6570S, 6580S, 6590S, 6600S, 6610S, 6620S, 6630S, 6640S, 6650S, 6660S, 6670S, 6680S, 6690S, 6700S, 6710S, 6720S, 6730S, 6740S, 6750S, 6760S, 6770S, 6780S, 6790S, 6800S, 6810S, 6820S, 6830S, 6840S, 6850S, 6860S, 6870S, 6880S, 6890S, 6900S, 6910S, 6920S, 6930S, 6940S, 6950S, 6960S, 6970S, 6980S, 6990S, 7000S, 7010S, 7020S, 7030S, 7040S, 7050S, 7060S, 7070S, 7080S, 7090S, 7100S, 7110S, 7120S, 7130S, 7140S, 7150S, 7160S, 7170S, 7180S, 7190S, 7200S, 7210S, 7220S, 7230S, 7240S, 7250S, 7260S, 7270S, 7280S, 7290S, 7300S, 7310S, 7320S, 7330S, 7340S, 7350S, 7360S, 7370S, 7380S, 7390S, 7400S, 7410S, 7420S, 7430S, 7440S, 7450S, 7460S, 7470S, 7480S, 7490S, 7500S, 7510S, 7520S, 7530S, 7540S, 7550S, 7560S, 7570S, 7580S, 7590S, 7600S, 7610S, 7620S, 7630S, 7640S, 7650S, 7660S, 7670S, 7680S, 7690S, 7700S, 7710S, 7720S, 7730S, 7740S, 775

[illegible]

The following information is provided for informational purposes only. It is not intended to be used as a substitute for professional advice. The information is provided as a service to our clients and is not intended to be used as a substitute for professional advice. The information is provided as a service to our clients and is not intended to be used as a substitute for professional advice.

Country	Category	Age	Gender	Height	Weight	Body Fat %	Heart Rate (b/min)	VO2 Max (ml/kg/min)	Max. Oxygen Uptake (ml/min)
USA	Male	25	Male	1.78	75	15	150	35	1200
USA	Female	25	Female	1.65	60	18	140	30	1000
USA	Male	25	Male	1.85	85	12	160	40	1400
USA	Female	25	Female	1.70	70	20	130	25	900
USA	Male	25	Male	1.90	95	10	170	45	1600
USA	Female	25	Female	1.75	75	22	120	20	800
USA	Male	25	Male	1.80	80	14	155	38	1300
USA	Female	25	Female	1.68	65	19	135	28	950
USA	Male	25	Male	1.82	82	13	165	42	1450
USA	Female	25	Female	1.72	72	21	125	22	850
USA	Male	25	Male	1.88	88	11	175	48	1700
USA	Female	25	Female	1.78	78	23	115	18	750
USA	Male	25	Male	1.92	98	9	180	50	1800
USA	Female	25	Female	1.80	80	24	110	15	700
USA	Male	25	Male	1.95	100	8	185	52	1900
USA	Female	25	Female	1.82	82	25	105	12	650
USA	Male	25	Male	1.98	105	7	190	55	2000
USA	Female	25	Female	1.85	85	26	100	10	600
USA	Male	25	Male	2.00	110	6	195	58	2100
USA	Female	25	Female	1.88	88	27	95	8	550
USA	Male	25	Male	2.02	115	5	200	60	2200
USA	Female	25	Female	1.90	90	28	90	6	500
USA	Male	25	Male	2.05	120	4	205	62	2300
USA	Female	25	Female	1.92	92	29	85	4	450
USA	Male	25	Male	2.08	125	3	210	65	2400
USA	Female	25	Female	1.95	95	30	80	3	400
USA	Male	25	Male	2.10	130	2	215	68	2500
USA	Female	25	Female	1.98	98	31	75	2	350
USA	Male	25	Male	2.12	135	1	220	70	2600
USA	Female	25	Female	2.00	100	32	70	1	300
USA	Male	25	Male	2.15	140	0	225	72	2700
USA	Female	25	Female	2.02	102	33	65	0	250
USA	Male	25	Male	2.18	145	0	230	75	2800
USA	Female	25	Female	2.05	105	34	60	0	200
USA	Male	25	Male	2.20	150	0	235	78	2900
USA	Female	25	Female	2.08	108	35	55	0	150
USA	Male	25	Male	2.22	155	0	240	80	3000
USA	Female	25	Female	2.10	110	36	50	0	100
USA	Male	25	Male	2.25	160	0	245	82	3100
USA	Female	25	Female	2.12	112	37	45	0	50
USA	Male	25	Male	2.28	165	0	250	85	3200
USA	Female	25	Female	2.15	115	38	40	0	0
USA	Male	25	Male	2.30	170	0	255	88	3300
USA	Female	25	Female	2.18	118	39	35	0	0
USA	Male	25	Male	2.32	175	0	260	90	3400
USA	Female	25							

[illegible]

IN ADDITION  
TO REMINDER OF  
JERRY BATHMAN DR.

WEI Z SU STRUCTURAL  
ENGINEERS LTD  
108-10710-108 ZARADAN RD  
YONGE ONT L3T 0A9  
Canada Tel: 905-709-8888  
Fax: 905-709-8888

**TRADING AND CONTINGENCY**

GENERAL NOTES

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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6

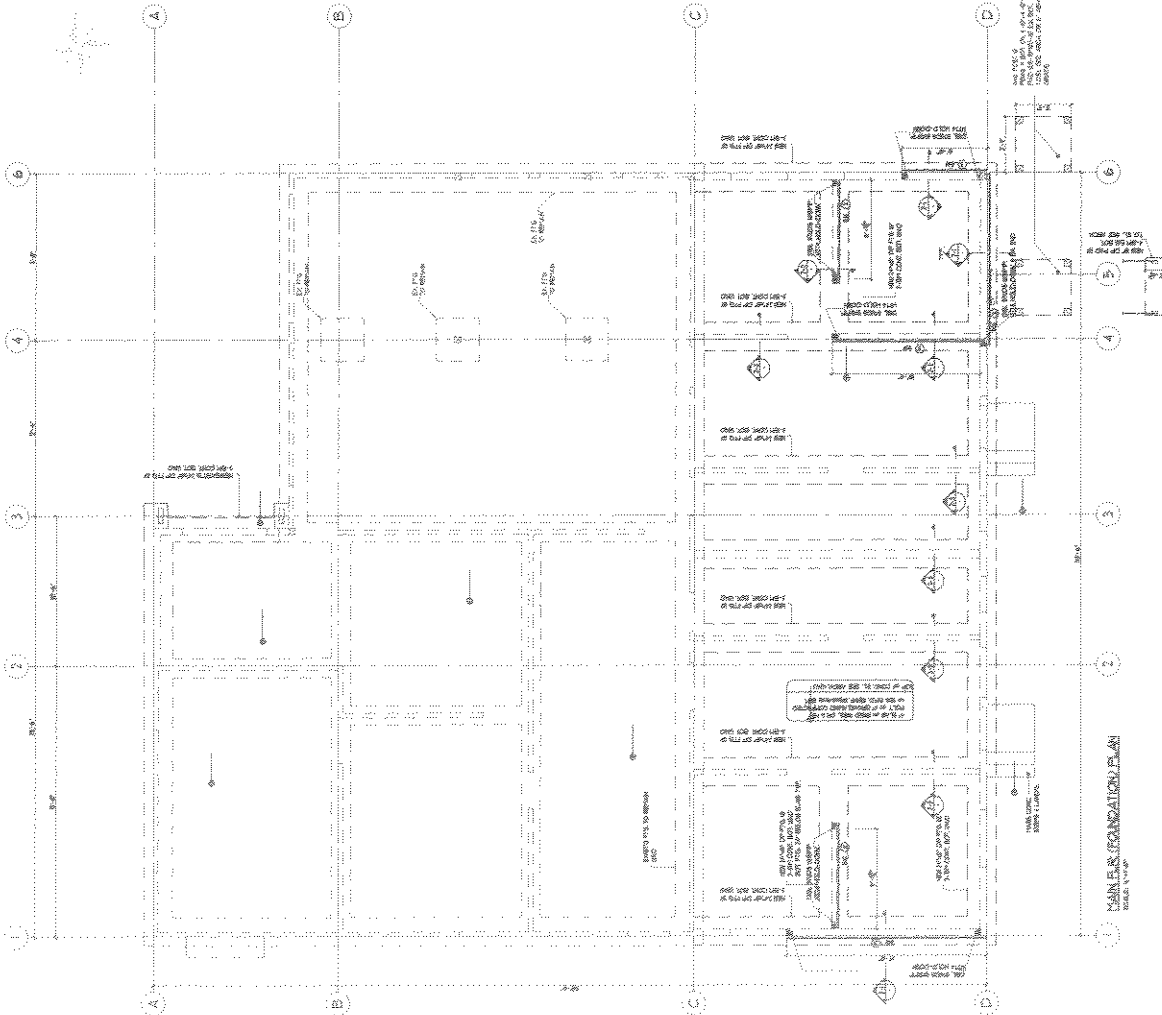
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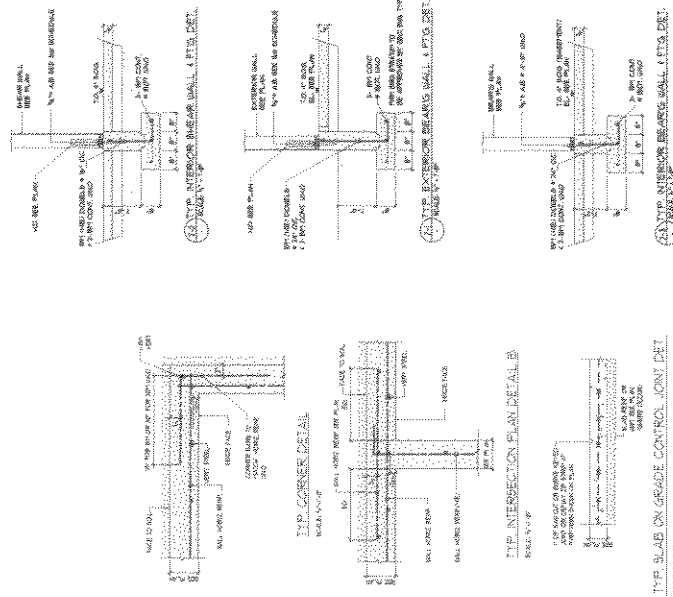
1

RECEIVED  
OCT 19 2015

BUILDING DEPARTMENT



MAIN FOUNDATION PLAN  
SCALE 1/8" = 1'-0"



TYP. SLAB ON GRADE CONTROL JOINT DET.  
SCALE 1/8" = 1'-0"

TYP. INTERIOR BEAM WALL & PTIS DET.  
SCALE 1/8" = 1'-0"

NO.	DATE	REVISION
1	10/19/15	ISSUED FOR PERMIT
2	10/19/15	ISSUED FOR PERMIT

NOTE

PROJECT NAME

NEW ADDITION  
TO RESIDENCE OF  
8215 BURNING OAK DR.  
BURNING OAK, NC

VEI 2 SU STRUCTURAL  
ENGINEERS, LTD.  
200 S. 10TH ST. SUITE 100  
DURHAM, NC 27601

STRUCTURAL CONSULTANT

NO.	DATE	REVISION
1	10/19/15	ISSUED FOR PERMIT
2	10/19/15	ISSUED FOR PERMIT

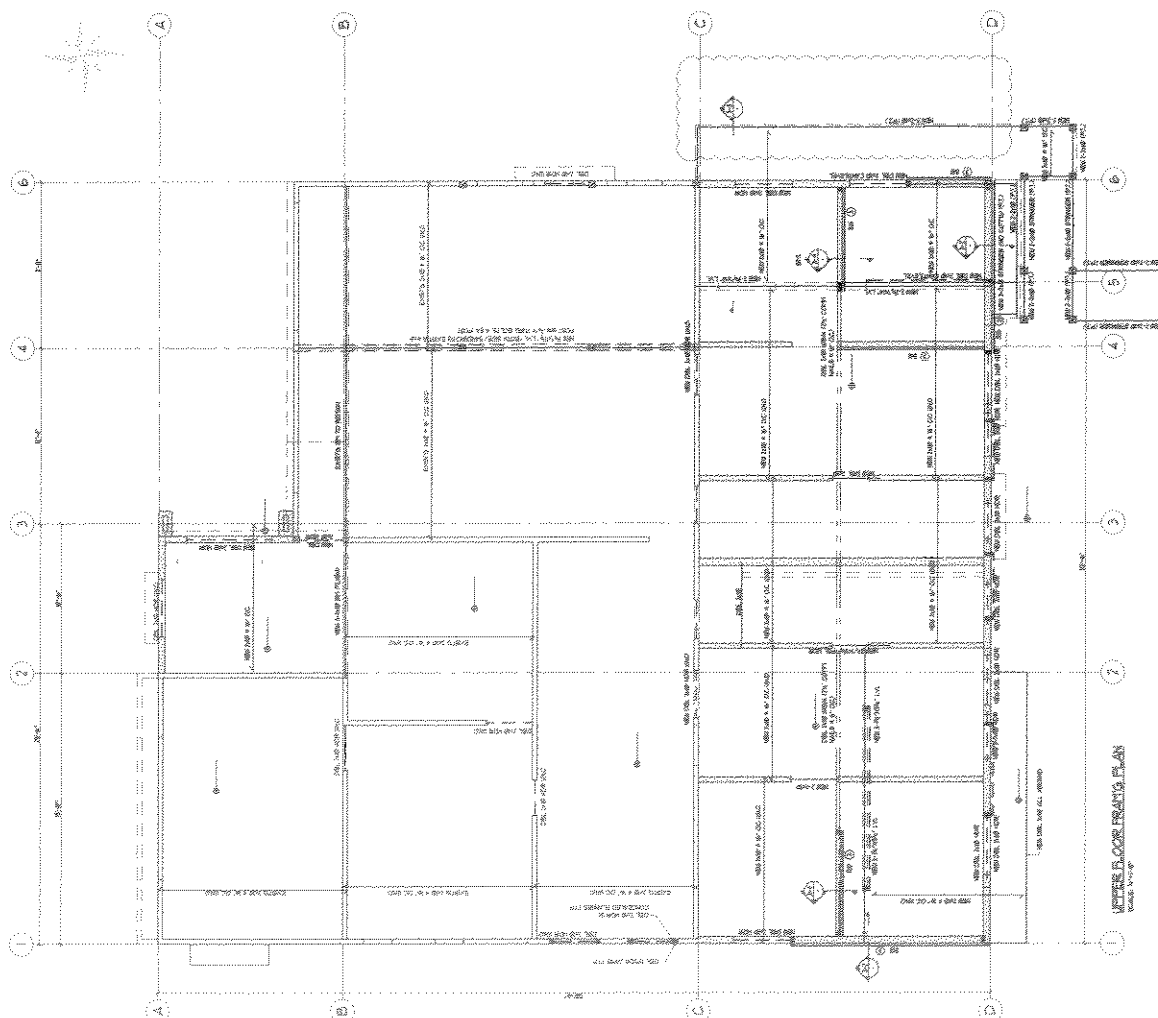
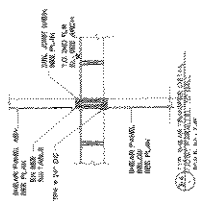
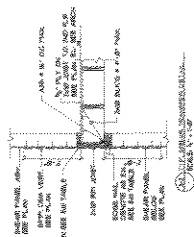
FOUNDATION PLAN

NO.	DATE	REVISION
1	10/19/15	ISSUED FOR PERMIT
2	10/19/15	ISSUED FOR PERMIT

3.(c)

BoFV

The diagram illustrates a DNA molecule with a double helix structure. The two strands are intertwined, with various chemical groups and labels indicating specific components and interactions. Labels include '5'' and '3'' at the ends of the strands, 'A', 'T', 'C', and 'G' for the nitrogenous bases, and 'P' for phosphate groups. The diagram also shows the sugar-phosphate backbone and the base pairing between the two strands.



REPORTING IN OUR FRANCHISES

1. The first step is to identify the problem or question that needs to be solved. This involves understanding the context and the specific requirements of the task.

2. Next, it is important to gather relevant information and resources. This may include researching existing solutions, consulting with experts, or collecting data.

3. Once the information is gathered, the next step is to develop a plan or strategy. This involves breaking down the problem into smaller, manageable parts and determining the best approach to solve each part.

4. The fourth step is to implement the plan. This involves putting the strategy into action and monitoring progress as you go.

5. Finally, it is important to evaluate the results and make adjustments as needed. This involves comparing the actual outcomes to the expected results and identifying any areas for improvement.

**WEI ZHI SHI GUOJI  
ZHUANRE LI**

NEW ADVENTURE  
TO RESCUE OF  
210 MILLA, AKE COR.  
NEW YORK, NY, 1017

2008-09-15 10:00:00

STRUCTURAL COMPONENTS

[illegible]

UPPER FLR FRAMG  
PLAN

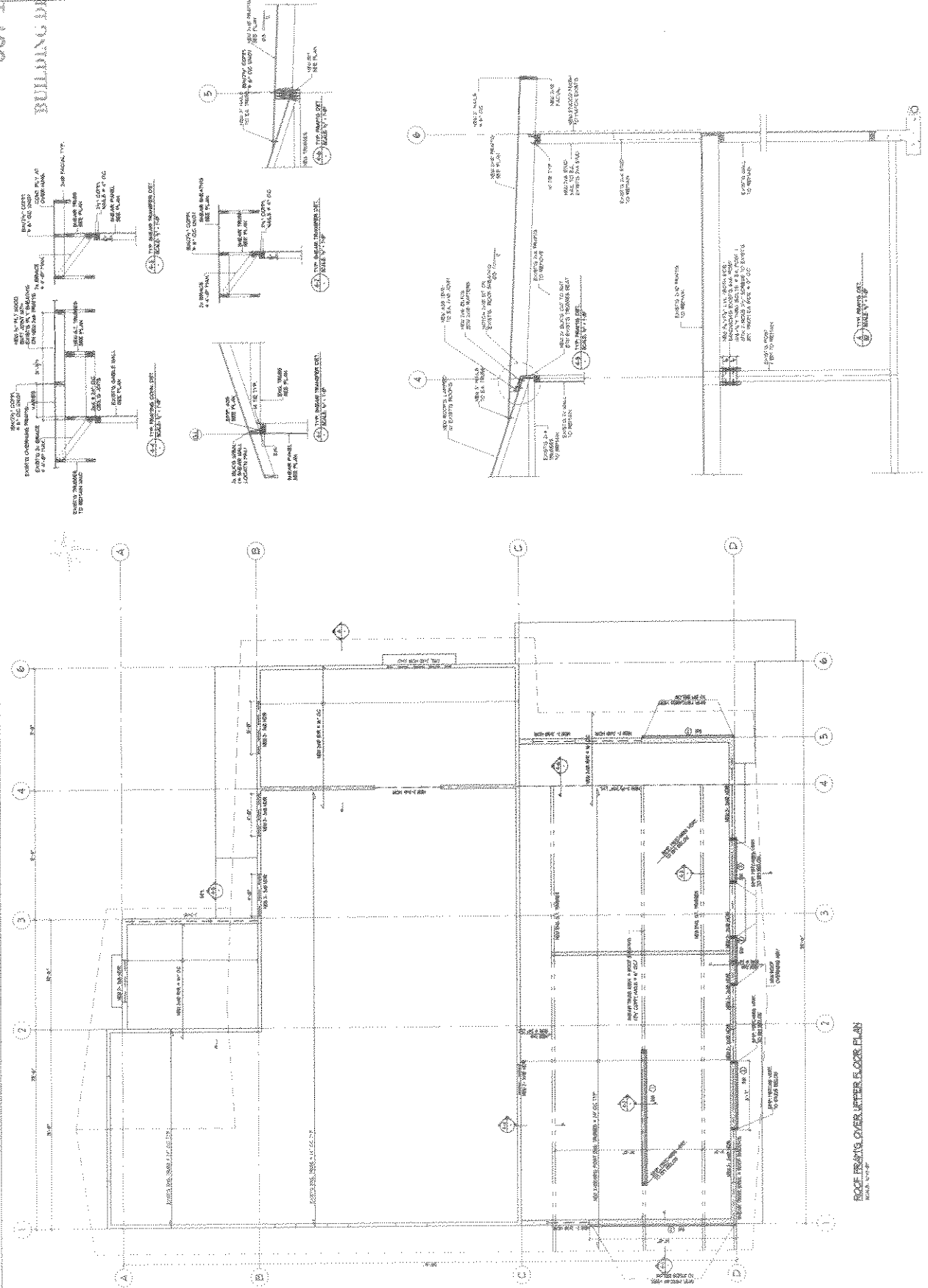
DATE: 11/11/2011

**3.(c)**

462

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OCT 19 2015

BUILDING DEPARTMENT



ROOF FRAMING OVER LOWER FLOOR PLAN  
SCALE: 1/8" = 1'-0"

NEW ADDRESS  
TO RESIDENCE OF  
2510 BURLINGAME DR  
BURLINGAME, CA

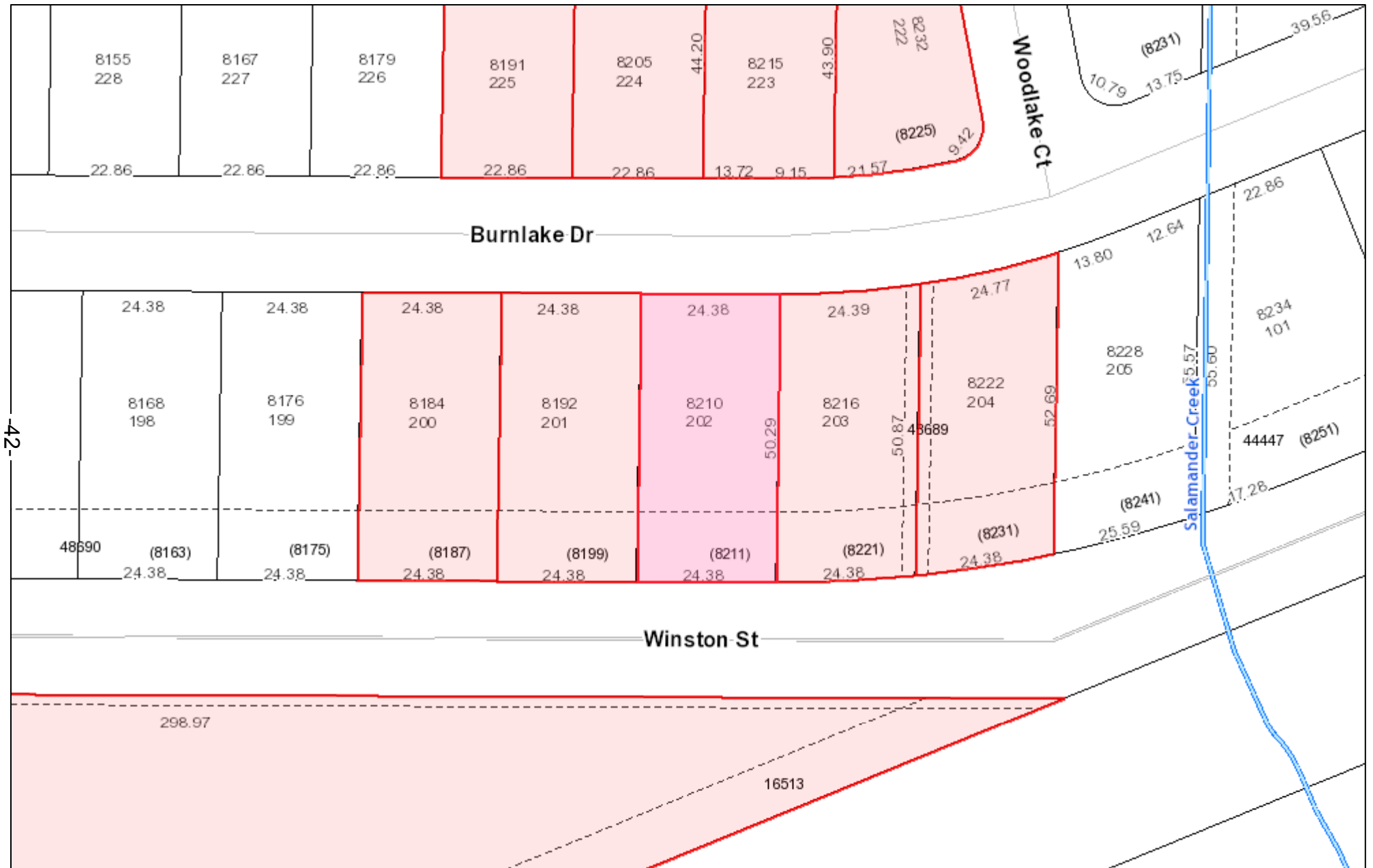
VEI Z SJ STRUCTURAL  
ENGINEERS LTD  
1000 10TH AVE  
SUITE 100  
VANCOUVER, BC  
V6H 3A9

1. STRUCTURAL CONSULTANT

DATE: OCT 2015  
BY: AS SHOWN  
PROJECT: 100

ROOF FRAMING PLAN

SCALE: 1/8" = 1'-0"  
SHEET: S-4





# 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 HELDER BAPTISTA  
 Mailing Address 6200 BUCHANAN STREET  
 City/Town BURNABY Postal Code (BC) V5B 2L7  
 Phone Number(s) (H) \_\_\_\_\_ (C) 604-444-4448  
 Email helder@baptista.plumbing.com  
 Preferred method of contact: ☐ email ☒ phone ☐ mail

### Property

Name of Owner HELDER BAPTISTA  
 Civic Address of Property 6200 Buchanan St.  
Burnaby, B.C. V5B 2L7

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.

Nov. 10/2015  
 Date

[Signature]  
 Applicant Signature

### Office Use Only

Appeal Number BV# 6200

1:30 p.m.

#### Required Documents:

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

## Letter of Hardship

Helder Baptista

6200 Buchanan Street, Burnaby, B.C. V5B 2S5

To whom it may concern,

This is a letter of hardship as requested for the variance of the placement and completion of an existing built garage on my property (6200 Buchanan Street).

The block on which my home sits is a triangle, which means that my home and 2 others on this block have 2 front streets. In addition all lots on this block are pie shaped thus complicating the placement of buildings due to setbacks.

My garage sits within these setbacks. There is nowhere I can have a garage on the property that does not fall within the footprint of the setbacks. There are 2 other homes on this block that already have had allowances on the placement of buildings due to having 2 front streets.

I consider myself a good and responsible neighbor and all of my neighbors understand the situation. My property has had extensive landscaping since I purchased the property in 1998. There are hedges that line Parkcrest Drive that actually hide the garage so it is also not a visual obstruction to anyone. I also consider myself to be a good member of the community and believe I have beautified the neighborhood over the years by acquiring approximately over 70 species and varieties of rhododendrons, azaleas, magnolias, rose of sharon, fruit trees etc. I also clean up the city semi-circle alley on my block. I do this approximately 4 times a year and pressure wash it in the spring.

In terms of hardship I could not afford to rebuild a new garage. I divorced in 2013 and in keeping the home I acquired a mortgage of over 1 million dollars. It would create extreme hardship to have to put out another \$50,000.00 which I estimate would cost to rebuild if I had to.

Please take all these circumstances in to consideration. I would really like to keep the garage as it provides an important function for myself and my family.

Sincerely,

Helder Baptista  
6200 Buchanan Street  
604-444-4448





### BOARD OF VARIANCE REFERRAL LETTER

<b>DATE:</b> October 23, 2015		<b>DEADLINE:</b> November 10, 2015 for the December 03, 2015 hearing.	<i>This is <b>not</b> an application. Please take letter to Board of Variance. (Clerk's office - Ground Floor)</i>
<b>NAME OF APPLICANT:</b> Helder Baptista			
<b>ADDRESS OF APPLICANT:</b> 6200 Buchanan Street			
<b>TELEPHONE:</b> 604.444.4448			
<b>PROJECT</b>			
<b>DESCRIPTION:</b> Detached garage to an existing single family dwelling			
<b>ADDRESS:</b> 6200 Buchanan Street			
<b>LEGAL:</b>	<b>LOT:</b> 119	<b>DL:</b> 130	<b>PLAN:</b> 61236

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 [6.2(2); 800.6(1)]**  
of the Burnaby Zoning Bylaw No. 4742

**COMMENTS:**

The applicant has built a detached garage without a permit. The following relaxation is being sought.

- 1) The relaxation of 800.6(1) of the Zoning By-law which, if permitted, will allow an accessory building in a required front yard, located 9.0 feet from the south property line abutting Parkcrest Drive and 13.61 feet from the east property line, where siting of an accessory building in a required front yard is prohibited by the Zoning By-law.

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

KL

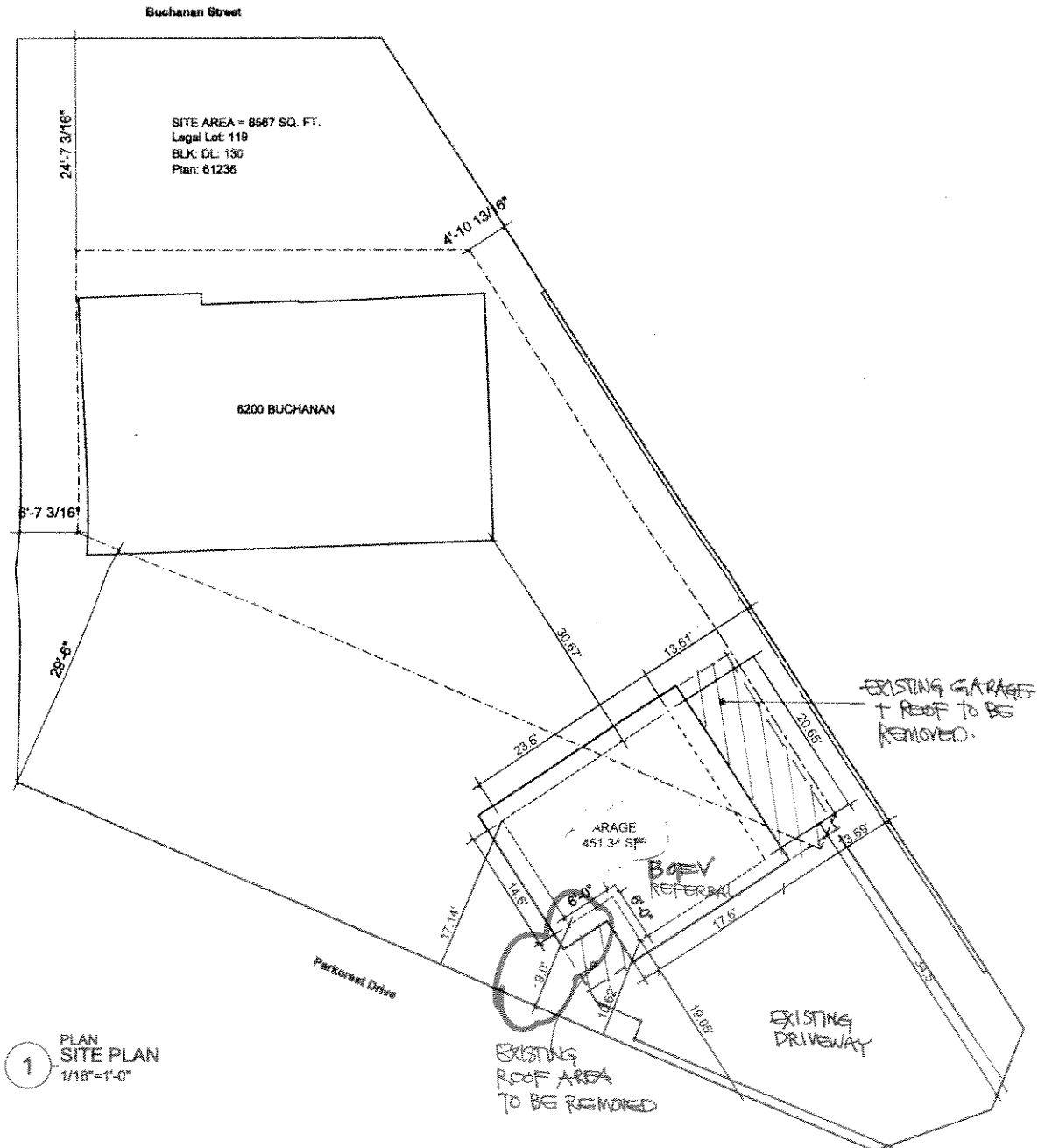
Peter Kushnir  
Deputy Chief Building Inspector, Building Department

3.(e)

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MAY 10 2015

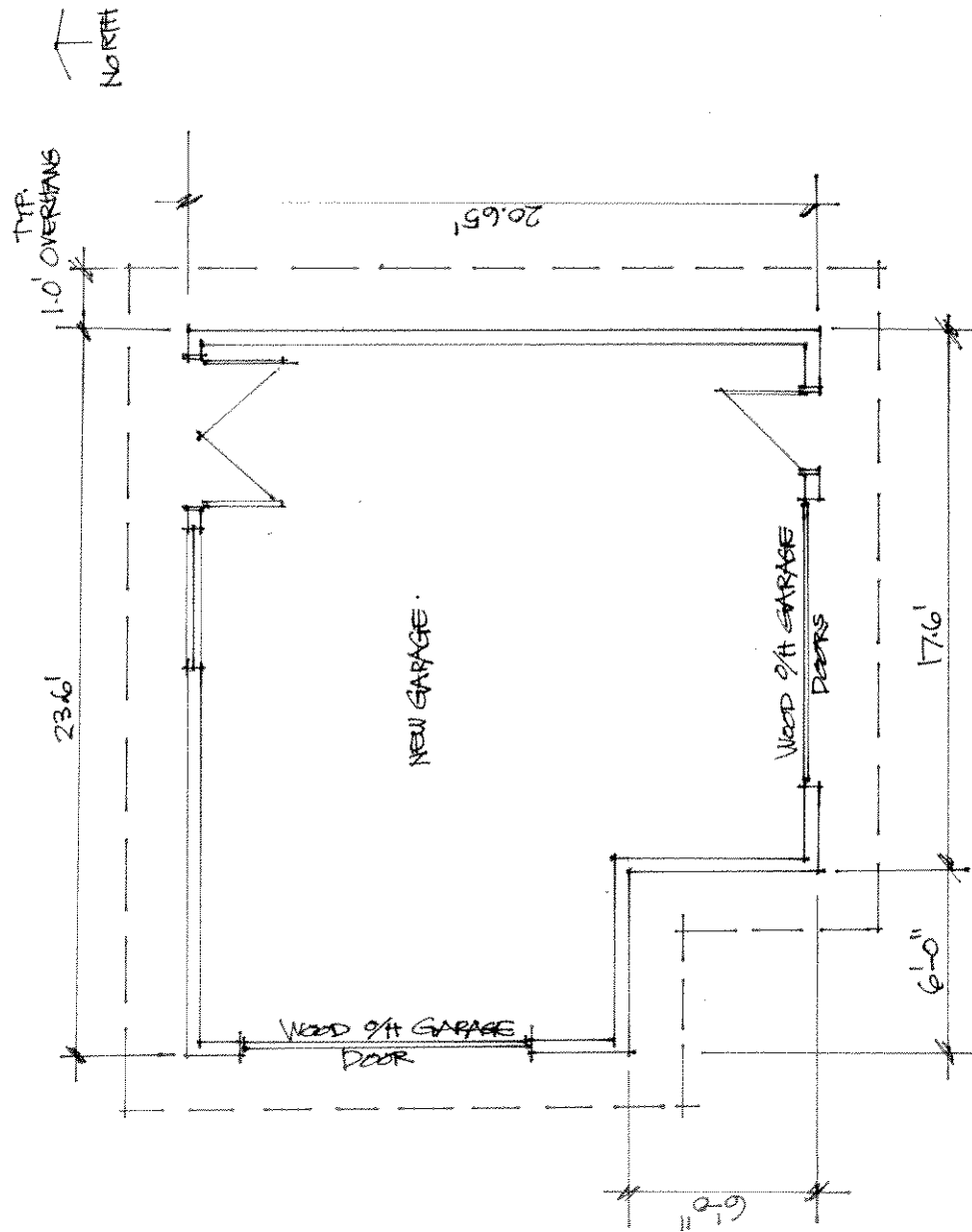
BUILDING DEPARTMENT



BOF V  
COPY

RECEIVED  
OCT 2 2012

BUILDING DEPARTMENT

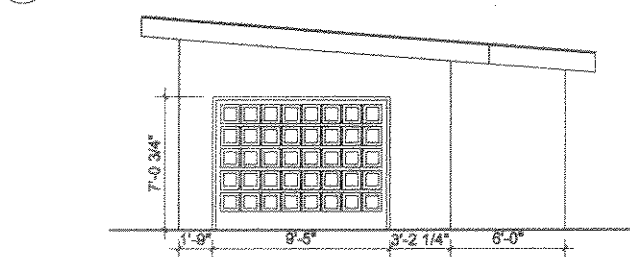
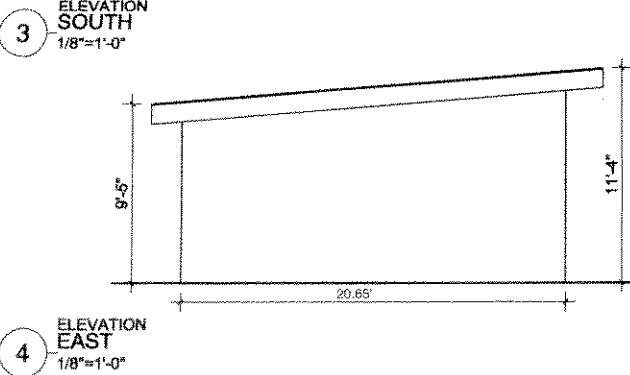
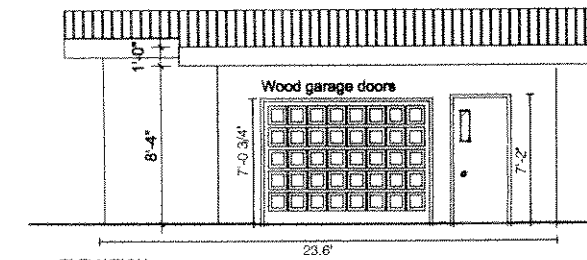
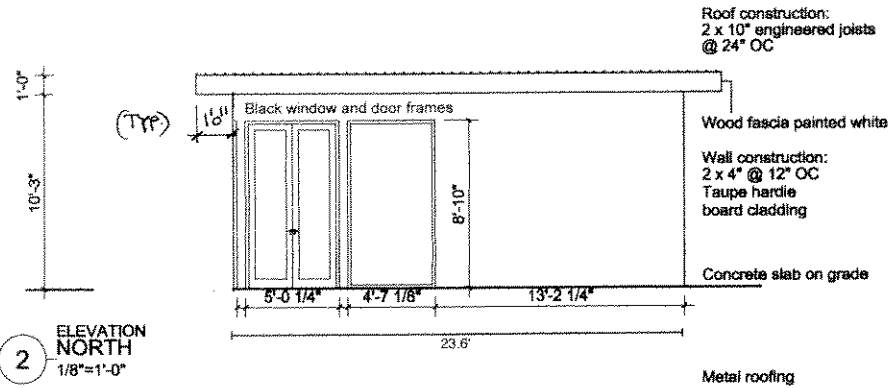


6200 BUNCHMAN STREET  
BURNABY, BC.

SCALE =  $\frac{1}{4} = 1'-0"$

BOFV  
COPY

RECEIVED  
2015 JUN 10 10:00 AM  
CITY OF VANCOUVER



BY 135016 VANVCE  
IN 11/06/15  
Helder Baptista  
4200 Buchanan Street  
Burnaby, BC  
Canada V5B 2B5  
T 604 444 4444

BUILDING ACCESSORY

SCALE:  
DRAWN:  
CHECKED:

①

A1.00

BOF V  
COPY

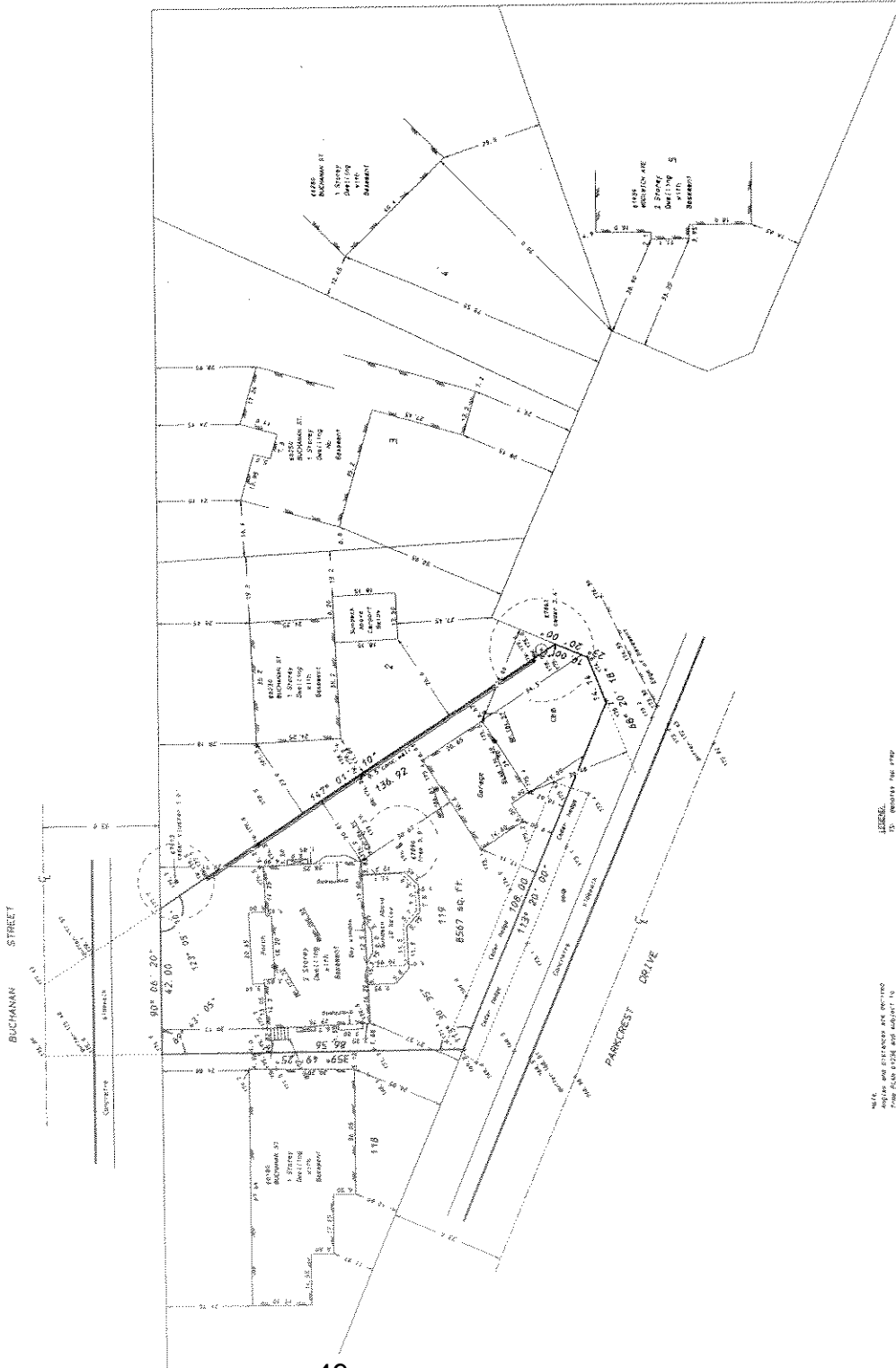
BOF V  
COPY

SCALE: 1 INCH = 16.1  
ALL DIMENSIONS ARE IN FEET AND INCHES  
DIMENSIONS OF LOT 130 ARE 100.00' BY 100.00'

RECEIVED  
SEP 06 1981  
PLANNING DEPARTMENT

WOOLWICH AVENUE

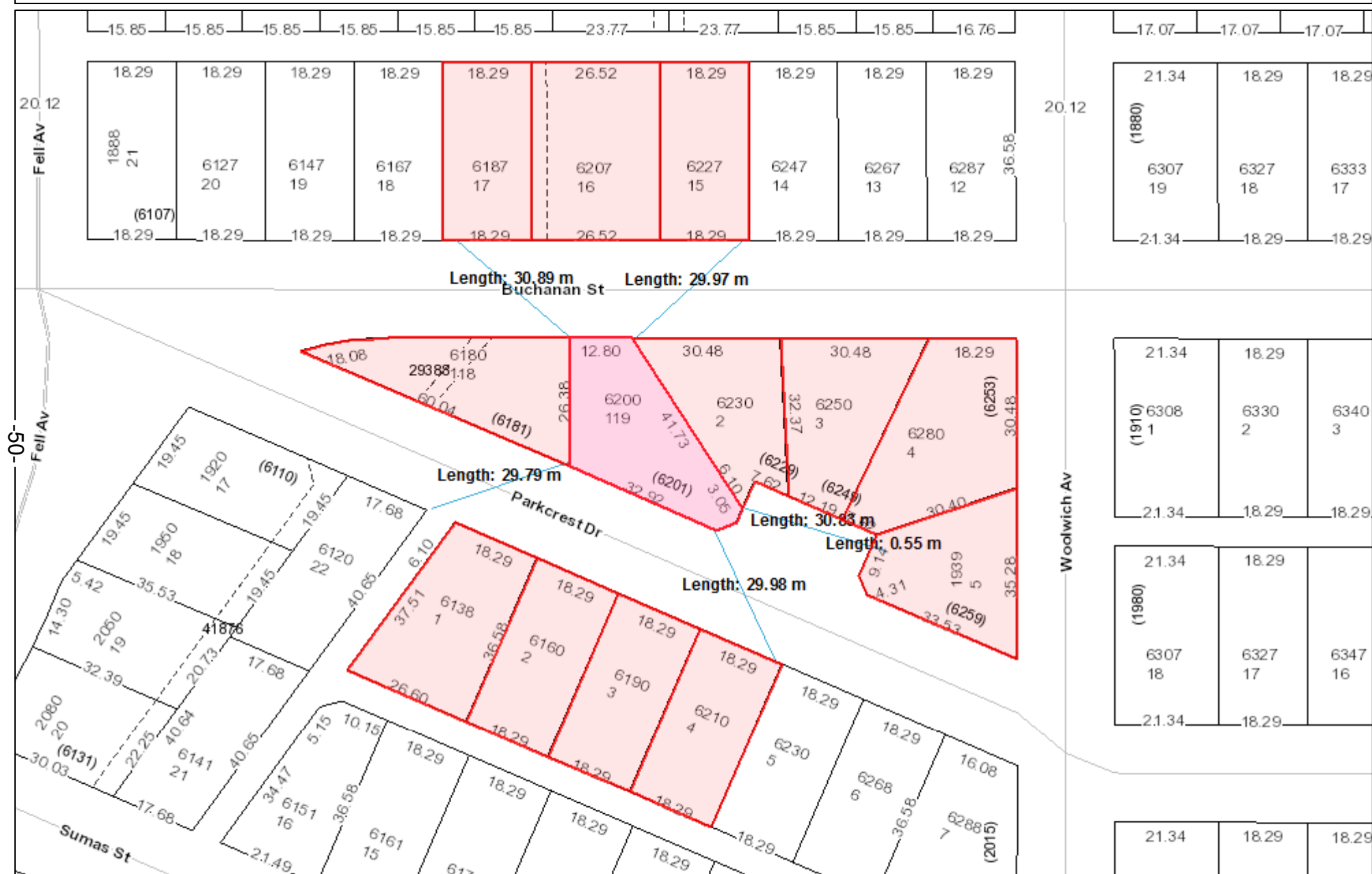
OF LOT 119, DISTRICT LOT 130,  
THINIER DISTRICT, PLAN 61236  
OF ADJACENT DWELLINGS  
EVALUATION THEREON



ALL TRACTS HAVE BEEN PLANNED AS  
REQUIRED BY BUCHANAN TRACT 1981.  
NOTE: EASEMENTS ARE SHOWN IN RED LINE.

TRACT NO.	119	120	121	122	123	124	125	126	127	128	129	130
AREA	1.14	1.14	1.14	1.14	1.14	1.14	1.14	1.14	1.14	1.14	1.14	1.14
TOTAL	13.68											

NOTES:  
1. ALL DIMENSIONS ARE IN FEET AND INCHES.  
2. ALL DIMENSIONS ARE TO THE CENTER OF THE LOT.  
3. ALL DIMENSIONS ARE TO THE CENTER OF THE LOT.  
4. ALL DIMENSIONS ARE TO THE CENTER OF THE LOT.  
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7. ALL DIMENSIONS ARE TO THE CENTER OF THE LOT.  
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9. ALL DIMENSIONS ARE TO THE CENTER OF THE LOT.  
10. ALL DIMENSIONS ARE TO THE CENTER OF THE LOT.



The information has been gathered and assembled on the City of Burnaby's computer systems. Data provided herein is derived from 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 6200



# 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 Helen Soderholm  
 Mailing Address 5724 Eglinton St.  
 City/Town Burnaby Postal Code V5G 2B6  
 Phone Number(s) (H) 604.325.7758 (C) 778.386.7758  
 Email hsoderholm@shaw.ca  
 Preferred method of contact: ☒ email ☐ phone ☐ mail

### Property

Name of Owner Helen Soderholm, Peter Buchanan  
 Civic Address of Property 5724 Eglinton St.  
Burnaby V5G 2B6

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.

Date

Nov. 10, 2015

Applicant Signature

Helen Soderholm

### Office Use Only

Appeal Number BV# 6201 @ 1:30 p.m.

#### Required Documents:

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

**Helen Soderholm, Peter Buchanan**

5724 Eglinton Street  
Burnaby, BC  
V5G 2B6

► **City of Burnaby – Board of Variance**

4949 Canada Way  
Burnaby, BC, Canada  
V5G 1M2

**Dear Board Members:**

This letter supports a variance application for an over height fence built in 2007 on the western border of our property, 5724 Eglinton Street (Drawing 1 and Panels 1-4 Drawing 2B). The proposed retaining wall and fence shown on the attached drawings (Panels 5 – 11) are not part of this variance application as they comply with City of Burnaby by-laws. They were submitted to the City's Building Department for comment. We have been advised that this proposed wall and fence are in by-law compliance.

A typical panel of panels 1 – 4 is shown in Drawing 2, (page 2 of 8), and consists of four 5' 8" high solid prefabricated cedar panels topped with vegetation supports. The vegetation supports are 2-foot high diagonal lattices and a 10 ½ inch high trellises constructed of 2-inch by 2-inch cross pieces. These panels now support climbing vines and a flower and shrub garden adjacent to the fence. (Photo 1). All portions of the fence are situated on or over our property.

The fence panels that are the subject of this application were erected in 2007 to replace an English laurel hedge (approximately 12 feet in height and up to 12 feet in width). In 2013 and 2014 the remaining overgrown hedges along the property line were removed and a similar over height fence was erected. It was then that the residents of the adjoining property expressed their displeasure with the removal of the hedge and the fence and filed a complaint with the City. We applied for a Variance in June of 2015 for the entire fence but were denied a variance.

We have removed the top portions of the fence that was constructed in 2013-2014 which brings these newer panels into compliance: these changes have been accepted by the Burnaby bylaw officer. We are now applying for a variance for the original panels constructed in 2007 for the following reasons:

- This portion of the fence was in place for seven years without any concerns being raised;
- The residents of the adjoining property have now indicated that they would accept the original panels, see attached letter;
- Removing the entwined vines and lattice could damage the structure and integrity of the fence,

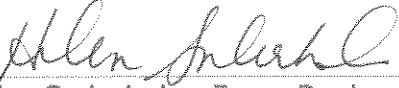


necessitating more costs to us in repair and/or replacement.

- Removing the vines will remove an attractive and diverse boundary that supports flowering plants and shrubs providing habitat for several bird and insect species;

Thank you for your consideration of this application.

Sincerely



**Helen Soderholm, Peter Buchanan**

Property Owners  
5724 Eglinton Street

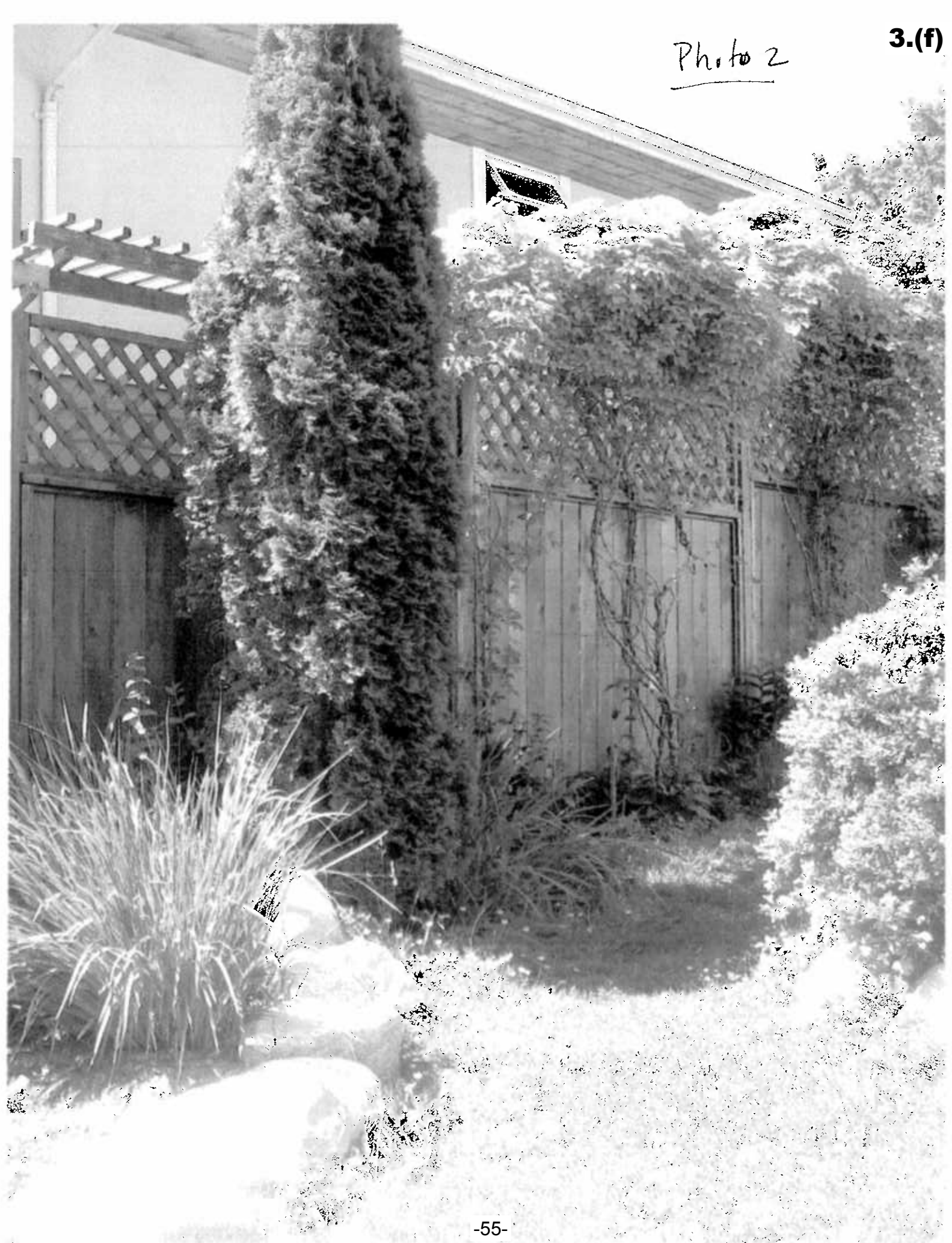
Photo 1

**3.(f)**



Photo 2

3.(f)



September 9, 2015

We are not interested in compensation. We would be willing to consider the compromise we offered in September 2014. This would be to retain the over height fence between the two houses and remove the lattice and pergola on the remaining seven panels. As this was our position last September we would be willing to withdraw our objection. This would leave it up to City Hall whether they wish to enforce the bylaw and the decision of the Board of Variance. The bylaw officer who has been in contact with us regarding the fence is on holiday until September 14 and so we would want to clarify with her that this compromise would be acceptable to the city.

Ross & Linda



### BOARD OF VARIANCE REFERRAL LETTER

<b>DATE:</b> November 9 <sup>th</sup> , 2015		<b>DEADLINE:</b> November 10 <sup>th</sup> , 2015 for the December 3 <sup>rd</sup> , 2015 hearing		<i>This is <u>not</u> an application. Please take letter to Board of Variance. (Clerk's office - Ground Floor)</i>
<b>NAME OF APPLICANT:</b> Helen Soderholm				
<b>ADDRESS OF APPLICANT:</b> 5724 Eglinton St, Burnaby, V5G 2K3				
<b>TELEPHONE:</b> 604.325.7758				
<b>PROJECT</b>				
<b>DESCRIPTION:</b> Fence for existing single family dwelling.				
<b>ADDRESS:</b> 5724 Eglinton Street				
<b>LEGAL:</b>	<b>LOT:</b> 79	<b>DL:</b> 83	<b>PLAN:</b> NWP24961	

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 [6.14(5)(b)]**  
of the Burnaby Zoning Bylaw No. 4742

#### COMMENTS:

The applicant has constructed new fences to an existing single family dwelling. The following relaxation is being requested.

- 1) The fence height, in the required side yard and rear yard, is of varying heights of up to 9.97' where a maximum 5.91' is permitted.

Note:

*The Board of Variance previously (July 10<sup>th</sup>, 2015: BV#6178) denied a fence height, in the required side and rear yard, of varying heights of up to 10.13' where a maximum 5.91' is permitted.*

*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  
Deputy Chief Building Inspector

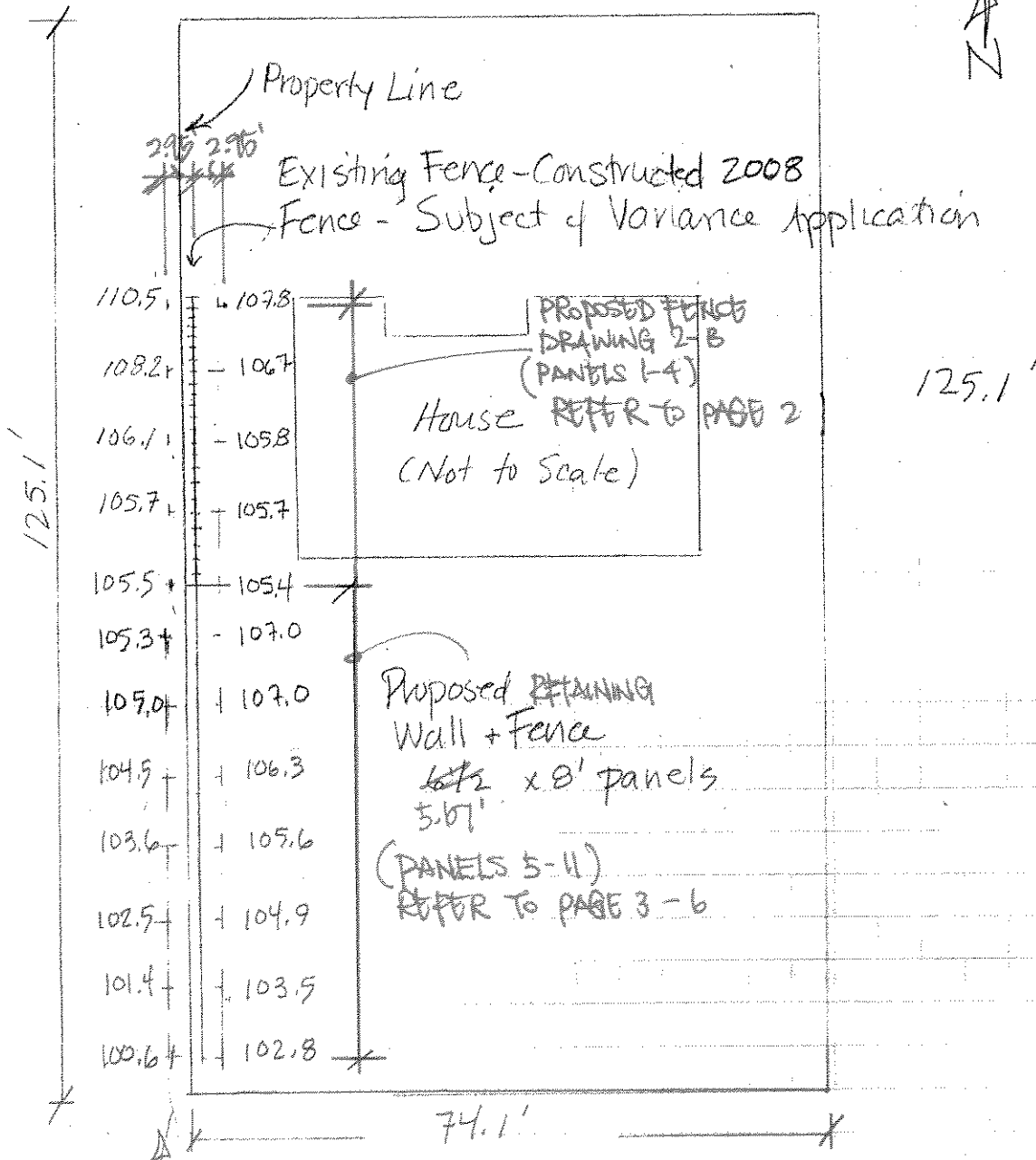
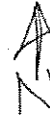
5724 Eglinton St

Drawing 1 - Oct. 30, 2015

RECEIVED  
OCT 30 2015

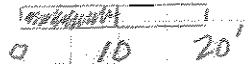
BUILDING DEPARTMENT

74.2'

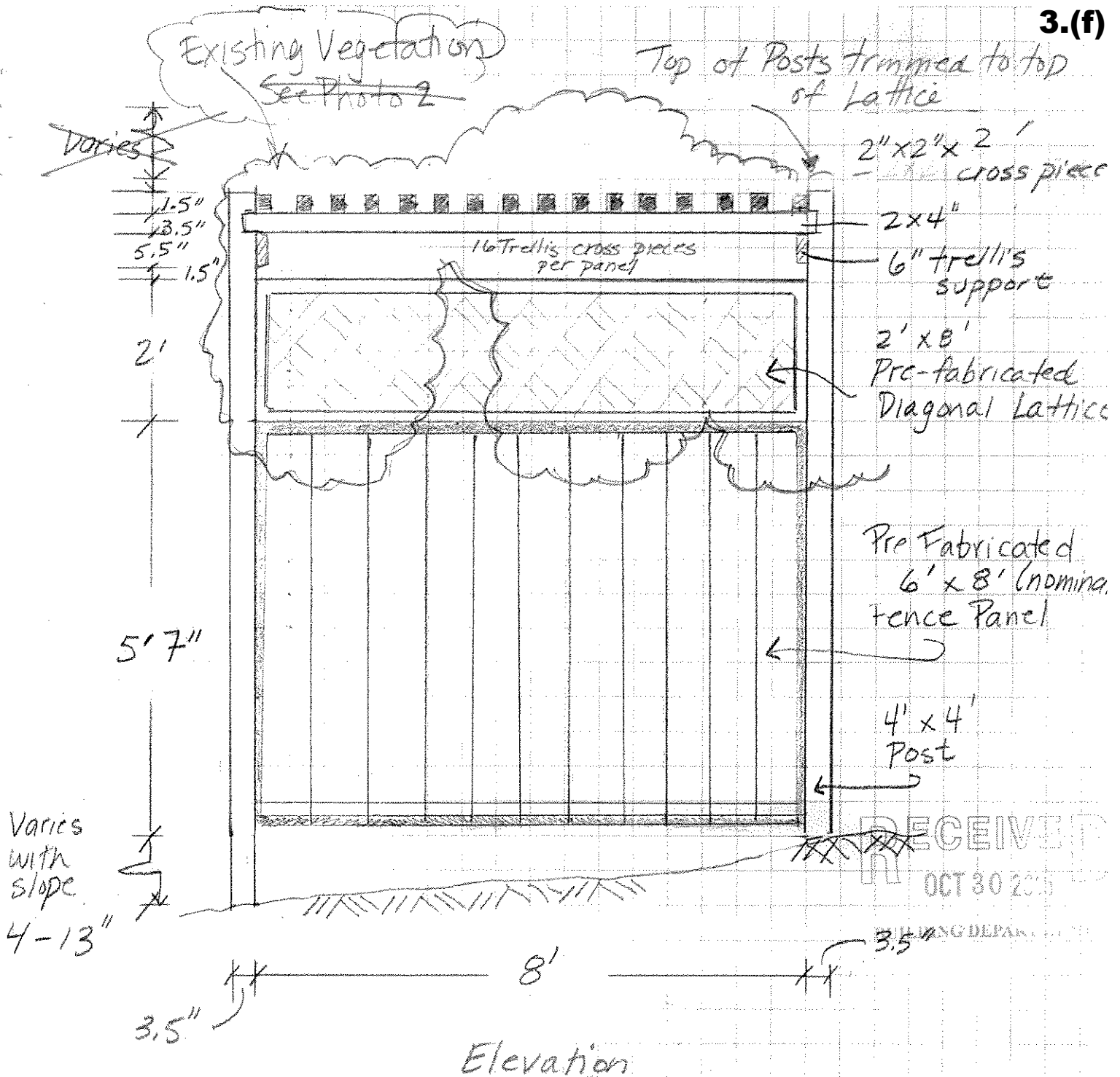


Not: Please See Photo 1  
and Covering Letter

Scale  
1" = 20' PAGE 1 of 8







Existing Typical Fence Panel, Lattice  
Trellis and Posts  
Four Panels - Subject of Variance Application

5724 Eglinton St Drawing 2-B

Revised May 22, 2015  
Revised Oct. 30, 2015

Scale  
1" = 2'

PAGE 2 of 2

0 1' 2'

RECEIVED

OCT 30 2015

BUILDING DEPARTMENT

Elev

112.6

Panel 5

Panel 6  
See Drug 6

Panel 4 Constructed 2008  
See Drug 2-B

Existing Vegetation  
~~See Photo 2~~

Existing

Garden,  
Planted 2008

Drawing 7

Panel 5 and 4

5924 Eglinton St

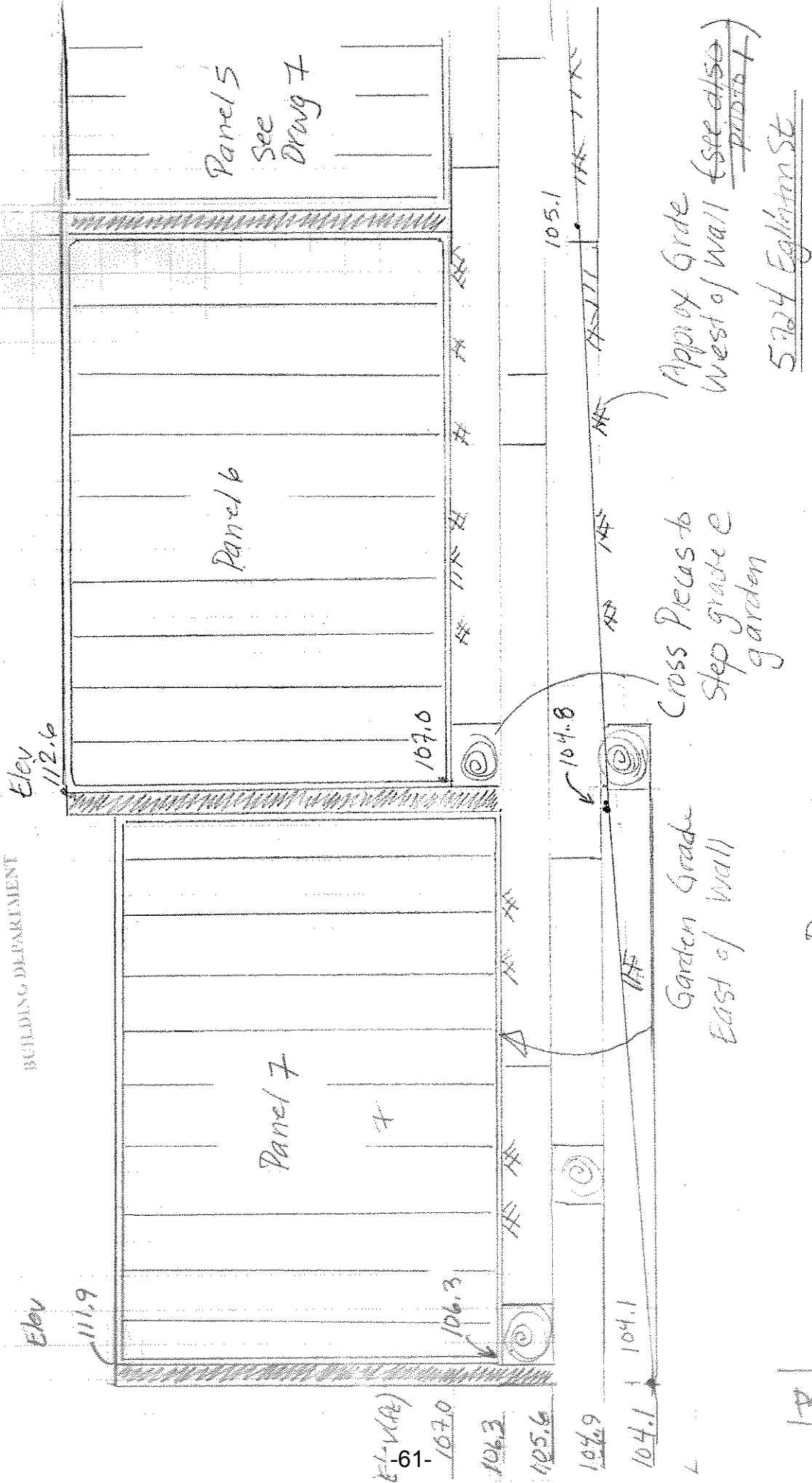
PAGE 3 OF 8

3.(f)



RECEIVED  
OCT 30 2015

BUILDING DEPARTMENT



Drawing 6

Panels 7 and 6

See Dwg 6

Panel 7

Panel 8

Elev 111.2

105.6

Approx Grade

West of wall

(see also photo)

and cover letter

Cross

pieces to

step grade

@ garden

Garden

Grade

East of wall

Panel 9

Pie-fab panel

see Drawing

2

104.9

103.5

Panel 10 See Dwg 4

Elev 110.5

BUILDING DEPARTMENT

RECEIVED  
OCT 30 2015

Elev (ft)

107.0

106.3

105.6

-62-

104.9

104.2

103.5

102.8

102.1

101.4

100.7

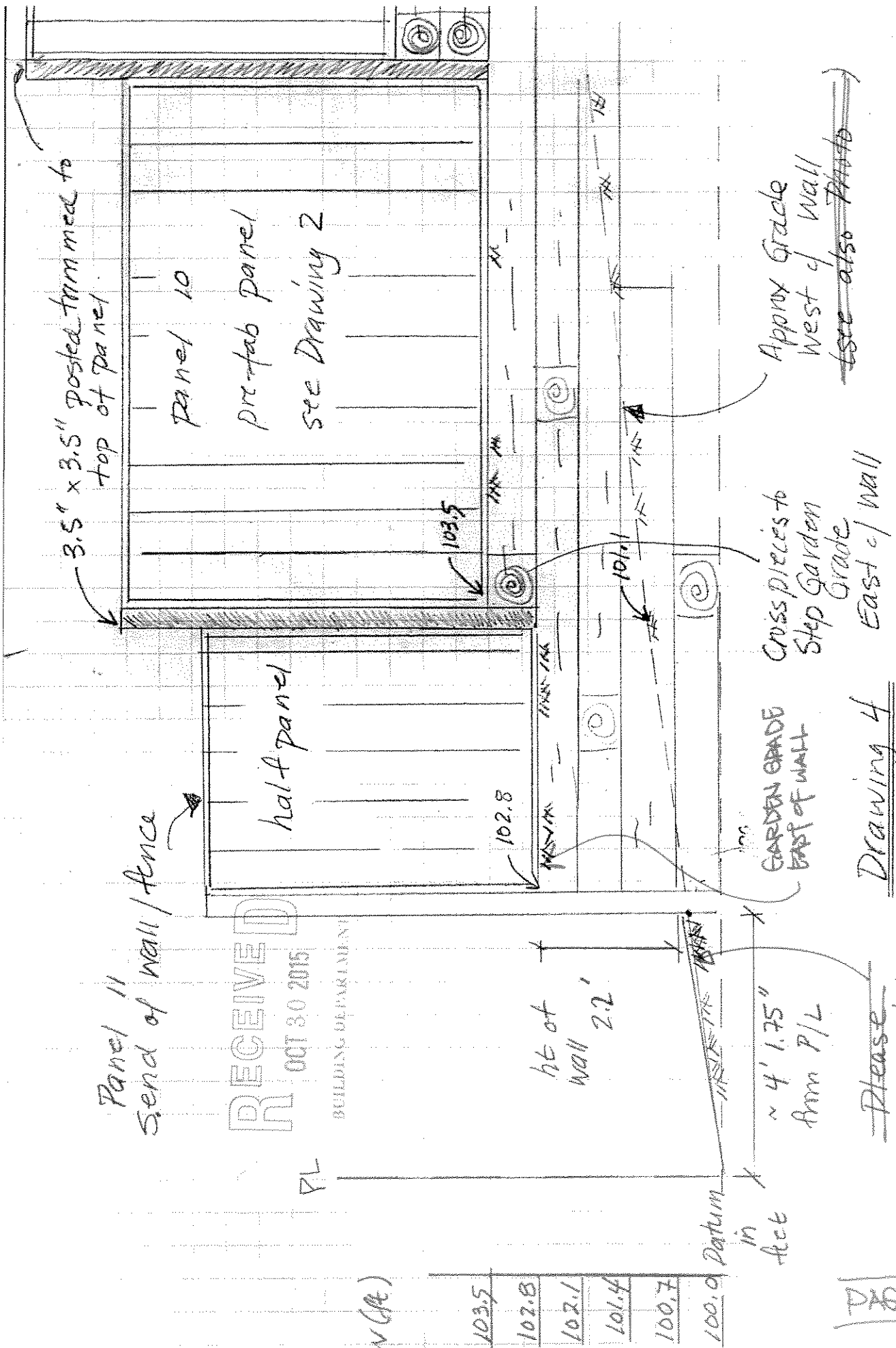
100.0

Drawing 5

Panels 9 and 8

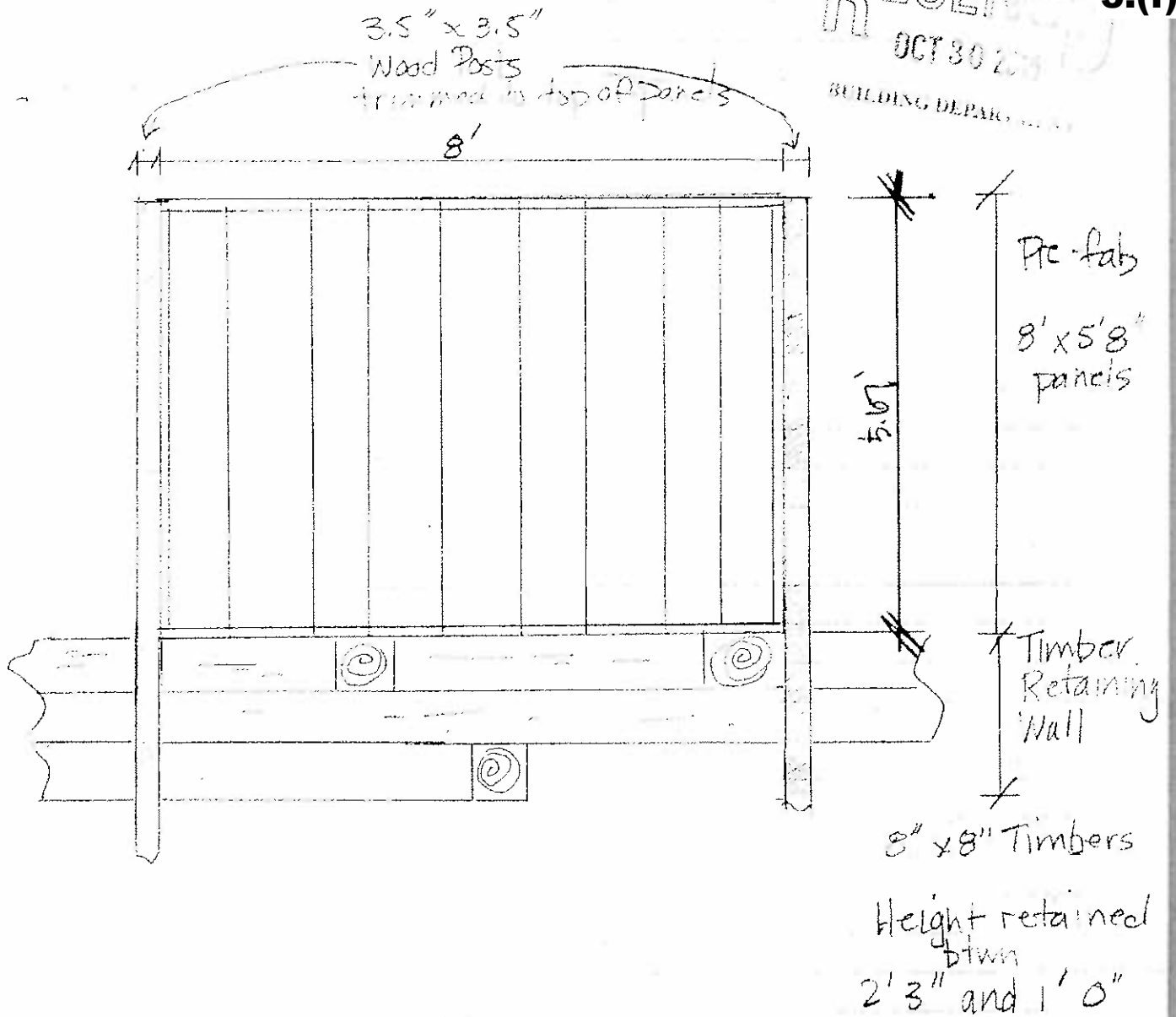
5224 Eglinton St

NOT 5 of 8



Elev (ft)

103.5
102.8
102.1
101.4
100.7
100.0 Datum



Elevation

Typical Fence Panel

Timber Retaining Wall

5724 Eglinton St Drawing 2

Oct. 30, 2015

Scale  
1" = 2'

PAGE 7 of 8



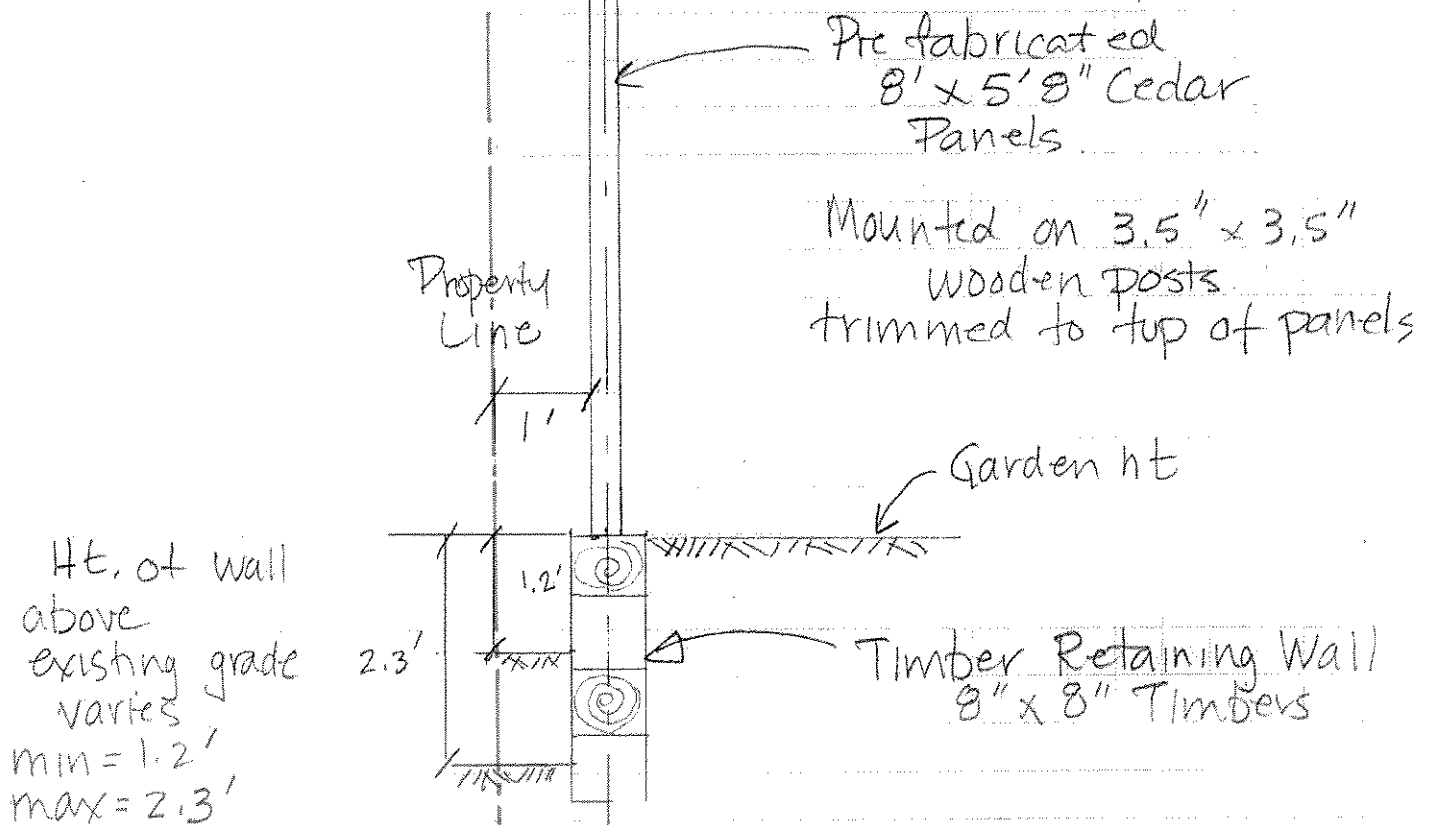
RECEIVED  
OCT 30 2015

BUILDING DEPARTMENT

5714 Eglinton St

E

5724 Eglinton



X-Section - Fence and Retaining Wall  
Looking N

5724 Eglinton St - Drawing 3

PAGE 8 of 8

