

#### **BOARD OF VARIANCE**

## NOTICE OF OPEN MEETING

DATE: THURSDAY, 2016 DECEMBER 01

TIME: 6:00 PM

PLACE: COUNCIL CHAMBER, MAIN FLOOR, CITY HALL

# AGENDA

1. **CALL TO ORDER** 

2. **MINUTES** 

> Minutes of the Board of Variance Hearing held on 2016 November 03 (a)

3. **APPEAL APPLICATIONS** 

> B.V. 6251 6:00 p.m. (a) APPEAL NUMBER:

> > APPELLANT: Chloe Lee

REGISTERED OWNER OF PROPERTY: Bin Liu

CIVIC ADDRESS OF PROPERTY: 7416 17th Avenue

LEGAL DESCRIPTION OF PROPERTY: Lot 3; DL30; Plan 3036

APPEAL: An appeal for the relaxation of Section 105.11 of the Burnaby Zoning Bylaw which, if permitted, would allow for the construction of a new single family home with attached garage at 7416 17th Avenue. The rear yard setback would be 20.71 feet where 24.6 feet is required. All projections into the proposed rear yard will conform to the requirements of Section 6.12. (Zone R5)

(b) <u>APPEAL NUMBER:</u> B.V. 6252 6:00 p.m.

<u>APPELLANT:</u> Gurdeep Sandhar

REGISTERED OWNER OF PROPERTY: Manjit Malhi, Amarjit and Sarabjeet

Lehal, Aneeta Sandhar

CIVIC ADDRESS OF PROPERTY: 4467 Marine Drive

LEGAL DESCRIPTION OF PROPERTY: Lot 2; DL 157; Plan 12963

APPEAL: An appeal for the relaxation of Section 102.8(1) of the Burnaby Zoning

Bylaw which, if permitted, would allow for the construction of a new single family home with secondary suite and attached garage at 4467 Marine Drive. The front yard setback would be 81.56 feet where a minimum front yard setback of 93.87 feet is required based on front yard

averaging. (Zone R2)

(c) <u>APPEAL NUMBER:</u> B.V. 6253 6:15 p.m.

<u>APPELLANT:</u> Beverly Kitasaka and Daniel Piskacek

REGISTERED OWNER OF PROPERTY: Beverly Kitasaka and Daniel Piskacek

CIVIC ADDRESS OF PROPERTY: 5469 Keith Street

LEGAL DESCRIPTION OF PROPERTY: Lot N; DL 158; Plan 14508

APPEAL: An appeal for the relaxation of Section 102.8(1) of the Burnaby Zoning

Bylaw which, if permitted, would allow for the construction of a new family home with detached garage at 5469 Keith Street. The front yard setback would be 28.09 feet where a front yard setback of 33.09 feet is

required based on front yard averaging. (Zone R2)

(d) APPEAL NUMBER: B.V. 6254 6:15 p.m.

APPELLANT: David Song

REGISTERED OWNER OF PROPERTY: S Jala Investments LTD

CIVIC ADDRESS OF PROPERTY: 8580 Gilley Avenue

LEGAL DESCRIPTION OF PROPERTY: Lot 12; DL 159; Plan 2-14

APPEAL: An appeal for the relaxation of Sections 102.8(1) and 102.7(b) of the Burnaby zoning Bylaw which, if permitted would allow for the construction of a new single family home with attached garage at 8580 Gilley Avenue. The following variances are being requested:

- a) a front yard setback from Byrne Road of 69.10 feet where 104.25 feet is required based on front yard averaging; and,
- b) the depth of the principal building would be 61.0 feet where a maximum permitted depth of 60.0 feet is permitted. The sundeck would extend 3.94 feet beyond the building. (Zone R2)

#### B.V. 6255 6:30 p.m. (e) **APPEAL NUMBER:**

Boni Maddison Architects APPELLANT:

REGISTERED OWNER OF PROPERTY: Tinny Jones

7729 and 7731 Rosewood Street CIVIC ADDRESS OF PROPERTY:

LEGAL DESCRIPTION OF PROPERTY: Lot 4; DL 90; Plan 13173

APPEAL: An appeal for the relaxation of Section 105.7(2)(c) of the Burnaby Zoning Bylaw which, if permitted, would allow for the construction of a new two family dwelling with detached garage at 7729 and 7731 Rosewood Street. The following variances are being requested:

- a) the height of the principal building, measured from the rear average elevation, would be 24.79 feet where a maximum height of 20.0 feet is permitted; and,
- b) the height of the principal building, measured from the front average elevation, would be 22.04 feet where a maximum height of 20.0 feet is permitted. (Zone R5)

#### (f) APPEAL NUMBER: B.V. 6256 WITHDRAWN

APPELLANT: Harb Mann

REGISTERED OWNER OF PROPERTY: Jack and Pauline Chan

CIVIC ADDRESS OF PROPERTY: 8462 Royal Oak Avenue

LEGAL DESCRIPTION OF PROPERTY: Lot 18; DL 158; Plan 1489

(g) <u>APPEAL NUMBER:</u> B.V. 6257 WITHDRAWN

APPELLANT: Adrian Botez

REGISTERED OWNER OF PROPERTY: Adrian and Victoria Botez

CIVIC ADDRESS OF PROPERTY: 4610 Marine Drive

LEGAL DESCRIPTION OF PROPERTY: Lot 110; DL 157; Plan 26519

(h) <u>APPEAL NUMBER:</u> B.V. 6258 7:00 p.m.

APPELLANT: Rob Hsu

REGISTERED OWNER OF PROPERTY: Ying On

CIVIC ADDRESS OF PROPERTY: 395 Glynde Avenue North

LEGAL DESCRIPTION OF PROPERTY: Lot 16; DL 189; Plan 4953

APPEAL: An appeal for the relaxation of Section 102.6(1)(b) of the Burnaby Zoning Bylaw which, if permitted, would allow for the construction of a new single family home with attached garage at 395 Glynde Avenue North. The following variances are being requested:

- a) the principal building height, measured from the rear average elevation, would be 33.5 feet where a maximum height of 24.3 feet is permitted; and,
- b) the principal building height, measured from the front average elevation, would be 25.86 feet where a maximum building height of 24.3 feet is permitted. (Zone R2)

#### (i) <u>APPEAL NUMBER:</u> B.V. 6259 7:00 p.m.

APPELLANT: Raffaele and Associates

REGISTERED OWNER OF PROPERTY: Mela Properties LTD

CIVIC ADDRESS OF PROPERTY: 7774 Government Road

LEGAL DESCRIPTION OF PROPERTY: Lot 54; DL 42; Plan 26832

APPEAL: An appeal for the relaxation of Section 101.8 of the Burnaby Zoning Bylaw which, if permitted, would allow for the construction of a new

single family home at 7774 Government Road. The front yard setback would be 43.81 feet where a minimum front yard setback of 114.5 feet is required based on front yard averaging. (Zone R1)

Although the requested variance to the front yard setback is the same as the requested variance to the front yard setback in the 2016 November 03 appeal, the design form proposed in this appeal has been altered, as compared to the design form proposed in the 2016 November 03 appeal.

A previous Board of Variance appeal (BOV 6246, 2016 October 06) seeking a front yard setback of 29.53 feet was denied.

A previous Board of Variance appeal (BOV 6250, 2016 November 03) seeking a front yard setback of 43.81 feet was denied.

#### 4. <u>NEW BUSINESS</u>

#### 5. <u>ADJOURNMENT</u>



#### 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, 2016 November 03 at 6:00 PM

#### 1. CALL TO ORDER

The Chair for the Board of Variance called the meeting to order at 6:00 p.m.

PRESENT: Ms. Charlene Richter, Chair

Mr. Guyle Clark, Citizen Representative Mr. Rana Dhatt, Citizen Representative Mr. Stephen Nemeth, Citizen Representative Mr. Brian Pound, Citizen Representative

STAFF: Ms. Margaret Malysz, Planning Department Representative

Ms. Joy Adam, Planning Department Representative

Ms. Eva Prior, Administrative Officer

The Chair for the Board of Variance called the meeting to order at 6:05 p.m.

#### 2. MINUTES

(a) Minutes of the Board of Variance Hearing held on 2016 October 06

MOVED BY MR. POUND SECONDED BY MR. CLARK

THAT the minutes of the Burnaby Board of Variance Hearing held on 2016 October 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. 6247

**APPELLANT**: Mikhail Serov

REGISTERED OWNER OF PROPERTY: Mikhail Serov

CIVIC ADDRESS OF PROPERTY: 35 Ellesmere Avenue

LEGAL DESCRIPTION OF PROPERTY: Lot 26; DL 189; 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 the construction of a new single family home with a detached garage at 35 Ellesmere Avenue. The principal building height, measured from the front average elevation, would be 25.1 feet where the maximum building height of 24.3 feet is permitted. The principal building height, measured from the rear average elevation, would be 21.7 feet. (Zone-R5)

#### APPELLANT'S SUBMISSION

Mikhail Serov submitted an application requesting a relaxation of the zoning bylaw to allow for construction of a new home with a detached garage.

Mr. Serov appeared before members of the Board of Variance.

#### 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 the single and two family dwellings vary. This interior lot, approximately 33.0 ft. wide and 122.0 ft. deep, fronts Ellesmere Avenue to the east. The subject property abuts single family dwellings immediately to the north, south and across the lane to the west. Vehicle access to the site is provided via the rear lane. The site observes a downward slope of approximately 18.5 ft. from the front to the rear.

A new single family dwelling with a detached garage is currently under construction on the subject site (BLD16-00090). However, once the construction reached the midstage (sheathing), a deviation from the approved plans was identified by City staff upon inspection of the BC Land Surveyor's roof elevation certificate. As a result, a variance is requested in order to permit construction to continue with the deviation incorporated into the approved plans.

The appeal is to vary Section 105.6(1)(b) – "Height of Principal Building" of the Zoning Bylaw from 24.3 ft. to 25.1 ft. to allow the construction of the proposed single family dwelling with a flat roof.

The intent of the height requirements of the Zoning Bylaw is to mitigate the massing impacts of the new buildings and structures on neighbouring properties and to preserve the views.

As explained by the applicant, the deviation from the approved drawings is related to the direction of the roof scope, which was modified during the preparation of the shop drawings for roof trusses. Original approved drawings indicate that the roof was to slope one way over its shorter dimension. The roof trussed was fabricated, however, to allow for a two way slope with the roof high point in the middle of its longer dimension. As a result, the overall building height was increased by 10 inches.

The proposed dwelling observes a rear elevation height of 21.7 ft. from the lane property line, which is 2.6 ft. less than the allowed maximum height. Therefore, this proposal would not affect the views from the properties directly across the lane to the west, which are at substantially higher elevations.

The requested variance is for the front elevation height. In this case, the height calculation is based on the natural average grade at the outermost face of the front elevation. This is also the proposed average grade. It should be noted that a substantial grade difference from the rear to the front of the subject site is a contributing factor to the excess height of the front elevation.

The proposed height encroachment of 0.8 ft. occurs approximately at the upper portion of the decorative fascia of the flat roof. According to the provided BC Land Surveyor's roof elevation certificate, the encroachment along the eastern (front) edge of the roof is only 0.3 ft. and gradually increases to 0.8 ft. at the mid-point of the roof, approximately 23.0 ft. away from the front face of the building.

Considering the small scale of the encroachment, the proposed variance to the height requirements of the Zoning Bylaw would not impact neighbouring properties and would not be noticeable within the existing street frontage.

In view of the above, this Department does not object to the granting of this variance.

#### ADJACENT OWNER'S COMMENTS

The owner/resident at 42 Howard Avenue appeared in opposition to the proposed variance. The speaker expressed concern regarding the loss of view.

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The owner/resident at 46 Howard Avenue appeared in opposition to the proposed variance. The speaker expressed concern regarding the loss of view.

Staff explained that the permitted height is 24.3 feet and that the variance would be for a further 0.8 feet, only at the midpoint of the roof.

MOVED BY MR. POUND SECONDED BY MR. NEMETH

THAT based on the plans submitted this appeal be ALLOWED.

CARRIED UNANIMOUSLY

#### **B.V. 6248** (b) **APPEAL NUMBER:**

APPELLANT: TQ Construction

REGISTERED OWNER OF PROPERTY: Siaw Min Pui

CIVIC ADDRESS OF PROPERTY: 7267 Broadway

LEGAL DESCRIPTION OF PROPERTY: Lot 90; DL 136; Plan NWP28307

APPEAL: An appeal for the relaxation of Section 102.8(1) of the Burnaby Zoning Bylaw which, if permitted, would allow for the construction of a new single family home at 7267 Broadway. The front yard setback would be 70.0 feet where a minimum setback of 97.4 feet is required based on front yard averaging. (Zone R2)

#### APPELLANT'S SUBMISSION

Ellen Liu and Jaime Miller, TQ Construction, submitted an application on behalf of the homeowner requesting a relaxation of the zoning bylaw to allow for construction of a new home with a detached garage.

TQ Construction and Siaw Min Pui, homeowner appeared before members of the Board of Variance.

#### BURNABY PLANNING AND BUILDING DEPARTMENT COMMENTS

The subject site, zoned R2 Residential District, is located in the Sperling-Broadway neighbourhood in which the age and condition of single family dwellings vary. This slightly irregular interior lot, approximately 100.0 ft. wide by 173.0 ft. deep (along the shorter east side property line), fronts onto Broadway to the south. The subject site abuts single family dwellings to the east. To the west and north the subject site is bordered by a large panhandle lot. This lot consists of the panhandle portion to the south, which runs immediately along the west (side) property line of the subject lot, and

the remaining portion, which is immediately north of the subject lot. This northern portion contains a residential dwelling and has a frontage onto Dorman Drive further to the north. Further to the west of the subject site is a vacant residential lot. Vehicular access to the subject site is proposed from Government Road; there is no lane access. The subject property observes a downward slope of approximately 17.2 ft. from the northeast corner to the southwest corner.

The subject lot is proposed to be re-developed with a new single family dwelling, with an attached carport and a small accessory building, for which a variance has been requested.

The appeal proposes the relaxation of Section 102.8 (1) – "Front Yard" of the Burnaby Zoning Bylaw from 97.4 ft. (based on front yard averaging) to 70.0 ft. The purpose of this variance is to allow construction of the proposed single family dwelling encroaching into the required front yard abutting Broadway. Section 6.12 – "Yards" of the Zoning Bylaw allowing specific projections into the front yard will also be applicable.

In 1991, Council responded to the public concerns with respect to the bulk and massing of the newer and larger homes that were built in the established neighbourhoods. Several text amendments to the Zoning Bylaw were made to address these concerns, including the requirement of a larger front yard where the average front yard depth of the two dwellings on either side of the subject site exceeds the required front yard applicable to the zone. The larger front yard requirement should be calculated through the "front yard averaging". The intent of the amendment was to improve the consistency and harmony of the new construction with the existing neighbourhood.

To calculate the required front yard of the subject property (front yard averaging), the front yard of the two neighbouring properties immediately west of the subject site, at 7243 Broadway and 2322 Dorman Drive, and the two neighbouring properties immediately east of the subject site, at 7279 and 7291 Broadway, were calculated. These front yards are 24.6 ft. (the minimum front yard setback assumed for the vacant lot) and 24.6 ft. (the minimum front yard setback assumed for the vacant "panhandle" portion of the lot) for the properties to the west and 33.1 ft. and 306.0 ft. for the properties to the east, respectively. The neighbouring property at 7291 Broadway (second to the east) affects these calculations. The average of the neighbouring properties' front yards is 97.4 ft.

The subject dwelling is proposed to be one storey in height. The proposed front yard of the subject property is measured to the central portion of the front elevation, which is the closest face of the building with respect to the front property line. The body of the dwelling would observe various setbacks from this central portion, up to 6.08 ft. at the southwest corner and up to 16.33 ft. at the southeast corner (open carport), resulting in a setback of at least 78.0 ft. and 84.0 ft., respectively, from these corners to the front property line.

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It appears that the proposed front yard setback would have a little impact on the immediately adjacent neighbouring properties and the neighbouring context. The proposed siting would locate the subject dwelling 36.9 ft. behind the neighbouring dwelling to the east. The panhandle portion of the neighbouring lot to the west of the subject site and the neighbouring lot further west is currently undeveloped.

The proposed front yard has minimal impact on the existing streetscape as the neighbouring properties' front yards in the block vary significantly. In general, a number of residences observe a front yard setback in the 40.0 ft. range and fewer residences observe larger front yard setbacks, up to 306.0 ft. at the second lot to the east of the subject lot. Therefore, the proposed front yard setback for the subject dwelling would not be out of character for the existing neighbourhood streetscape.

In view of the above, this Department does not object to the granting of this variance.

#### ADJACENT OWNER'S COMMENTS

Form letters in support of the variance were received from the owners/residents at 7223, 7377, 7582, 7584 Broadway and 2322 Dorman Drive.

MOVED BY MR. NEMETH SECONDED BY MR. POUND

THAT based on the plans submitted this appeal be ALLOWED.

CARRIED UNANIMOUSLY

#### (c) <u>APPEAL NUMBER:</u> B.V. 6249

APPELLANT: Victoreric Design Group

REGISTERED OWNER OF PROPERTY: Ky Hoang and Toya Soo

CIVIC ADDRESS OF PROPERTY: 5105 Hardwick Street

LEGAL DESCRIPTION OF PROPERTY: Lot 104; DL 74; Plan NWP33374

APPEAL:

An appeal for the relaxation of Sections 6.3.1 and 103.8 of the Burnaby Zoning Bylaw which, if permitted, would allow for the construction of a new single family home at 5105 Hardwick Street. The following variances were requested:

- a) the distance between the principal building and a detached garage of 7.9 feet where a minimum distance of 14.8 feet is required; and,
- b) the front yard setback of 24.03 feet where a minimum setback of 33.22 feet is required based on front yard averaging. (Zone R3)

#### APPELLANT'S SUBMISSION

Eric Lee, VictorEric Design Group, on behalf on the homeowners, submitted an application requesting a relaxation of the zoning bylaw to allow for construction of a new home.

Eric Lee and Ky Hoang appeared before members of the Board of Variance.

#### BURNABY PLANNING AND BUILDING DEPARTMENT COMMENTS

The subject site is located in the Douglas-Gilpin area, in a mature single family neighbourhood. The site is zoned R3 Residential District, which is intended to preserve the minimum density of development in mature single family areas. This interior lot measures approximately 54.9 ft. in width and 105.0 ft. in depth. The subject site fronts onto the north side of Hardwick Street. Single family dwellings abut the subject site to the west, east and across the lane to the north. Vehicular access to the subject site is proposed to be relocated from Hardwick Street to the rear lane. The site observes a downward slope of approximately 7.0 ft. in the southeast - northwest direction.

A new single family dwelling with a detached garage is proposed for the subject site, for which two variances have been requested.

The first a) appeal proposes the relaxation of Section 6.3.1 – "Distance between Buildings on the same Lot" of the Zoning Bylaw to allow the construction of a new single family dwelling and detached garage. The proposed distance between the detached garage and the principal building is 7.9 ft., where a minimum distance of 14.8 ft. is required.

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

The proposed 23.0 ft. wide by 19.42 ft. deep detached garage would be located in the northeast corner of the site, in the rear yard. The garage would observe a 3.94 ft. setback from the rear lane, which is the minimum setback required from the lane, and a 6.39 ft. setback from the east side property line, where a setback from the side lot line need not to be provided. The Bylaw permits a nil side yard setback when an accessory building is situated within the rear 29.53 ft. of the lot, and not less than 70.54 ft. from the street on which the principal building fronts. In this case, the accessory detached garage would be within the rear 25.23 ft. of the lot and 79.77 ft. away from Hardwick Street.

The principal dwelling, with an approximately 41.67 ft. wide by 49.86 ft. deep footprint, would be sited in the middle and slightly to the south of the lot. The footprint includes a 20.08 ft. wide and 7.54 ft. deep covered deck proposed at the northwest (rear) corner

of the dwelling. The building would observe side yard setbacks of 6.82 ft. (west) and 6.38 ft. (east), where the minimum side yard setback of 4.9 ft. is required for a principal building.

The distance between the two structures is measured from the south elevation of the accessory detached garage, to the post of the rear porch attached to the north elevation of the principal building. The detached garage would overlap the principal building with its full width. However, the length of the overlap where the separation between two structures is compromised, at the rear deck, would be only 1.67 ft. Otherwise; the distance between two structures would be 15.44 ft., which exceeds the required minimum (14.8 ft.). Given this relatively small overlap area, the reduced separation between the two structures would have few impacts on the interior of the dwelling. Further, considering that the compromised distance between the two structures would occur in the middle of the subject lot, rather than close to the side property lines, this relaxation would have little massing impact on adjacent properties to the west and east of the subject site.

With respect to outdoor living space, this appeal would not significantly reduce the green area available on this site. In addition to the outdoor living area, of approximately 400 sq. ft., remaining between the principal building and the detached garage, there would be a larger green area of approximately 800 sq. ft. available in the rear yard, to the west of the proposed detached garage. As such, the requested relaxation would have little impact on the occupants/users of the subject site.

In summary, considering the small scale and confined nature of the requested variance, this relaxation would not create negative massing impacts on the neighbouring sites and the subject site. Although there is some room for an adjustment with respect to the siting of the two structures in relation to the side yards, limited design options exist, considering in particular the shallow depth of the site.

In view of the above, this Department does not object to the granting of the first a) variance.

This second b) appeal proposes the relaxation of Section 103.8 – "Front Yard" of the Burnaby Zoning Bylaw from 33.22 ft. (based on front yard averaging) to 24.03 ft. The purpose of this variance is to allow construction of the proposed single family dwelling encroaching into the required front yard abutting the Hardwick Street. Section 6.12 – "Yards" of the Zoning Bylaw allowing specific projections into the front yard will also be applicable.

In 1991, Council responded to the public concerns with respect to the bulk and massing of the newer and larger homes that were built in the established neighbourhoods. Several text amendments to the Zoning Bylaw were made to address these concerns, including requirement of a larger front yard where the average front yard depth of the two dwellings on either side of the subject site exceeds the required front yard applicable to the zone. The larger front yard requirement should be

calculated through the "front yard averaging". The intent of the amendment was to improve the consistency and harmony of the new construction with the existing neighbourhood.

To calculate the required front yard of the subject property (front yard averaging), the front yard of the two neighbouring properties immediately west of the subject site, at 5075 and 5085 Hardwick Street, and the two neighbouring properties immediately east of the subject site, at 5115 and 5125 Hardwick Street, were calculated. These front yards are 40.74 ft. and 47.79 ft. for the properties to the west and 24.08 ft. and 20.28 ft. for the properties to the east, respectively. The neighbouring properties' average front yards, measured from the front property line to the outermost section of the building, is 33.22 ft.

The proposed front yard of the subject property is measured to the posts of the front porch of the proposed dwelling as 24.03 ft. The partly recessed porch would be located in the center of the front elevation. The main body of the dwelling would observe various setbacks from the front porch post, up to 7.00 ft. at the southwest corner (excluding a 10.0 ft. wide and 1.87 ft. deep bay window) and up to 1.22 ft. at the southeast corner (excluding a 9.0 ft. wide and 1.87 ft. deep bay window), resulting in a setback of 31.03 ft. and 25.25 ft., respectively, from these corners to the front property line. The upper floor would be further set back, by approximately 4.0 ft., at its southwest portion in relation to the front porch posts.

According to the proposed front yard, the proposed dwelling would be located essentially in line with the neighboring residence to the east, or 1.27 ft. behind, if the southeast corner of the dwelling is considered. With respect to the neighbouring dwelling to the west, the proposed dwelling would be 23.76 ft. in front of this neighbouring dwelling, or 16.76 ft., if the southwest corner of the dwelling is considered. However, considering the required front yard setback (33.22 ft.), the length of the front yard encroachment, if the southwest corner of the proposed dwelling is considered, would be only 2.19 ft. The western portion of the upper floor, which is proposed to be further set back on this side (4.0 ft.), would not encroach into the required front yard. Considering these various building setbacks, it appears that only a small portion of the proposed dwelling would directly affect the neighbouring property to the west.

Further, it is noted that the current dwelling on the subject site observes a front yard setback of approximately 22.0 ft., as measured to the carport attached in the front. Therefore, this proposal would not change the existing massing relation with the neighbouring sites with respect to the front yard setback.

With respect to the neighbourhood context, the proposed front yard has a minimal impact, as the neighbouring properties' front yards in the block vary, from approximately the 40.0 ft. - 50.0 ft. range to the west of the subject site (nine lots out of eleven lots in total) to approximately the 20.0 ft. - 25.0 ft. range to the east of the subject site (six lots including the subject lot). Further, the proposed design provides

for transitioning between deeper front yards to the west and shallower front yards to the east of the subject site. Therefore, the proposed siting of the subject dwelling would fit within the existing streetscape.

In view of the above, this Department does not object the granting of this second b) variance.

#### ADJACENT OWNER'S COMMENTS

A letter was received from owners/occupants of 5125 Hardwick Street in opposition to the proposed variances.

No further submissions were received regarding this appeal.

#### MOVED BY MR. CLARK SECONDED BY MR. NEMETH

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

CARRIED UNANIMOUSLY

#### MOVED BY MR. CLARK SECONDED BY MR. DHATT

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

CARRIED UNANIMOUSLY

#### (d) APPEAL NUMBER: B.V. 6250

APPELLANT: Raffaele and Associates

REGISTERED OWNER OF PROPERTY: Mela Properties

CIVIC ADDRESS OF PROPERTY: 7774 Government Road

<u>LEGAL DESCRIPTION OF PROPERTY:</u> Lot 54; DL 42; Plan NWP26832

APPEAL: An appeal for the relaxation of Section 101.8 of the Burnaby Zoning

Bylaw which, if permitted, would allow for the construction of a new single family home at 7774 Government Road. The front yard setback would be 43.81 feet where a minimum setback of 114.5 feet is required

based on front yard averaging. (Zone R1)

A previous Board of Variance (BOV 6246, 2016 October 06) denied an appeal requesting the front yard setback of 29.53 feet.

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Prior to the commencement of this appeal a 15 minute recess was requested to allow the Board members an opportunity to review a submission received prior to the hearing.

MOVED BY MR. POUND SECONDED BY MR. CLARK

THAT the Board of Variance Hearing recess until 7:00 p.m.

CARRIED UNANIMOUSLY

The Board of Variance recessed at 6:45 p.m.

MOVED BY MR. POUND SECONDED BY MR. CLARK

THAT the Board of Variance Hearing reconvenes.

CARRIED UNANIMOUSLY

The Board of Variance reconvened at 7:05 p.m.

#### APPELLANT'S SUBMISSION

Raffaele and Associates submitted an application, on behalf of the homeowners, requesting a relaxation of the zoning bylaw to allow for construction of a new home.

Mayumi Hasegawa and Trevor Toy, Raffaele and Associates, and homeowners appeared before members of the Board of Variance.

#### **BURNABY PLANNING AND BUILDING DEPARTMENT COMMENTS**

This property was the subject of an appeal before the Board on 2016 October 06 (BV 6246). A variance was sought to allow for the construction of a new single family dwelling, with a secondary suite and an attached garage, observing a front yard setback of 29.53 ft. where a minimum front yard setback of 114.5 ft. (based on front yard averaging) is required at the Government Road frontage. The appeal was denied by the Board of Variance.

Subsequently, in response to the concerns raised by the neighbours at the hearing, the applicant has revised the proposal. The revised proposal relocates the principal building 14.28 ft. further away from the front property line, which results in the 43.81 ft. front yard setback. The relocation of the proposed dwelling to the rear of the lot is achieved by "slicing off" a portion of the southwest corner of the dwelling, in order to accommodate the angled portion of the environmental setback required along the west

side property line, which results in approximately the 146.7 sq. ft. reduction in gross floor area. Further, the overall building depth is proposed to be reduced from 60.0 ft. to 54.83 ft., by decreasing the front porch depth (from 6.83 ft. to 4.0 ft.) and by eliminating the rear patio roof cover (2.33 ft. deep). Finally, the concrete stair access to the cellar and the slightly raised concrete patio (approximately 9.0 ft. deep) to the rear of the dwelling, which were indicated in the previous appeal, are no longer proposed.

The revised front yard setback is an improvement to the previously proposed setback. Therefore, this Department's comments remain similar to the comments provided for the 2016 October 06 appeal.

As a reminder, the subject site, zoned R1 Residential District, is located in the Government Road neighbourhood in which the age and condition of single family dwellings vary. This interior lot, approximately 100.0 ft. wide and 155.09 ft. deep, fronts onto Government Road to the north. The subject site abuts single family residential lots to the east and south and further west. Vehicular access to the subject site is proposed to be retained from Government Road; there is no lane access. The subject property observes a downward slope of approximately 11.2 ft. from the northeast corner to the southwest corner, which contains the Eagle Creek ravine.

Eagle Creek, a Class A fish bearing stream, runs in close vicinity to the southwest (rear) portion of the subject site. As such, this proposal is subject to the Streamside Protection and Enhancement Area (SPEA) regulation provided in Section 6.23 of the Zoning Bylaw. This bylaw reflects the City's long standing policies for protecting the environment and protecting and enhancing open streams and fish habitat in the City. For this segment of Eagle Creek, in relation to the subject lot, a 30 meter SPEA, measured from the top of bank, is required. In cases where the full Bylaw-required SPEA makes development of the lot unfeasible, an application to vary the SPEA can be made to the Environmental Review Committee (ERC). The ERC makes recommendations to the Director of Planning and Building who has the authority to vary the boundaries of the SPEA. Any variance must also ensure compliance with federal and provincial regulations for fish habitat.

In April 2016, the Environmental Review Committee (ERC) supported the application to vary the SPEA from 98.4 ft. (30.0 m) to a variable setback, ranging from 49.2 ft. (15.0 m) to 75.5 ft. (23.0 m) consistent with the "SPEA Protection Zone" at the southwest (rear) portion of the subject site. The width of the variable setback was determined by a Qualified Environmental Professional (QEP) and is the minimum distance possible for this reach of Eagle Creek to also ensure compliance with provincial regulations. The requested variance was approved by the ERC/Director, subject to the following conditions: 1) permanent fencing and enhancement of the SPEA with native plantings, 2) provision of a 26.3 ft. (8.0 m) meter wide space for formal rear yard, measured from the south boundary of the "potential development area" (since the SPEA is no longer available for typical rear yard uses) and 3) registration of a restrictive covenant protecting the SPEA and formal rear yard.

The registration of the covenant is now in progress. In addition, a Greater Vancouver Sewerage and Drainage District (GVS&DD) easement, which generally follows the creek alignment, occupies the southwest corner of the subject lot.

Location of the above mentioned covenants and easement would result in an approximately 55.82 ft. (17.01 m) deep "no built" zone along the rear property line which would significantly restrict the developable area within the property. In this context and considering the required averaged front yard (114.5 ft.), no developable area would be available on the subject site.

This appeal proposes the relaxation of Section 101.8 – "Front Yard" of the Burnaby Zoning Bylaw from 114.5 ft. (based on front yard averaging) to 43.81 ft. The purpose of this variance is to allow the construction of a single family dwelling encroaching into the required front yard abutting the Government Road. Section 6.12 – "Yards" of the Zoning Bylaw allowing specific projections into the front yard will also be applicable.

In 1991, Council responded to the public concerns with respect to the bulk and massing of the newer and larger homes that were built in the established neighbourhoods. Several text amendments to the Zoning Bylaw were made to address these concerns, including requirement of a larger front yard where the average front yard depth of the two dwellings on either side of the subject site exceeds the required front yard applicable to the zone. The larger front yard requirement should be calculated through the "front yard averaging". The intent of the amendment was to improve the consistency and harmony of the new construction with the existing neighbourhood.

To calculate the required front yard of the subject property (front yard averaging), the front yard of the two neighbouring properties immediately west of the subject site, at 7732 and 7750 Government Road, and the two neighbouring properties immediately east of the subject site, at 7798 and 7814 Government Road, were calculated. These front yards are 179.6 ft. and 137.0 ft. for the properties to the west and 73.8 ft. and 67.6 ft. for the properties to the east, respectively. All four neighbouring properties affect these calculations, particularly the two lots immediately west of the subject site, which are approximately 307.0 ft. deep (the two lots immediately east of the subject site are approximately 230.0 ft. deep). The neighbouring properties' average front yards, measured from the front property line to the outermost section of the building (none of the buildings has a front porch), calculated as 114.5 ft.

The proposed new front yard of the subject property is measured to the posts of the front porch of the proposed dwelling as 43.81 ft. The porch, which measures 19.18 ft. wide and 4.0 ft. deep (reduced), would be located off center to the east of the front elevation. The main body of the dwelling would observe various setbacks from the front porch post, up to 8.0 ft. at the northeast corner and up to 12.0 ft. at the northwest corner, resulting in a setback of 51.81 ft. and 55.81 ft., respectively, from these corners to the front property line. The upper floor would be generally aligned with the main floor at the front.

According to the new proposed front yard, the proposed dwelling will be located 29.99 ft. further to the north compared to the detached garage on the neighbouring property to the east. This property was recently redeveloped, following a successful appeal to the Board of Variance in August 2011 (BV 5922) with respect to the front yard setback and height of the accessory building (detached garage). According to the Building Permit drawings (BLD 11-01085) the principal building at this property observes a front yard setback of 111.56 ft. Therefore, considering the proposed new front yard setback (43.81 ft.) and the proposed new dwelling depth of 54.83 ft., including the front porch, there would be no direct overlap between the two dwellings. The existing dwelling on the subject site partly overlapped the neighbouring residence to the east (the existing dwelling on the subject site, which is now demolished, observed a front yard setback of 83.8 ft.). Further, since the proposed dwelling features a limited amount of windows at the upper level facing east toward the neighbouring property, the proposed front yard would have minimal impacts on the neighbouring residence to the east. At the hearing however, a concern was raised by the owner of this property with respect to the views from their upper floor balcony, located at the northeast portion of the front (north) elevation. According to the Building Permit drawings (BLD 11-01085) this balcony is located approximately 28.0 ft. away from the shared (west) property line. This generous distance and the additional 9.42 ft. of the side yard setback proposed at the northeast corner of the subject dwelling, would help moderate massing impacts created by the proposed reduced front yard setback.

With respect to the neighbouring property to the west, considering the location of the neighbouring residence at the rear of the property, as well as a complete visual separation provided by the mature greenery of the Eagle Creek tributary area between the two properties, this proposal would have minimal impact on the neighbouring residence to the west.

The proposed front yard has minimal impact on the neighbourhood context, as the neighbouring properties' front yard in the block vary significantly, ranging from approximately 14.8 ft. (third property west of the subject lot) to 179.6 ft. (second property west of the subject lot). Considering the neighbouring block directly opposite the subject area, the neighbouring properties observe generally unified front yard setback in the 80.0 – 85.0 ft. range, with the exception to the two properties at 7709 and 7731 Government Road. Eagle Creek runs through the rear portion of the property at 7709 Government Road (which is a trapezoid shaped lot, approximately 130.0 ft. deep, on average) and through the front portion of the property at 7731 Government Road (which is an irregular lot, approximately 200.0 ft. deep). As a result, there is approximately a 60.0 ft. difference in the depth of these two properties' front yards (these front yards are approximately 38.0 ft. and 98.0 ft., respectively). In this context, the proposed siting of the subject dwelling would not be out of ordinary within the existing streetscape.

Moreover, given the presence of the stream setback and sewer easement on the subject site, the transitioning of the front yard setback forward is suitable for the subject site.

For all of the reasons stated above, as well as considering the efforts made by the applicant to address the comments from the neighbour to the west, this Department does not object to the granting of this variance.

#### ADJACENT OWNER'S COMMENTS

A submission was received on behalf of the owners/occupants of 7798 Government Road in opposition to the proposed variance. The submission advised that the front yard setback variance would affect the use and enjoyment of their home, as well as adversely impacting the area.

The submission also included a letter from the owners/residents of 7798 Government Road citing that the front yard variance would obstruct sunlight into the entrance of their home and create a view of the rear of the prosed home from the balcony of 7798 Government Road. The owners/residents also stated that the proposed plan would devalue properties in the surrounding area.

As part of the submission, form letters in opposition to the front yard variance were included. Letters were received from owners/residents at 7709, 7755, 7785, 7798, 7959, 7969 and 8017 Government Road.

A letter from the owners/residents of 7731 Government Road was received as part of the submission package advising that they are not formally opposed to the variance as they are not directly affected by it, but they supported the concerns voiced by the owners/residents of 7798 Government Road.

Letters in support of the variance were received from 7468, 7478, 7508, 7732, 7750 and 7775 Government Road.

Letters were received both in support and opposition from owners/residents at 7765 Government Road.

The owner/occupant of 2948 Phillips Avenue, appeared before the Board of Variance advising that he is a member of the Burnaby Streamkeepers. The speaker requested that the Streamside Protection and Enhancement Area be maintained on Eagle Creek and that the Burnaby Streamkeepers are ensured access to the creek.

A representative and the owner/occupant for 7798 Government Road appeared in opposition to the appeal advising that the variance would adversely affect the use and enjoyment of their home.

No further submissions were received regarding this appeal.

#### Thursday, 2016 November 03

#### MOVED BY MR. CLARK SECONDED BY MR. NEMETH

THAT based on the plans submitted this appeal be DENIED.

**CARRIED** 

OPPOSED: Mr. Pound

Mr. Dhatt

#### 4. <u>NEW BUSINESS</u>

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

#### 5. ADJOURNMENT

MOVED BY MR. NEMETH SECONDED BY MR. CLARK

THAT this Hearing do now adjourn.

CARRIED UNANIMOUSLY

The Hearing adjourned at 8:13 p.m.

	Ms. C. Richter
	Mr. G. Clark
	Mr. R. Dhatt
	Mr. S. Nemeth
Ms. E. Prior ADMINISTRATIVE OFFICER	Mr. B. Pound



# 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	Chloe Lee	
Mailing Address	3-3231 Viking Way, Richmond B.C.	
City/Town	<u>Pichmond</u> Postal Code <u>V6V IWI</u>	
Phone Number(s)	(H) (C) <u>778-316-9516</u>	
Email	Chloelee bouthouse @gmail.com	
Preferred method of		
Property		
Name of Owner	Bin Liu	
Civic Address of Propo	erty 7416 17th Ave. Burnaby. B.C.	
	LOT3 DL30 PLAN 3036	
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.		
11/08/2016.	- Know	
Date /	Applicant Signature	
	Office Use Only	
Appeal Date <u>2016 D.a</u>	combel of Appeal Number BV# 6251	
Required Documents:		
	dship Letter from Applicant	
	Plan of Subject Property  Iding Department Referral Letter	
Anydoci	Iments submitted in support of this Board of	

Any documents submitted in support of this Board of Variance Appeal will be made available to the Public

## **Application for Zoning Variance**

October 31, 2016

**Board of Variance** 

City of Burnaby

RE: Civic Address of Property: 7416 17th Avenue, Burnaby, BC

Registered Owner of Property: Bin Liu

Legal Description of Property: Lot 3, Block 39 D.L. 30 Group 1, N.W.D. Plan 3036

Dear Sir or Madam:

I am applying for a new Single Family Dwelling Building Permit for the subject property which has a limited lot depth of 60.91'. Based on current Zoning (R5) bylaw, the permitted building depth is 16'6". The attached Garage should be approached from the rear Lane hence the current location and orientation of the Garage is the only appropriate option for this lot. The depth of the Garage will be restricted to 16'6" which does not meet the requirement of the minimum (length) dimension of off-street parking space. Therefore, I am applying for a variance to allow the Garage located in basement to encroach 4'0 into the Rear Yard to have sufficient length of parking space.

Yours Truly,

Tony Li

Designer

**Bouthouse Design Group Inc.** 



## BOARD OF VARIANCE REFERRAL LETTER

DATE: No	v 2, 2016	DEADLINE: Nov 8, 2016 Dec 1, 2016 hearing	application.
NAME OF	Please take letter to Board of Variance.		
ADDRESS (	OF APPLICANT: 7	7416 17 <sup>th</sup> Avenue	(Clerk's office -
TELEPHO	NE: 778-862-33	11	Ground Floor)
PROJECT		tom Respectable	
DESCRIP	ΓΙΟΝ: New Single	e Family Dwelling w/ Attached Ga	arage
ADDRESS	: 7416 17 <sup>th</sup> Aven	ue	
LEGAL:	LOT: 3	DL: 30	PLAN: NWP3036

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 [105.11]

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) "To vary Section 105.11- "Rear Yard" of the Zoning Bylaw from 24.6 ft. to 20.71 ft. All projections into the proposed rear yard will conform to the requirements of Section 6.12.

The purpose of this variance is to allow construction of the proposed single family dwelling with an attached garage to encroach into the required rear yard."

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.

MS

Peter Kushnir

Deputy Chief Building Inspector

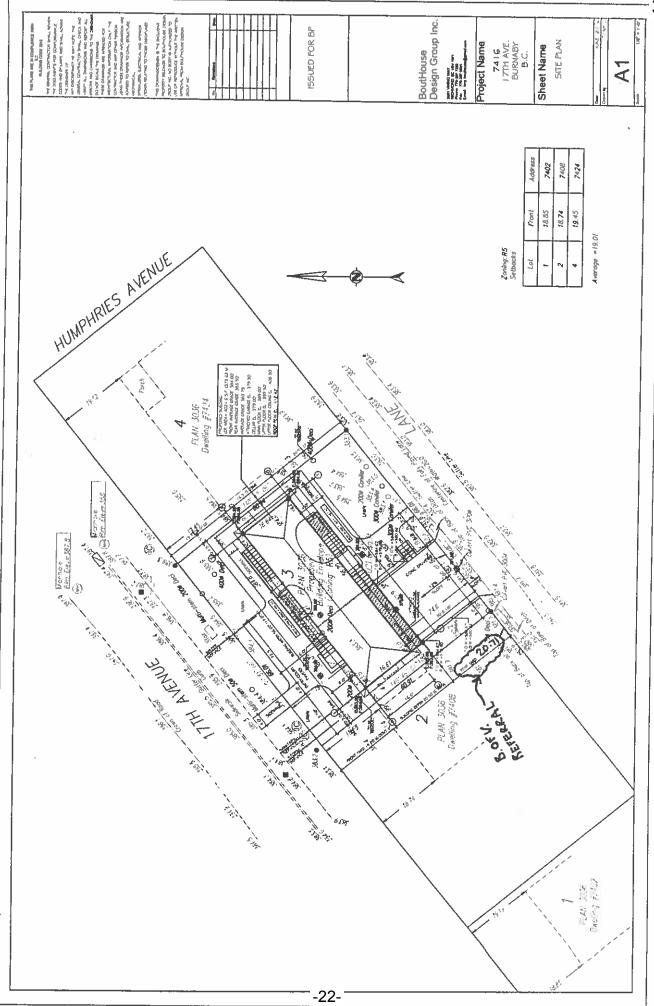
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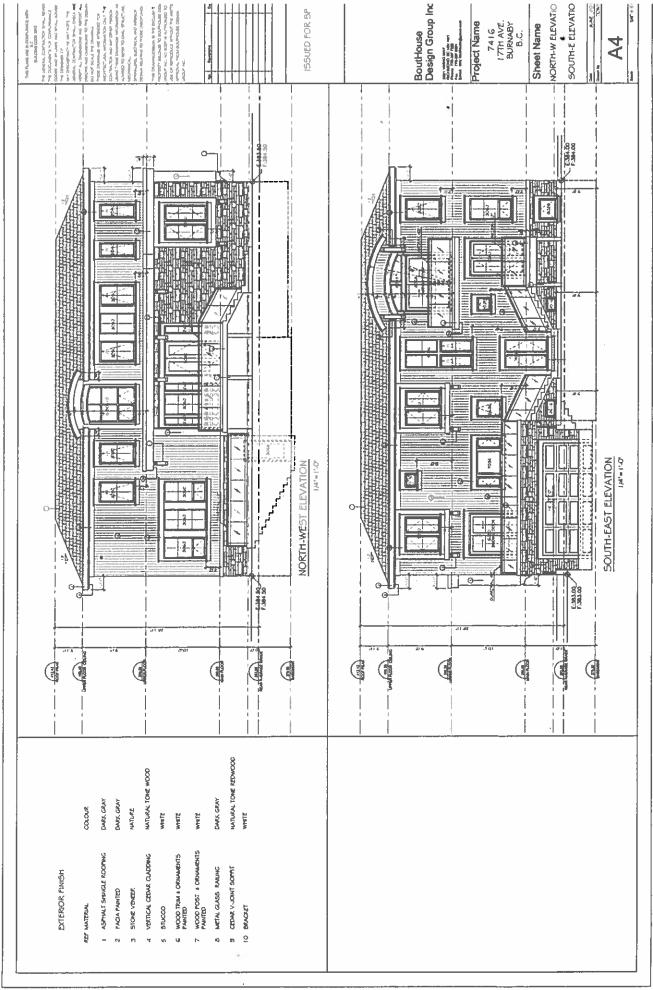
PID: 012–612–403 Chic Address: 7416 17th Averue, City of Burnaby

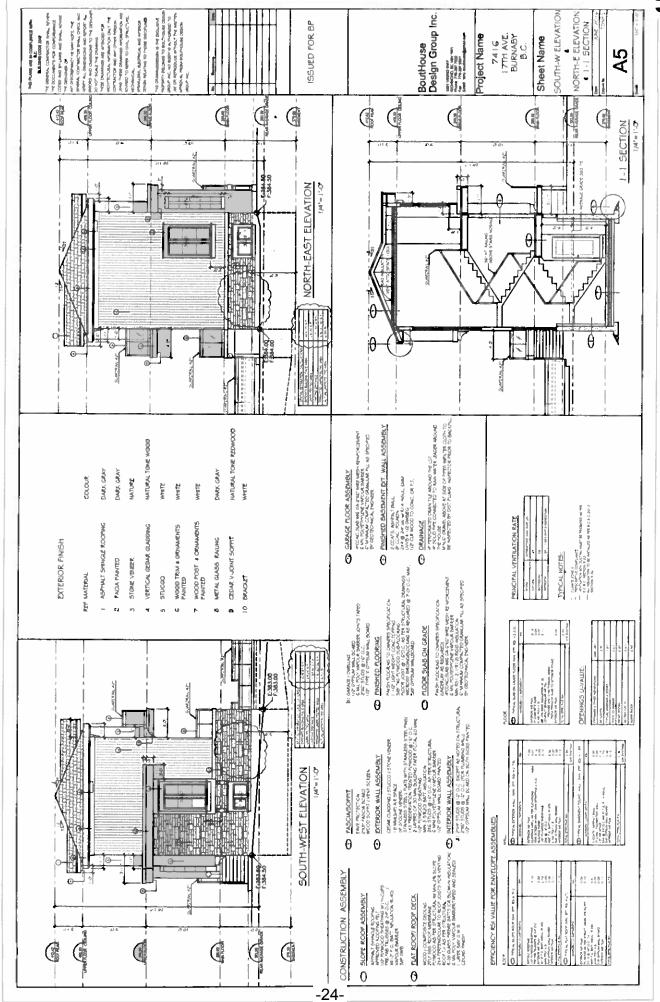
TOPOGRAPHICAL PLAN OF LOT 3 BLOCK 39 DISTRICT LOT 30

GROUP 1 NEW WESTMINSTER DISTRICT PLAN 3036

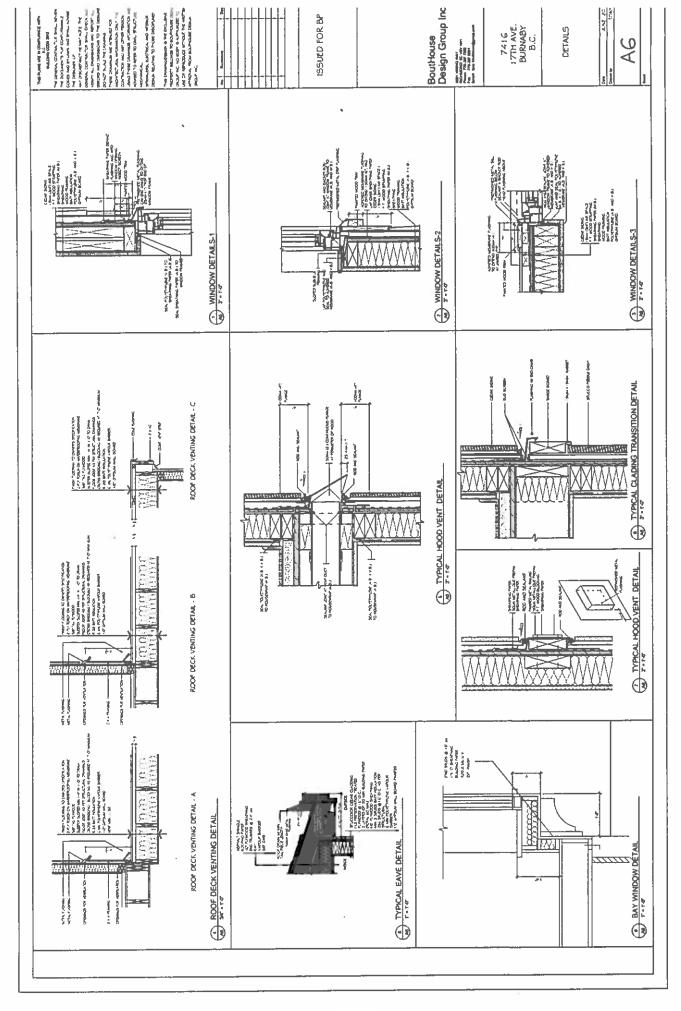
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## 7416 17th Ave

November 9, 2016



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.





# 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 GURDEEP SANDHAR
Mailing Address 11751 MELLIS DR
Mailing Address 11751 MELLIS DR.  City/Town RICHMOND Postal Code V6X169
Phone Number(s) (H) (C) 604 512 6854
Email GURDEEP-SANDHARIZ@GMAIL-COM
Preferred method of contact: Wemail Phone 🗆 mail
Property
Name of Owner MANJIT MALHI/SANABJET LENAY AMANJIT LENAY AND 31 Civic Address of Property LOT 2 DL 157 PLAN NWP 12963  LD 36 GROUP   WHOT MUSINE DY.
Civic Address of Property LOT 2 DL 157 PLAN NWP 12963
LO 36 GROUP 1 4467 Maine Dr.
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.
NOT .8, 2016
Date Applicant Signature
Office Use Only
Appeal Date 2016 December 0   Appeal Number BV# 6252
Required Documents:  Hardship Letter from Applicant  Site Plan of Subject Property
□ Building Department Referral Letter

Any documents submitted in support of this Board of Variance Appeal will be made available to the Public

October 31, 2016

Gurdeep Sandhar 11751 Mellis Drive, Richmond, BC V6X1L9

Attention: Board of Variance Appeal - Hardship Letter

Re: Address 4467 Marine Drive, Burnaby

We are requesting a relaxation to the **Front Yard Averaging - Zoning Bylaw** for the construction of a new home on Lot 2 - 4467 Marine Dr. with a setback of 81.56 feet.

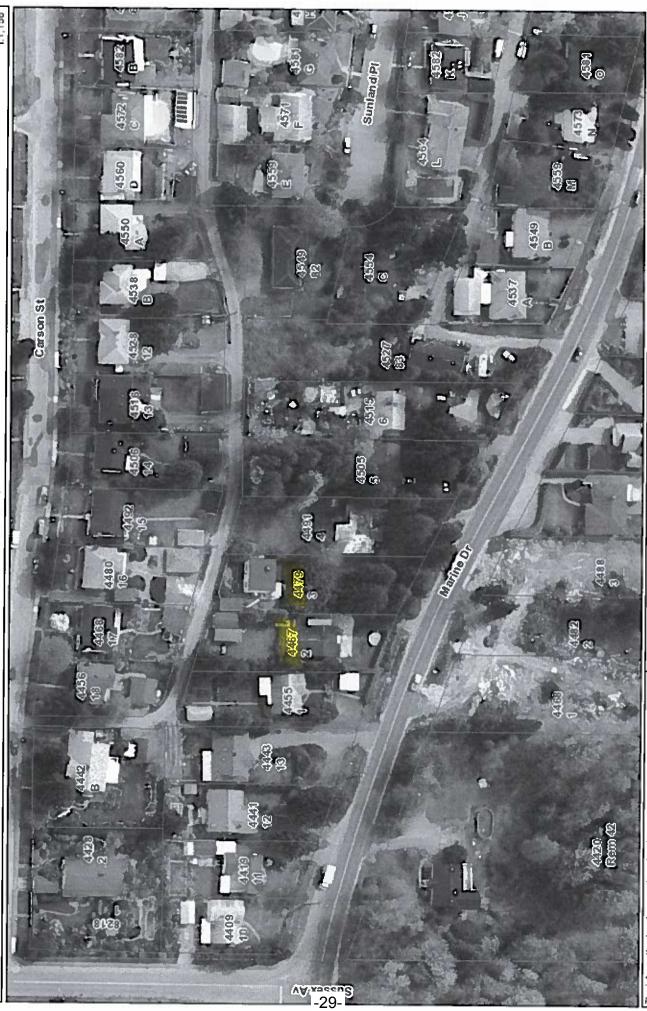
The property next door Lot 3 - 4479 Marine Dr was built in 1953 and has a setback of 130.82 feet, this setback is causing unreasonable hardship. Lot 4 - 4491 Marine Dr was built in 2011, has a setback of 90.33 with the garage/driveway access off of Marine Dr.

Our surveyor gave us two option on the Topographic Survey Plan for the calculation of the Front Yard Averaging. We would like to omit Lot 3 from the front yard averaging calculation and use option A with a setback of 81.56 feet.

Option A, allows us to construct a home with a detached garage/driveway accessed from the back lane, the home will be aligned with the adjacent properties. There will be no driveway access off of Marine Dr.

Thank you for your consideration and understanding in this matter.

Gurdeep Sandhar



2002 VIEN

3.(b)

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.



#### BOARD OF VARIANCE REFERRAL LETTER

DATE: No	v. 2, 2016	DEADLINE: Nov. 8, 2016 for th Dec. 1, 2016 hearing	application.
NAME OF	APPLICANT:	Gurdeep Sandhar	Please take letter to Board of Variance.
ADDRESS (	OF APPLICANT:	11751 Mellis Drive Richmond	(Clerk's office -
TELEPHO	NE: 604.512.6	854	Ground Floor)
PROJECT			
DESCRIPT	TION: New Sing	le Family Dwelling w/ Secondary Suite &	Attached Garage
ADDRESS	: 4467 Marine I	)rive	
LEGAL:	LOT: 2	DL: 157	PLAN: NWP12963

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

# Zone/Section(s) R2 [102.8(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) Under Section 102.8 of the Burnaby Zoning Bylaw the depth of the front yard is required to be 93.87 feet (based on front yard averaging). A front yard depth of 81.56 feet is proposed.

All projections into the proposed front yard will conform to the requirements of Section 6.12.

This variance is being requested in order to allow construction of the single family dwelling and its front porch within the required front yard.

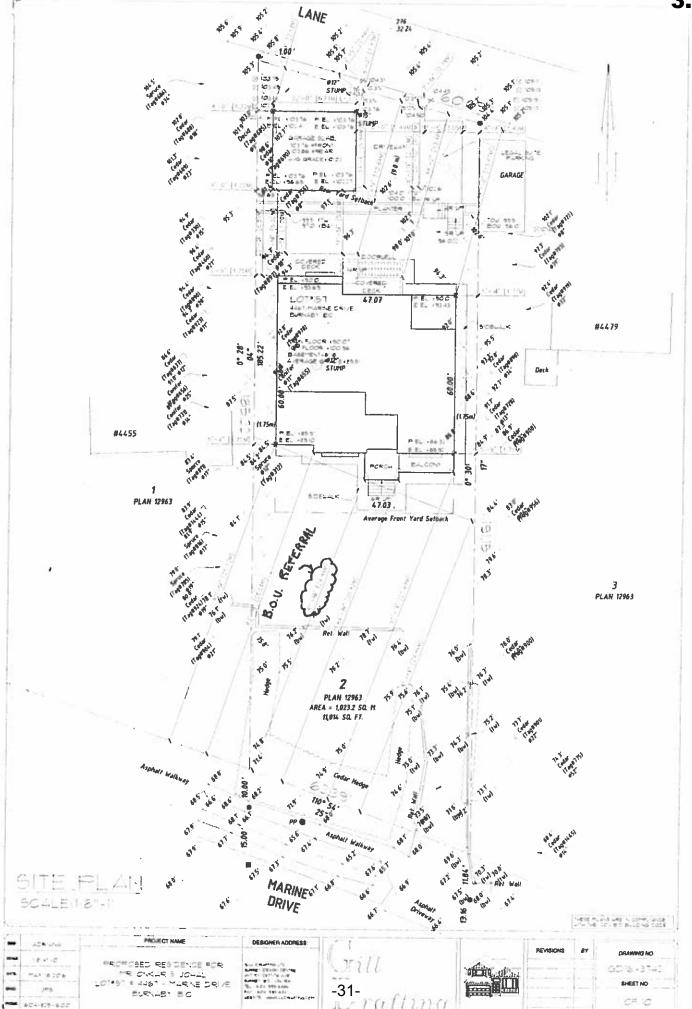
Note: The applicant recognizes that should the project contain additional characteristics in contravention of the zoning by-law a future appeal(s) may be required.

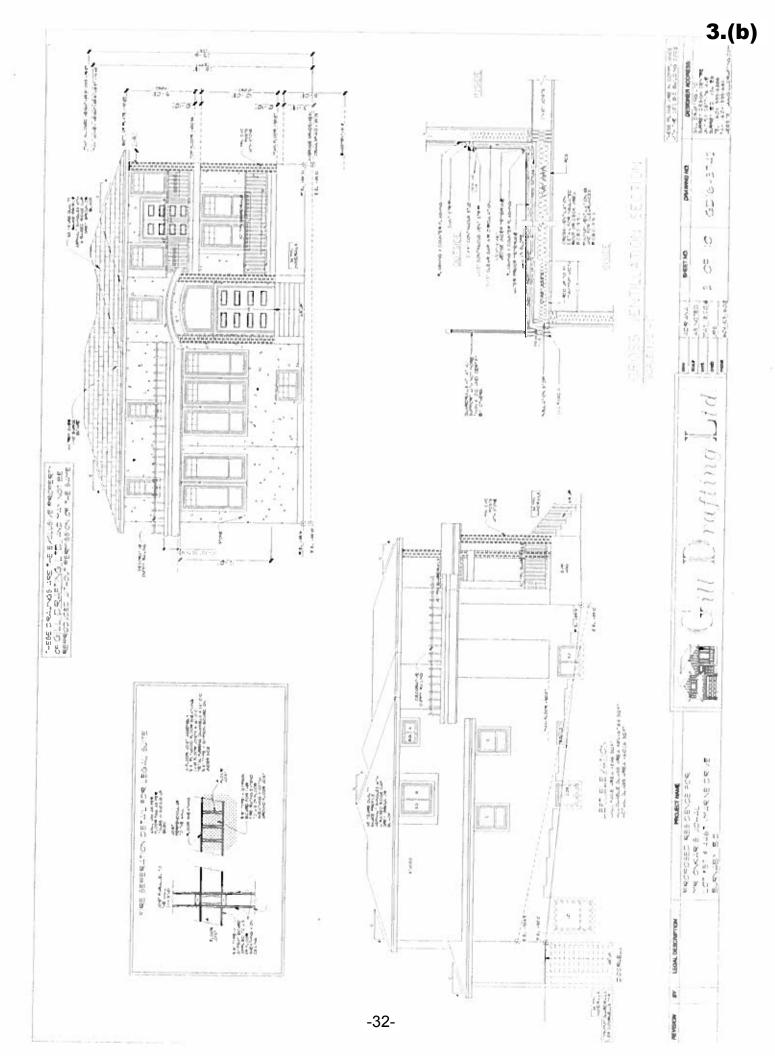
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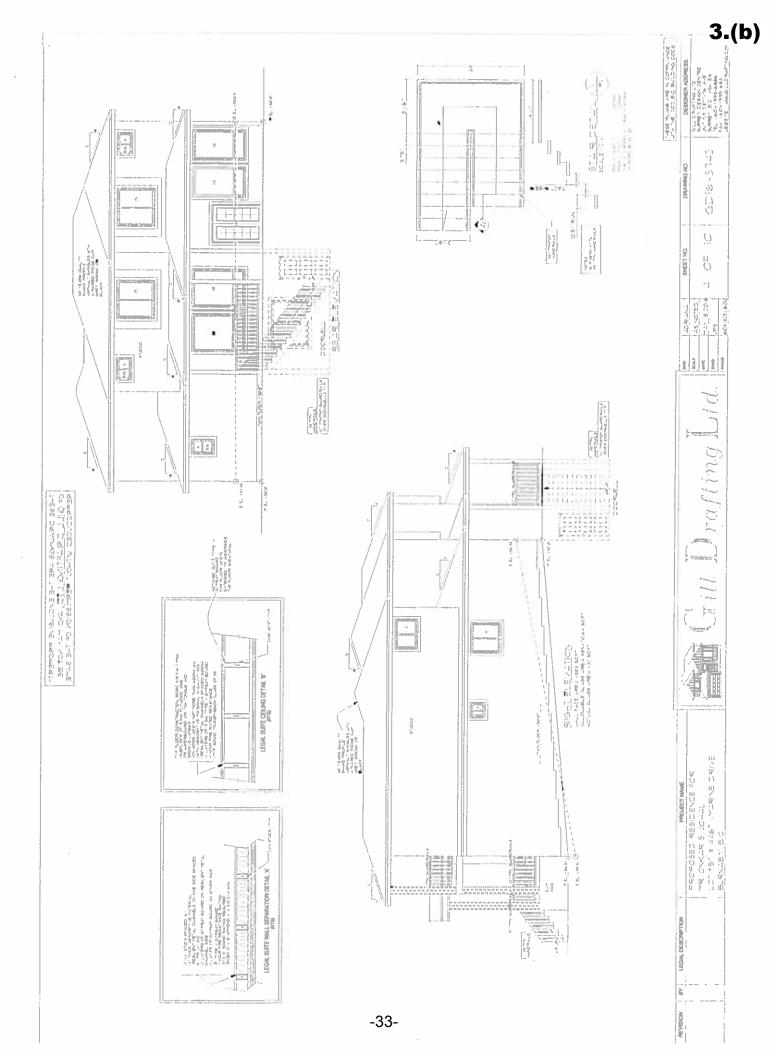
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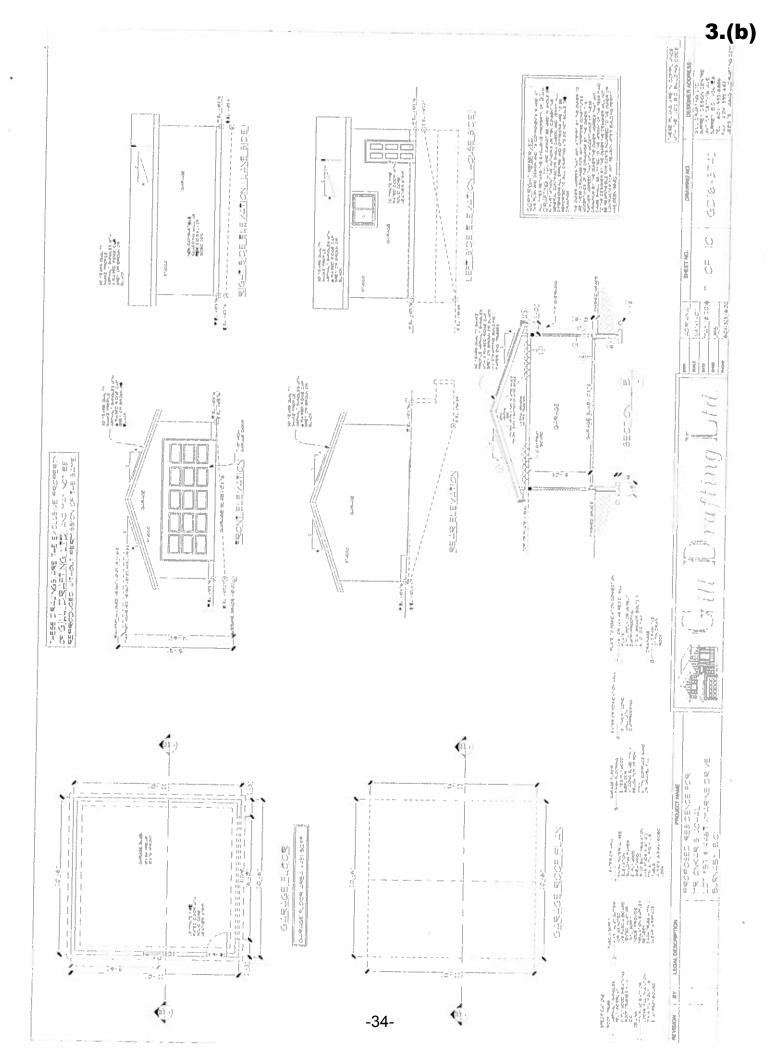
Deputy Chief Building Inspector

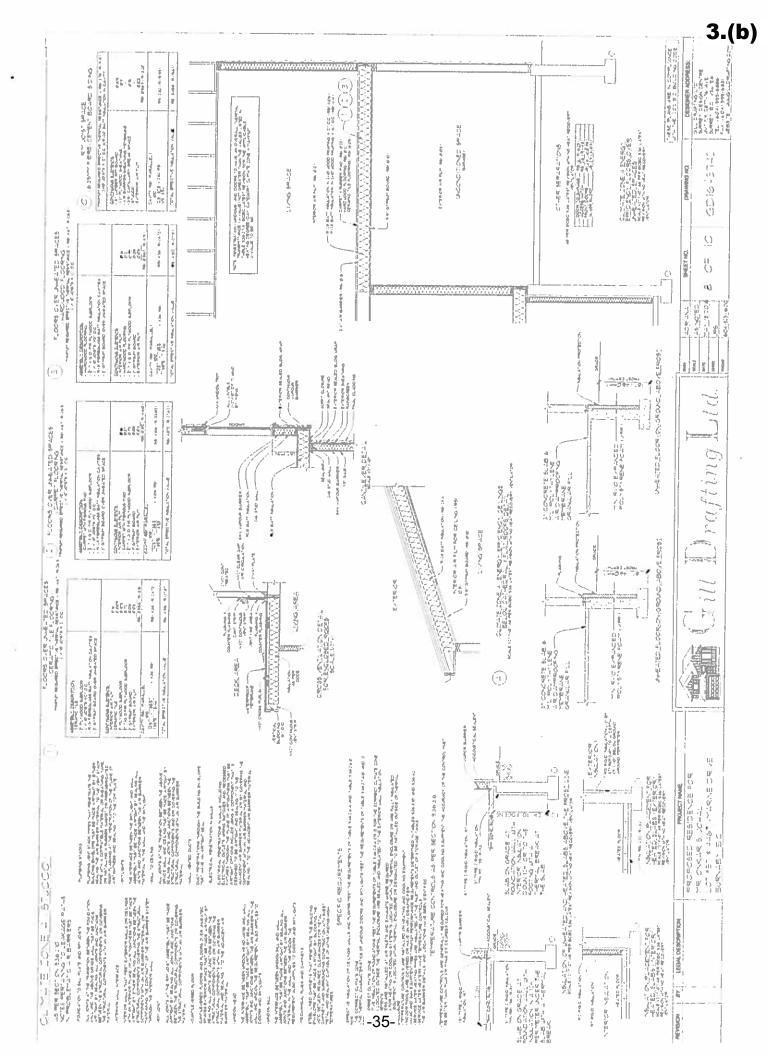
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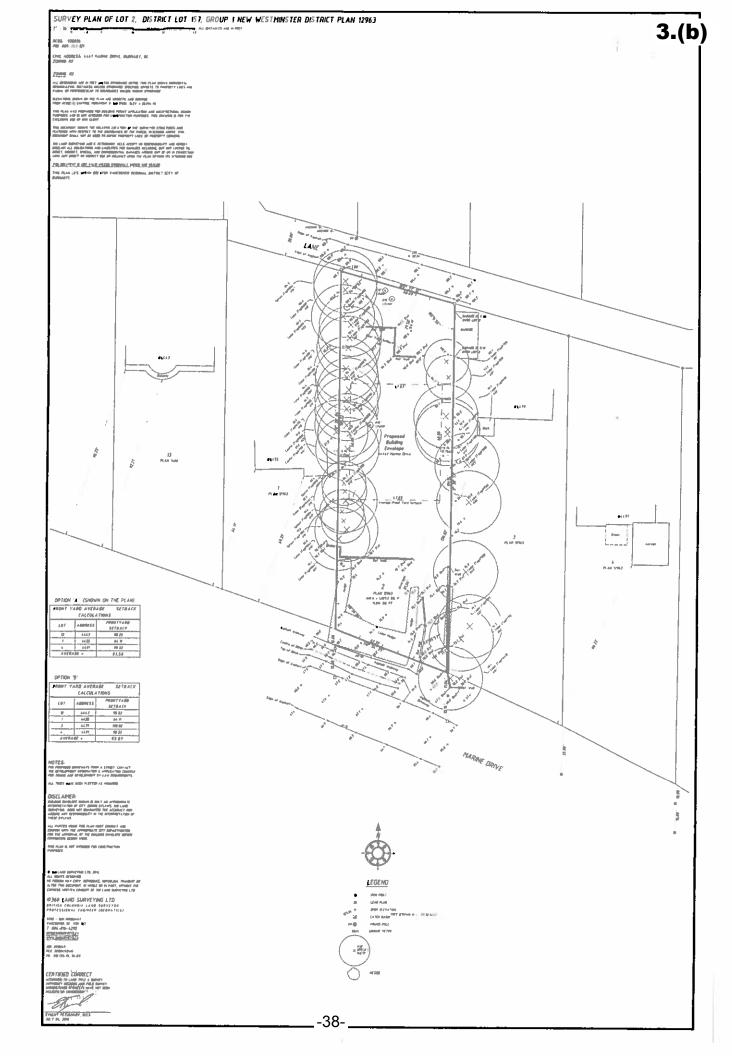
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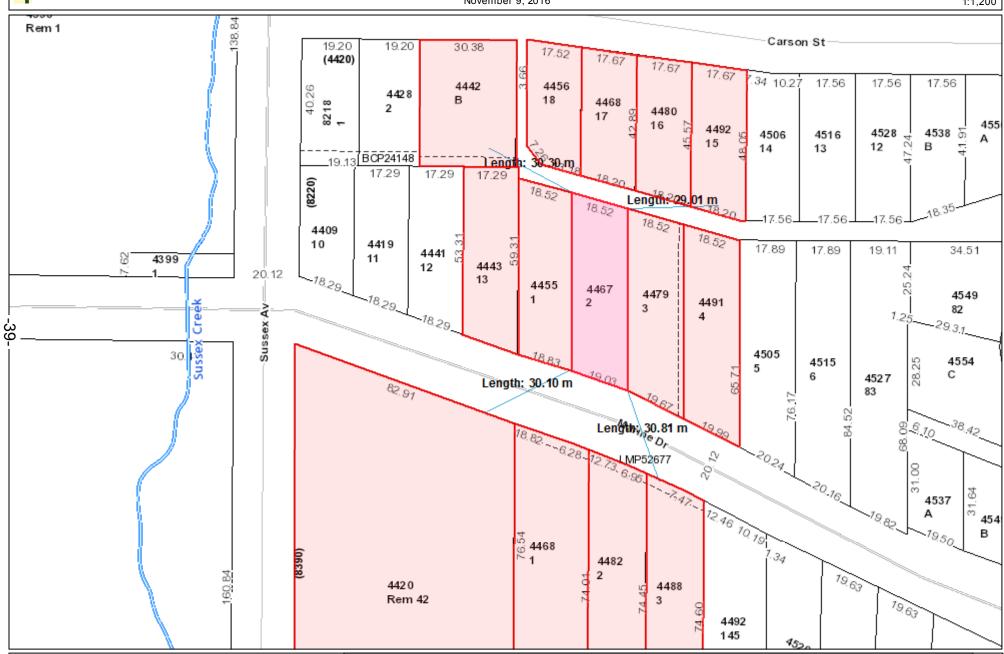
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November 9, 2016 1:1,200



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.



# 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	Beverly Kitasaka & Daniel Piskacek
Mailing Address	5480 Keith St.
City/Town	Burnaby Postal Code V5J 3C5
Phone Number(s)	(H) 604-437-5578 (c) 604-781-8745
Email	bkitasaka@gmail.com
Preferred method of	contact: ☑ email □ phone □ mail
Property	
Name of Owner	Beverly Kitasaka & Daniel Piskacek
Civic Address of Prop	erty 5469 Keith St.
	Burnaby, BC V5J3C4
nest of my knowledge, tri	information submitted in support of this application is, to the ue and correct in all aspects, and further that my plans have no laws other than those applied for with in this application.
November 7, 20	
Date	Applicant Signature
	Office Use Only
Appeal Date 8016 De	Cember O Appeal Number BV# 6353
Required Documents:  Hare  Site	dship Letter from Applicant Plan of Subject Property ding Department Referral Letter
Any docu	Iments submitted in support of this Board of

Any documents submitted in support of this Board of Variance Appeal will be made available to the Public

Beverly Kitasaka & Daniel Piskacek 5469 Keith St Burnaby, BC V5J 3C4

November 7, 2016

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

Dear Members of the Board of Variance:

We would like to request a variance on our plans to rebuild our new home on 5469 Keith Street.

Our home is located in the South Slope area of Burnaby, one block north of Marine Drive and Royal Oak. Our property is steeply sloped and we have encountered challenges in creating our plans for our new home.

In our attempt to preserve a decent sized backyard on our sloped property, we have already been to the Board of Variance in June and have been allowed variances to our retaining walls and garage. At the June meeting, when we expressed that the backyard was important to our family, it was suggested that moving the whole house forward could help achieve this as well. After careful consideration, we have decided that since this will be our long term home, this would be very beneficial to our family and would like to request a relaxation on the front setback line.

We would be grateful to have our request granted. Thank you for your time and consideration.

Sincerely,

**Beverly Kitasaka & Daniel Piskacek** 



## BOARD OF VARIANCE REFERRAL/LETTER

DATE: Nov	vember 4, 2016	DEADLINE: November 8, 2016 for the December 01, 2016 hearing	application.
NAME OF	APPLICANT: B	everly Kitasaka	Please take letter to Board of Variance.
ADDRESS O	F APPLICANT: 548	0 Keith Street	(Clerk's office -
TELEPHO	NE: 604.437.557	8	Ground Floor)
PROJECT			
DESCRIPT	TION: New Single	Family Dwelling with Detached Garage	
ADDRESS	: 5469 Keith Stre	et	
LEGAL:	LOT: N	DL: 158	PLAN: 14508

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

# Zone/Section(s) R2 [102.8(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). Under Section 102.8(1) of the Burnaby Zoning Bylaw the depth of the front yard is required to be 33.09 feet (based on a front yard averaging). A front yard depth of 28.09 feet is proposed.

All projections into the proposed front yard will conform to the requirements of Section 6.12.

This variance is being requested in order to allow construction of the single family dwelling within the required front yard.

Note: A previous Board of Variance (B.V. 6229) allowed the distance between the principal building and the detached garage to be 14.22 feet where a minimum distance of 14.8 feet is required.

Note: A previous Board of Variance (B.V. 6229) allowed the accessory building height to be 21.28 feet where the maximum building height would be 15.1feet.

Note: A previous Board of Variance (B.V. 6229) allowed the rear yard retaining wall to be of varying heights, to a maximum of 11.7 feet, where a maximum of 5.91 feet is permitted.

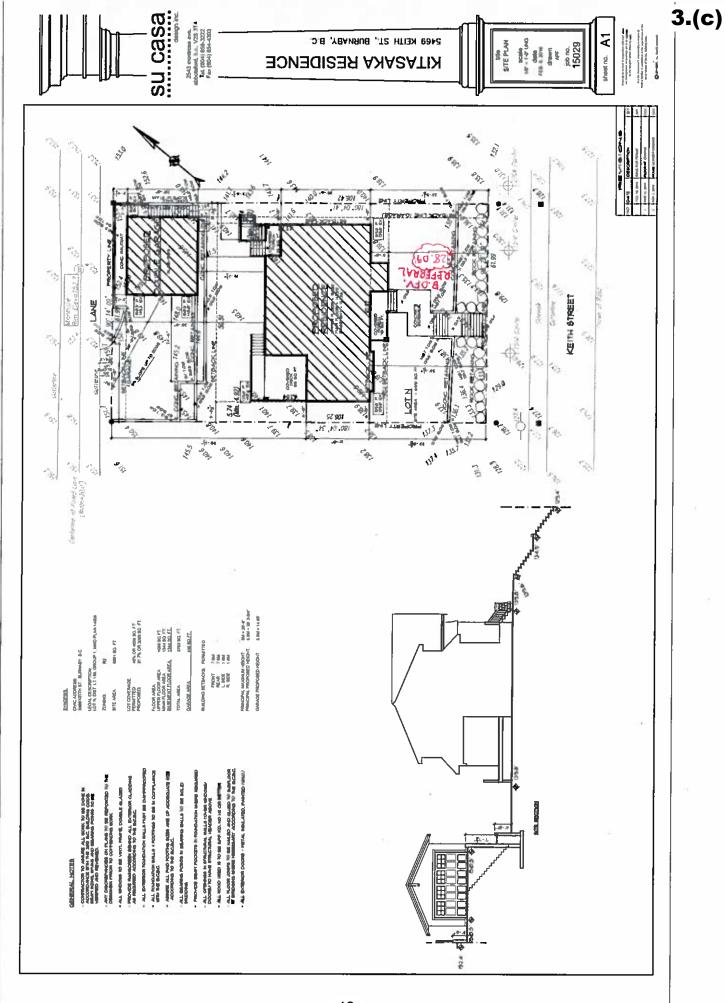
Note: The applicant recognizes that should the project contain additional characteristics in contravention of the zoning by-law a future appeal(s) may be required.

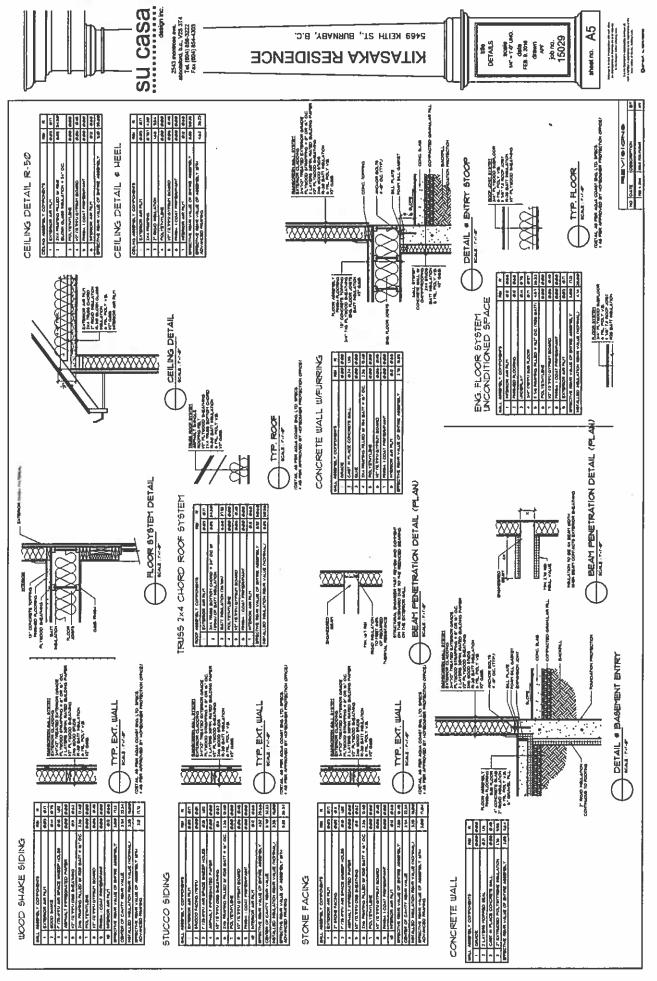
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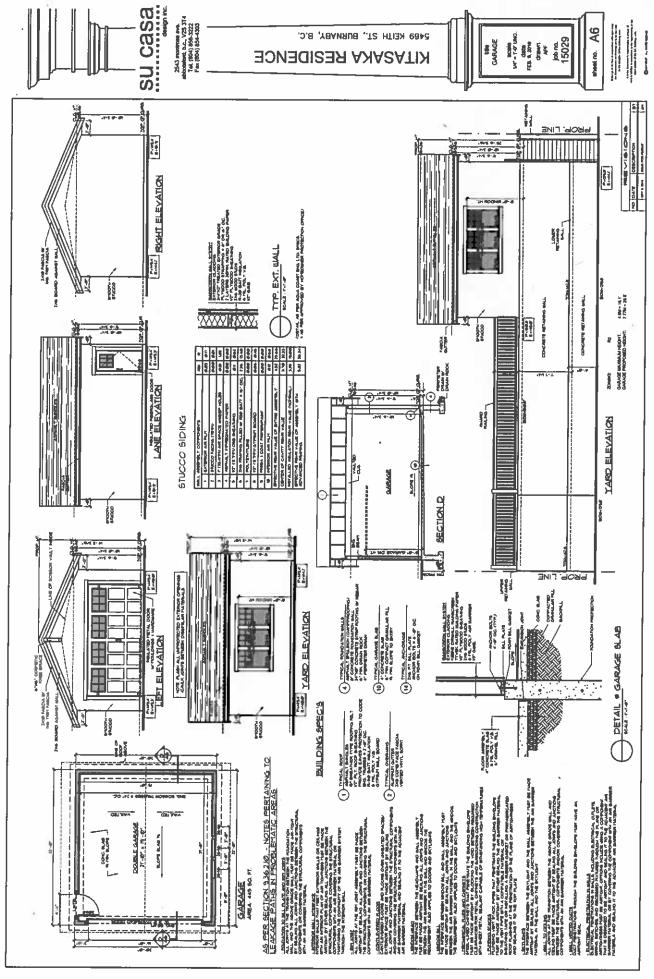
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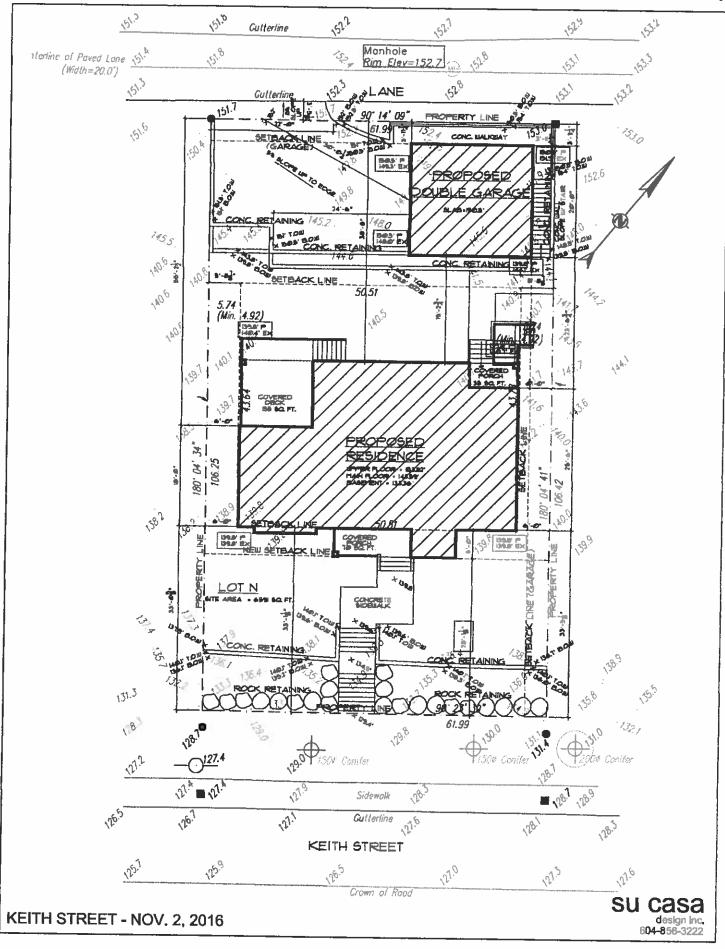
Deputy Chief Building Inspector

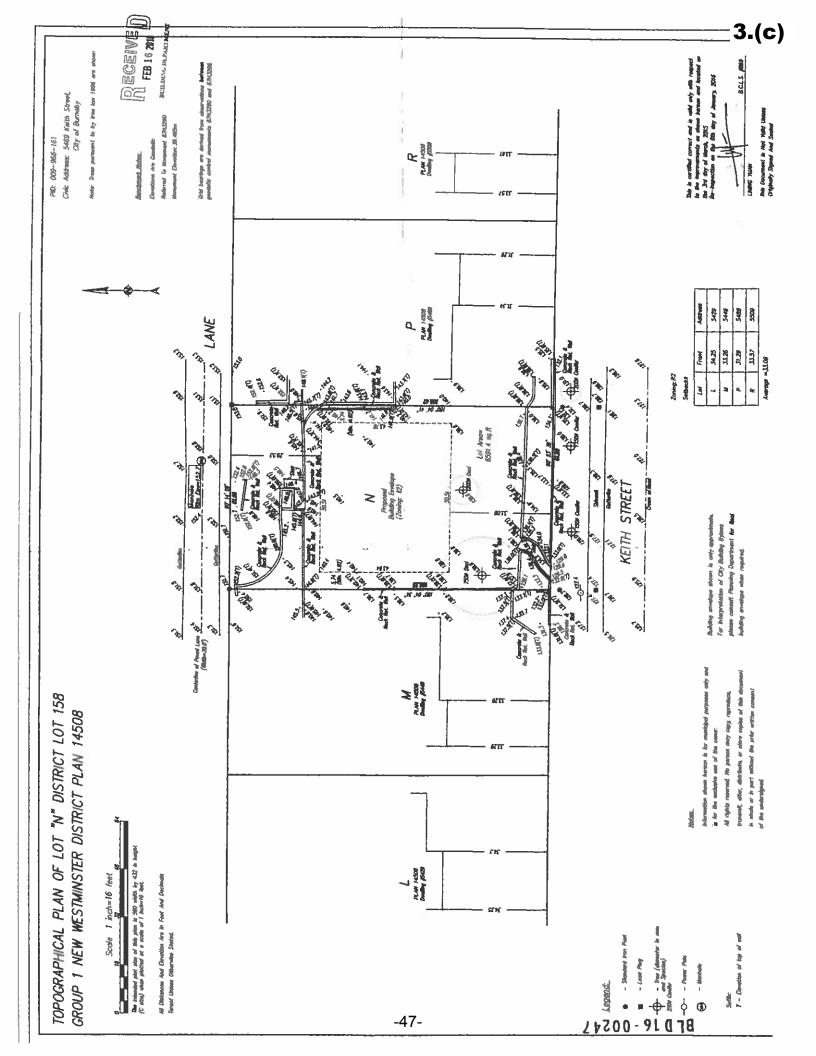
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## 5469 Keith St

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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 David Song
Mailing Address 4286 Alderwood Crc.
City/Town Burney Postal Code 156268  Phone Number(s) (H) (C) 775 9862108
Phone Number(s) (H) (C) 778 9862108
Email davidsong zhuming@ gnail.com
Preferred method of contact: Semail phone mail
Property
Name of Owner 5. July Investments ((anada) Itd.
Civic Address of Property 8580 Gilley Ale. Burnely
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. 7. 2016 Day of Soug
Date Applicant Signature
Office Use Only
Appeal Date 2016 Occember 0   Appeal Number BV# 6254
Required Documents:
Hardship Letter from Applicant
☐ Site Plan of Subject Property ☐ Building Department Referral Letter
Any documents submitted in success of the many

Any documents submitted in support of this Board of Variance Appeal will be made available to the Public

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

November 6, 2016

Letter Requesting Variance Regarding 8580 Gilley Ave.

Dear Madam or Sir,

The property at 8580 Gilley Ave is bounded by Gilley Ave. at the front, Firth Ave. at the side, and Bryne Rd (unconstructed, is currently a ravine) at the back. The zoning of the lot is R2. The front yard average from Gilley is 26.9' and the front yard setback average from Bryne is 104.25'.

We have two requests that we wish the board would consider:

e hope that the board of variance will consider treating the yard facing the unconstructed Byrne Road as a back yard and reduce the setback accordingly.

Because the lot is bounded by roads at the front and back, the city bylaw requires two front yards. However, doing so will reduce the building envelope to about 20'  $\times$  50', which is smaller than the existing house. The city bylaw allows the lot (10124 sq ft) at 8580 Gilley Ave to contain a 4736 sq ft house, this is not possible to plan with a building envelope of only 20'  $\times$  50'.

2.We hope that the board of variance will relax the allowable building depth by one foot.

The lot at 8580 Gilley is a skewed parallelogram shape, as a result, the building envelope is also that shape. We planned the house within the building envelope provided by the surveyor.

If we measure a line that is parallel to the side yard setback line, the maximum building depth will be 56' (see included figure).

If we measure a line that is perpendicular to the front yard setback line, the maximum building depth will be 55.6' (see included figure).

The depth of the house not including the garage is 53', including the attached garage, the depth is 61'. The garage is one floor (see included figure).

As you can see from the depth measurements of the planned house, it is not particularly long. The combination of the awkward parallelogram shape and the requirement that the garage is to face Gilley Ave. made it exceed the limit by a foot.

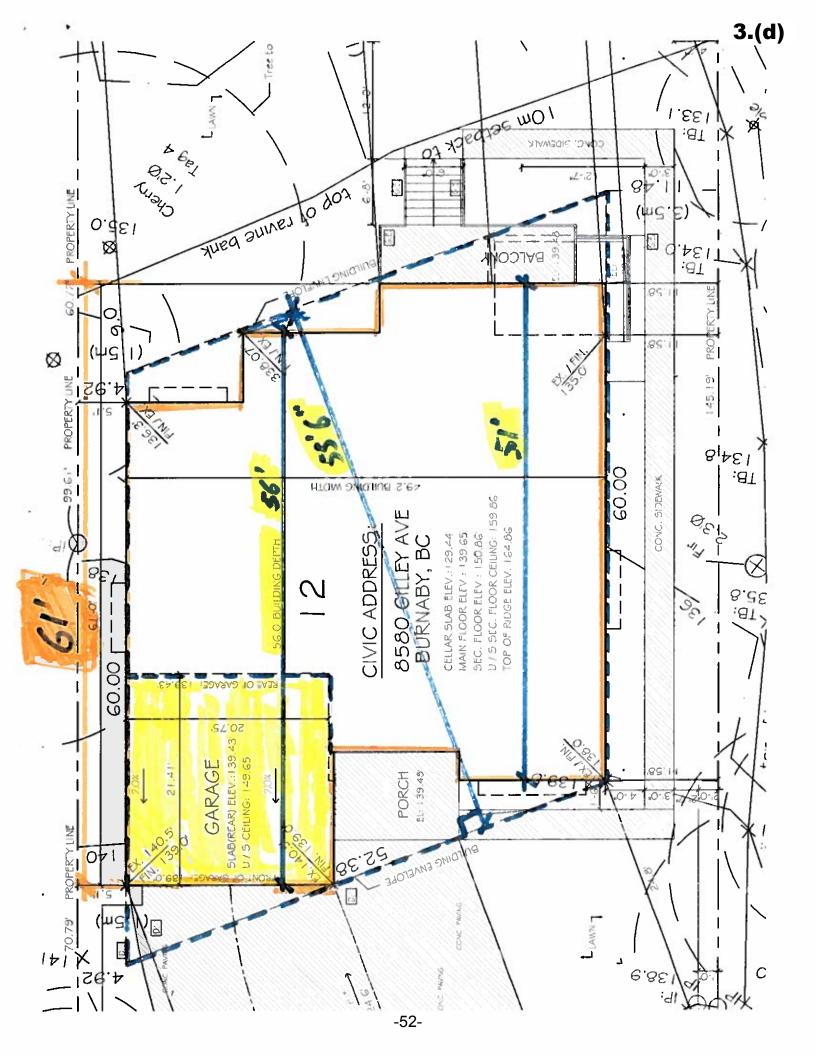
Regards,

**David Song** 

Architecture Designer

Dand Suy

Nov. 8. 2014





### BOARD OF VARIANCE REFERRAL LETTER

DATE: Oc	tober 31, 2016	DEADLINE: November 8, 2016 for the December 1, 2016 hearing	This is <u>not</u> an application.
NAME OF	Please take letter to Board of Variance.		
ADDRESS C	G8 (Clerk's office -		
TELEPHO	Ground Floor)		
PROJECT			
DESCRIP	ΓΙΟΝ: New single	family dwelling w/ attached garage	
ADDRESS	: 8580 Gilley Ave	nue	
LEGAL:	LOT: 12	DL: 159	PLAN: NWP2014

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

# Zone/Section(s) R2 [102.8(1);102.7(b)] of the Burnaby Zoning Bylaw No. 4742

### **COMMENTS:**

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

 Under Section 102.8(1) of the Burnaby Zoning Bylaw the depth of the front yard facing Byrne Road is required to be 104.25 feet (based on front yard averaging). A front yard depth of 69.10 feet is proposed.

All projections into the proposed front yard will conform to the requirements of Section 6.12.

2) To vary Section 102.7 – "Depth of Principal Building" of the Zoning Bylaw from 60.0 feet to 61.0 feet. The sundeck will be 3.94 feet beyond the building.

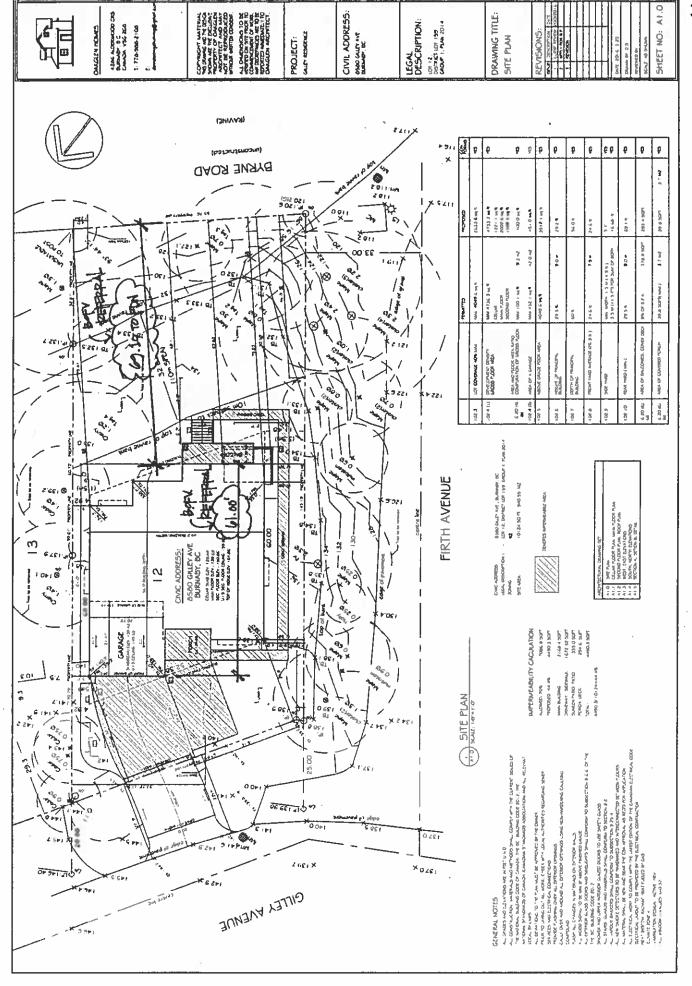
This variance is being requested in order to allow construction of the single family dwelling and its sundeck within the required front yard.

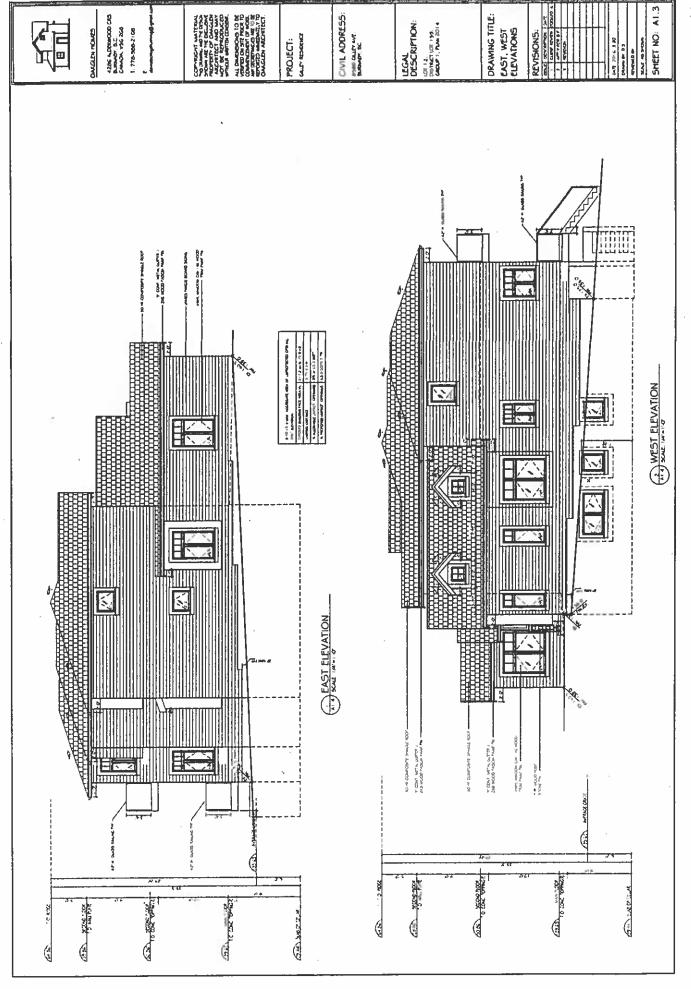
Note: The applicant recognizes that should the project contain additional characteristics in contravention of the zoning by-law a future appeal(s) may be required.

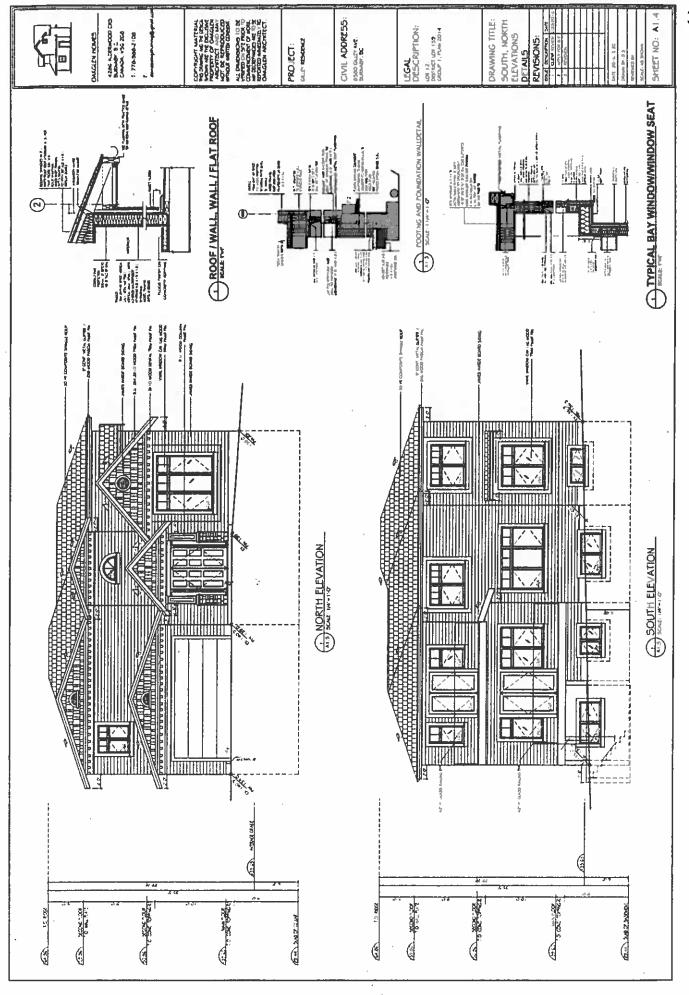
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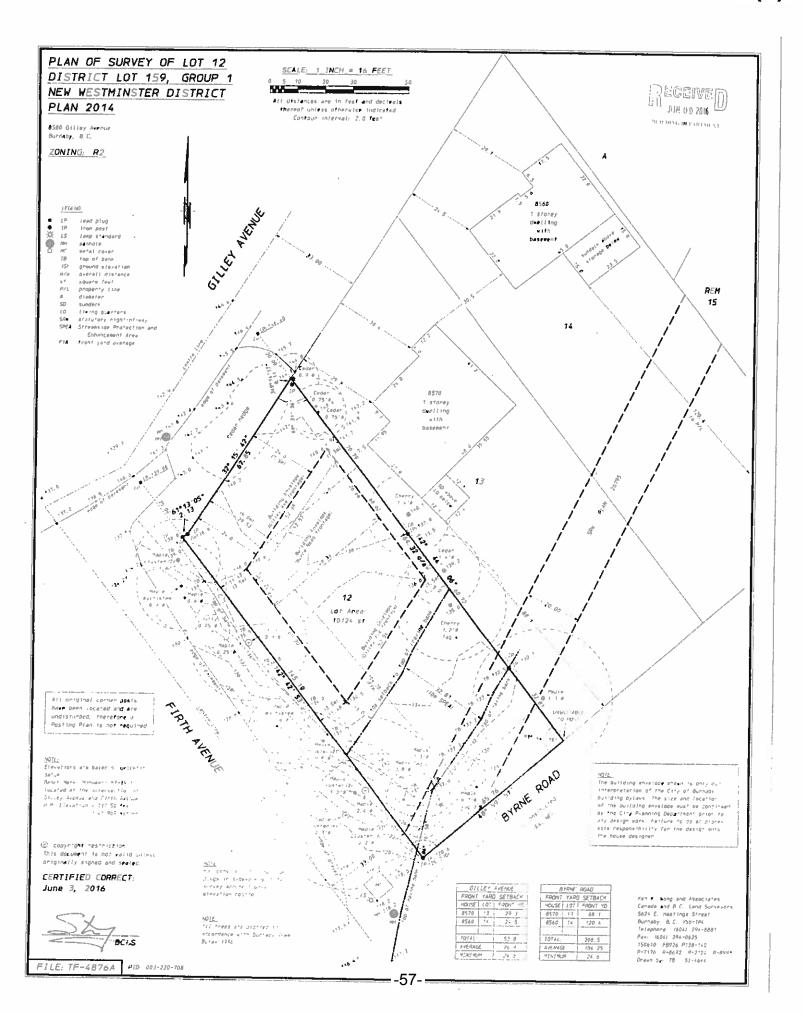
Peter Kushnir

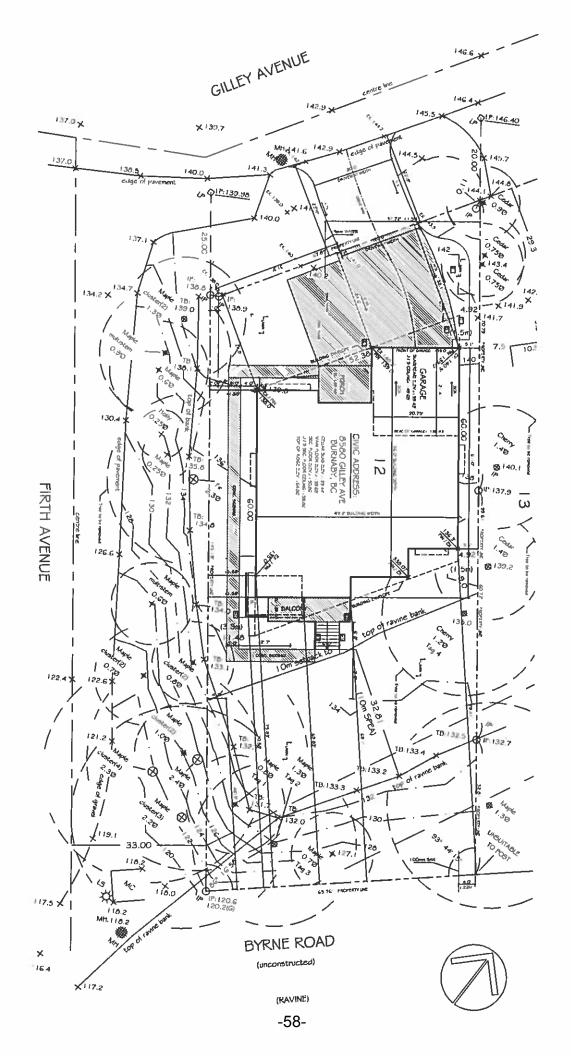
**Deputy Chief Building Inspector** 







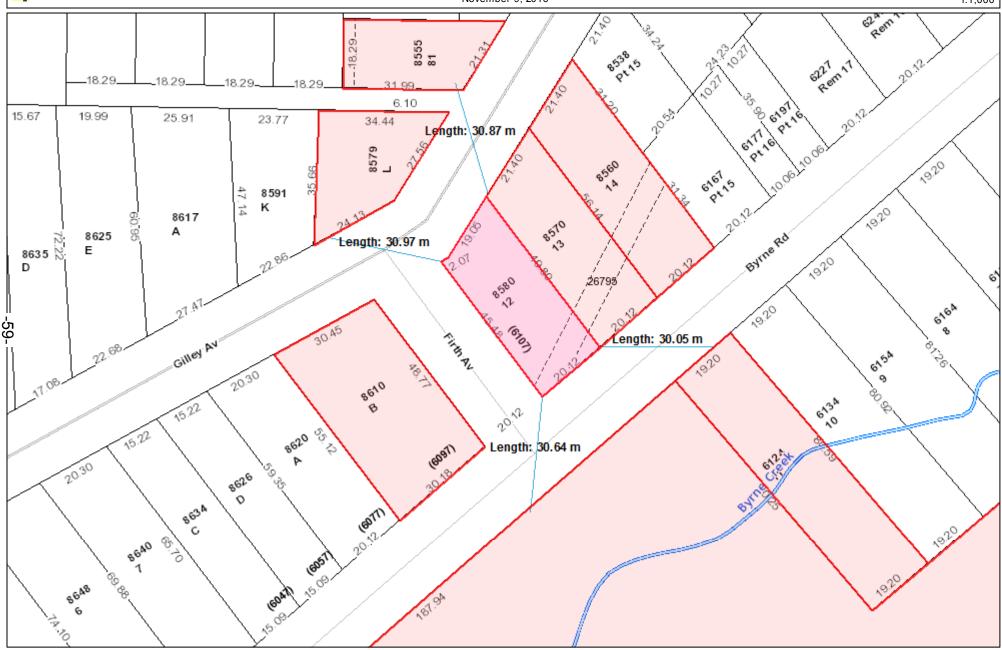






## 8580 Gilley Ave

November 9, 2016 1:1,000



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# **Board of Variance Appeal Application Form**

## OFFICE OF THE CITY CLERK

Burnaby City Hall, 494	49 Canada Way, Burnaby BC, V5G 1M2, Phone: 604-294-7290 Email: clerks@burnaby.ca					
Applicant						
Name of Applicant						
Mailing Address	BONI MADDISON ARCHITECTS (BMA) 3732 WEST BROADWAY					
City/Town	VANCOUVER Postal Code V6R 2C1					
Phone Number(s)	(H) 604 688 5894 (C) 604 727 - 7617					
Email	CHARLIE @ BONIMADDISON, COM					
Preferred method of contact: demail phone mail						
Property						
Name of Owner Ms. TINNY JONES  Civic Address of Property 7729/7731 ROSEWOOD 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.						
Nov 8th, 201	6 Davida DOL DAVIDA DE Applicant Signature BMA					
Office Use Only						
Appeal Date 2016 December 0   Appeal Number BV# 6255						
Required Documents:  Hardship Letter from Applicant  Site Plan of Subject Property  Building Department Referral Letter						

Any documents submitted in support of this Board of Variance Appeal will be made available to the Public

3732 West Broadway Vancouver, BC Canada V6R 2C1 Tel: 604 688 5894 Fax: 604 688 5899 E-mail: info@bonimaddison.com

City of Burnaby Building Department 4949 Canada Way, Burnaby, BC V5G 1M2 November 8, 2016

Attention:

Ms. Irene Yuen, Senior Building Technologist

RE: 7729-7731 ROSEWOOD STREET TWO FAMILY SEMI-DETACHED DWELLING

Board of Variance Letter of Hardship

Dear Ms. Yuen,

We are writing on behalf of our client, Ms. Tinny Jones, to apply to the Board of Variance for a height variance for this duplex building project. The zoning bylaw restricts our building, with a flat roof to 6.1m (20 feet). Our design requires a building height of 7.62m (25' feet and1/2") to the highest point of the structure.

105. RESIDENTIAL DISTRICT (R5)

[1.5.7 (2)] Height- Semi-D, 2 storey sloping roof, 7.62 m (25 ft.) flat roof, 6.1 m (20 ft.)

measured from the lower of the front average elevation or the rear average elevation to the highest point of the structure

#### Notes of Hardship

- 1) Our proposed semi-detached dwelling is being built on a sloped site. The R5 zoning requires we measure from "the lower of the front average elevation or the rear average elevation to the highest point of the structure". There is .83 m (2.75 feet) difference in height between the front and back of our house.
- 2) The Client wishes to make the ground floor of her house disabled accessible to age in place so that depressing the house into the slope would require lengthy ramps to access the ground floor and require the main floor to be below grade.
- 3) The building site is immediately next to the Kinder Morgan pipeline carrying aviation fuel to YVR. Any in ground excavation or disturbance requires review, approval and monitoring by Kinder Morgan.
- 4) The house which is being demolished to allow for this semi-detached dwelling is larger and taller than the proposed two family dwelling.
- 5) The survey information shows that our proposed building height is lower than its neighbours and smaller in mass and scale. Please reference our street scape drawings documenting these conditions. Included also please find surveys documenting these building elevations.
- 6) The building is being built using proprietary light gauge steel framing which requires floor and roof truss assemblies of greater depth than wood construction. Our ground floor ceiling height is 9 feet. Our Upper floor ceiling height is 8 feet. This is consistent with current, acceptable, housing design.

We have addressed the remainder of the concerns which you identified in your Building Permit review and will resubmit our drawings to you November 7 along with revised structural drawings, to follow by November 10.

Please let us know if you require anything else to provide your referral letter to the Board of Variance.

We will attend the December 1, 2016, meeting of the Board of Variance to present our project to the Board.

Respectfully,

Charlie Maddison Architect AIBC OAA Partner Boni•Maddison Architects Regards,





## BOARD OF VARIANCE REFERRAL LETTER

DATE: No	vember 8, 2016	DEADLINE: Nov 08, 2016 for Dec 1, 2016 hearing	application.
NAME OF	Please take letter to Board of Variance.		
ADDRESS O	(Clerk's office - Ground Floor)		
TELEPHO	Ground Pioor)		
PROJECT			
DESCRIPT	ION: New Two Fa	mily Dwelling with Detached Gar	age
ADDRESS:	: 7729 / 7731 Rose	wood Street	
LEGAL:	LOT: 4	DL: 90	PLAN: 13173

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 [105.7(2)(c)] of the Burnaby Zoning Bylaw No. 4742

#### **COMMENTS:**

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

- To vary Section 105.7(2)(c) "Height of Principal Building" of the Zoning Bylaw from 20 ft. to 24.79 ft. The purpose of this variance is to allow construction of the proposed two family dwelling with a flat roof to exceed the permitted maximum building height, as measured from the rear average elevation
- 2. To vary Section 105.7(2)(c) "Height of Principal Building" of the Zoning Bylaw from 20 ft. to 22.04 ft. The purpose of this variance is to allow construction of the proposed two family dwelling with a flat roof to exceed the permitted maximum building height, as measured from the front average elevation.

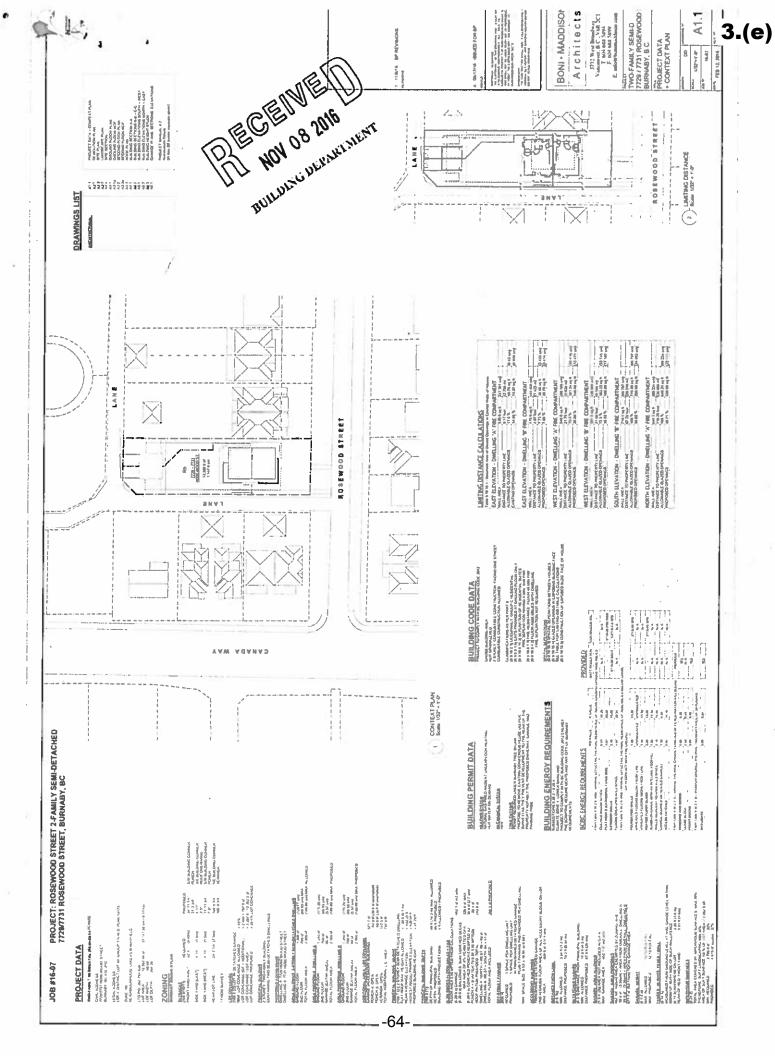
Note: The applicant recognizes that should the project contain additional characteristics in contravention of the zoning by-law a future appeal(s) may be required.

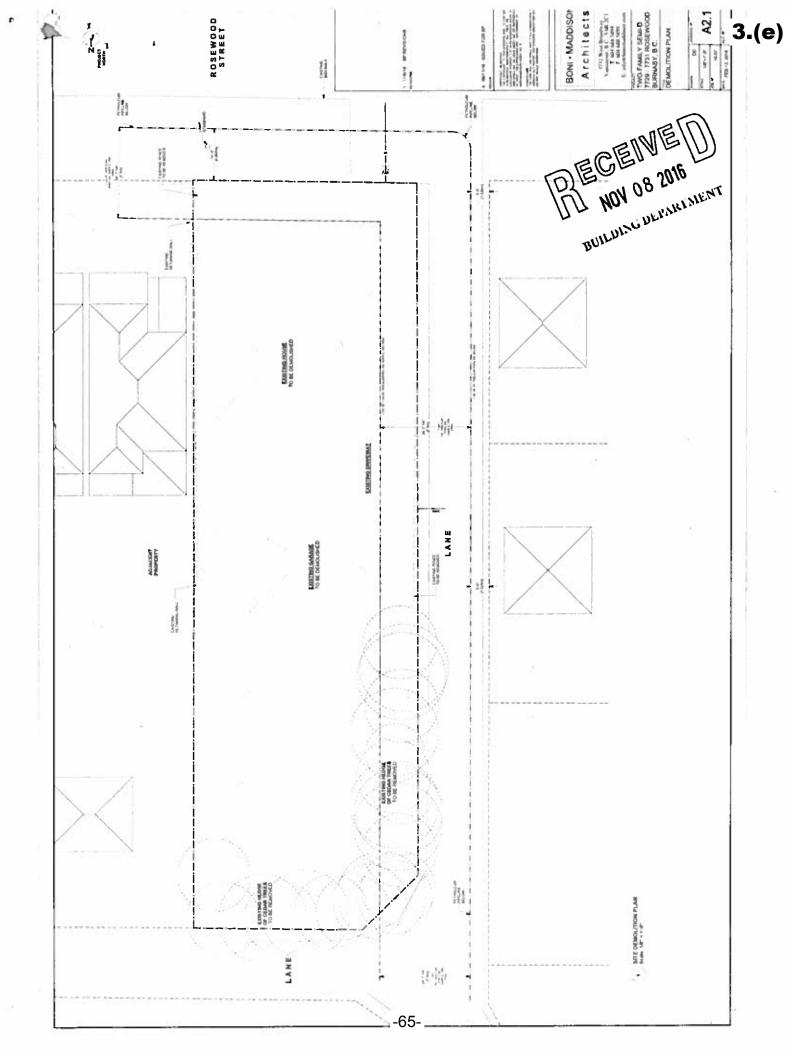
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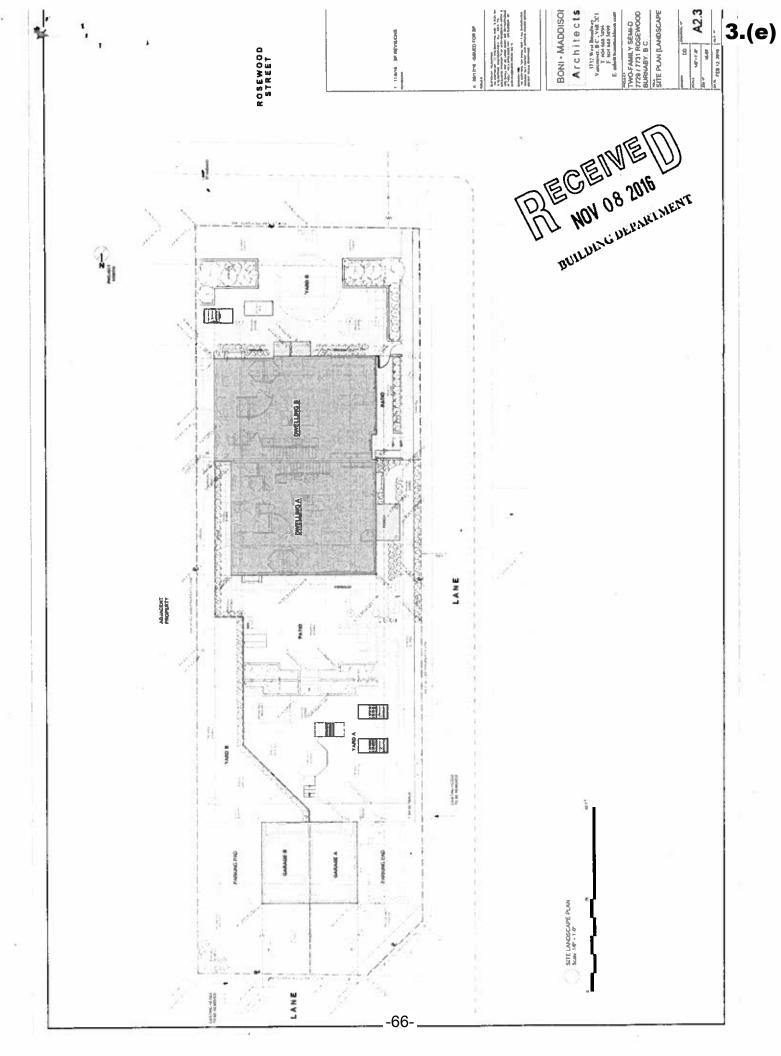
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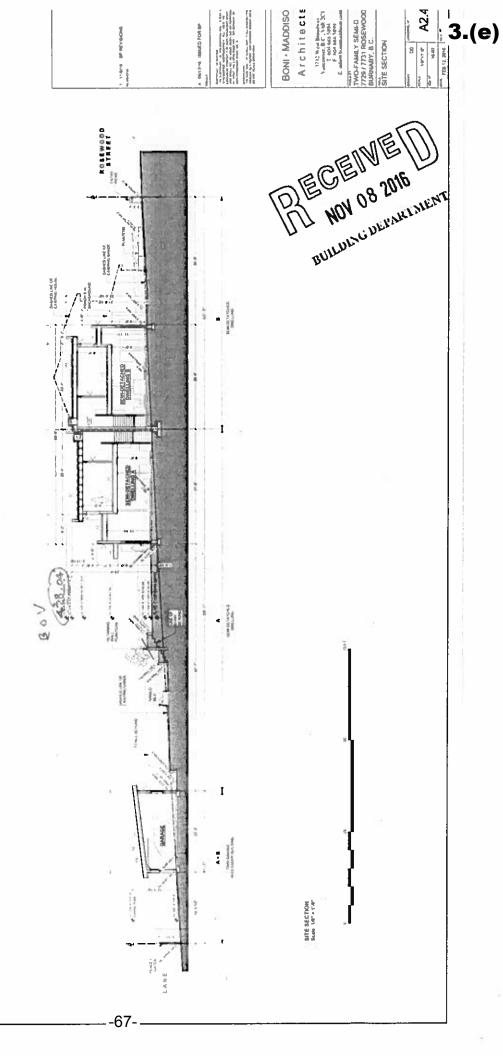
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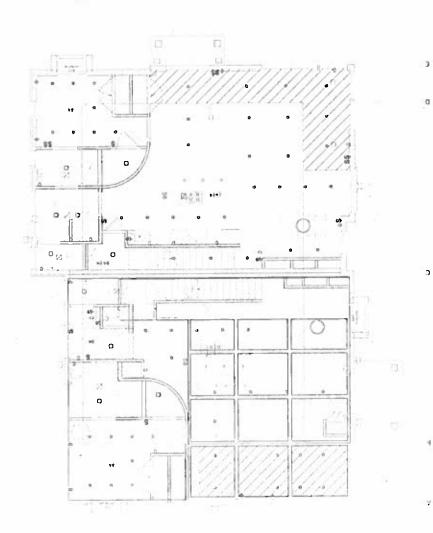
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ROUND FLOOR RCP



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BONF - MADDISOR Architects



GROUND FLOOR REFLECTED CELLING PLAN Scale 145 x 110

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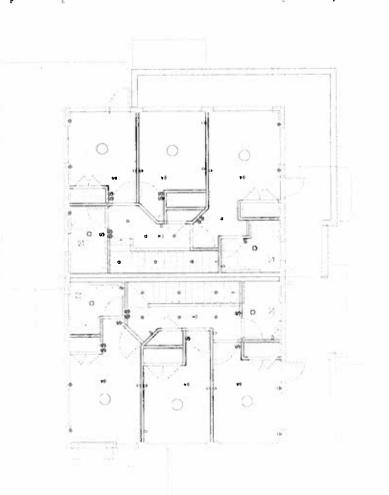
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SECOND FLOOR RCP

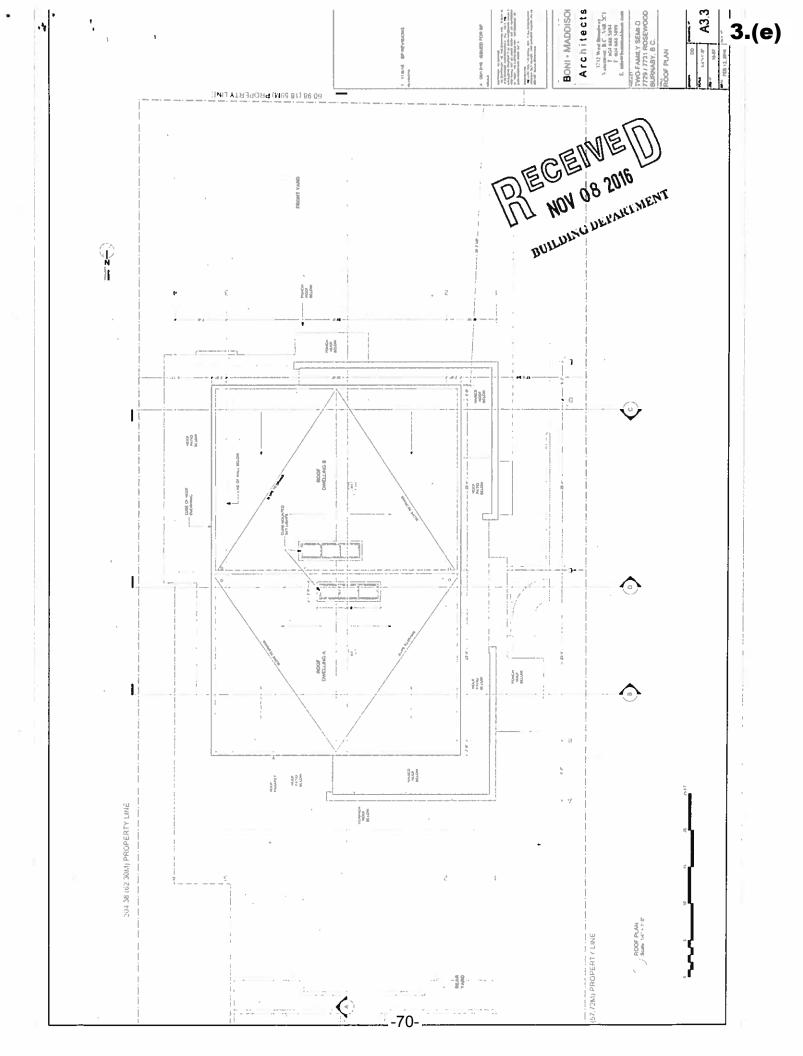
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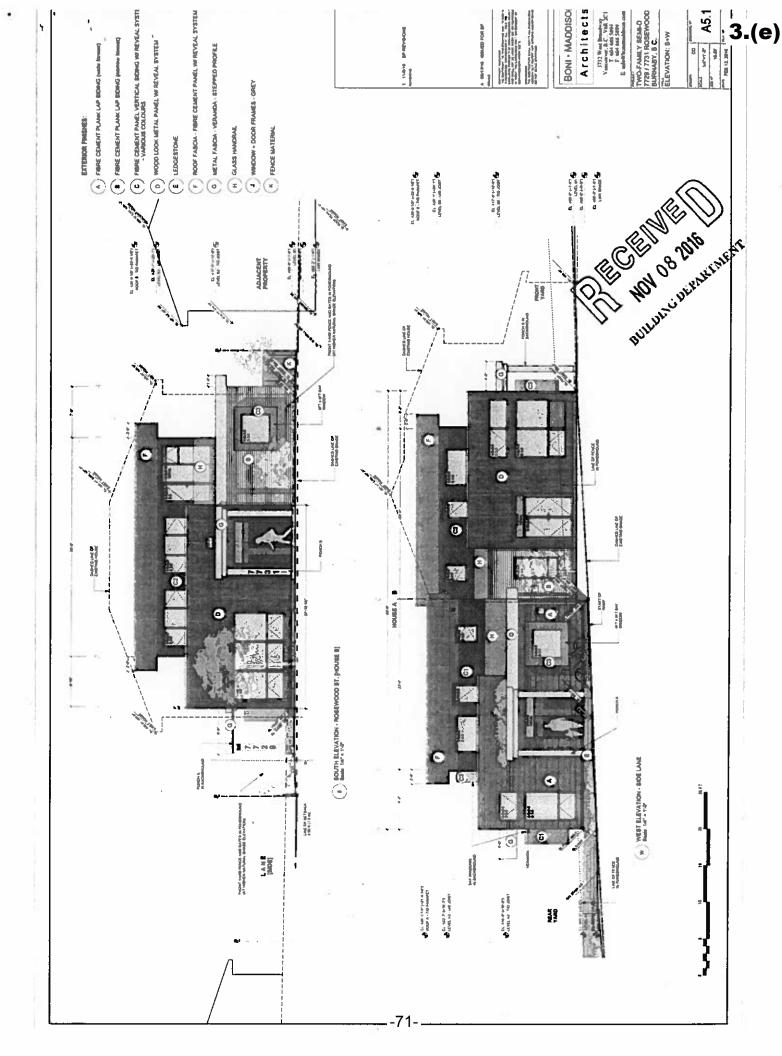
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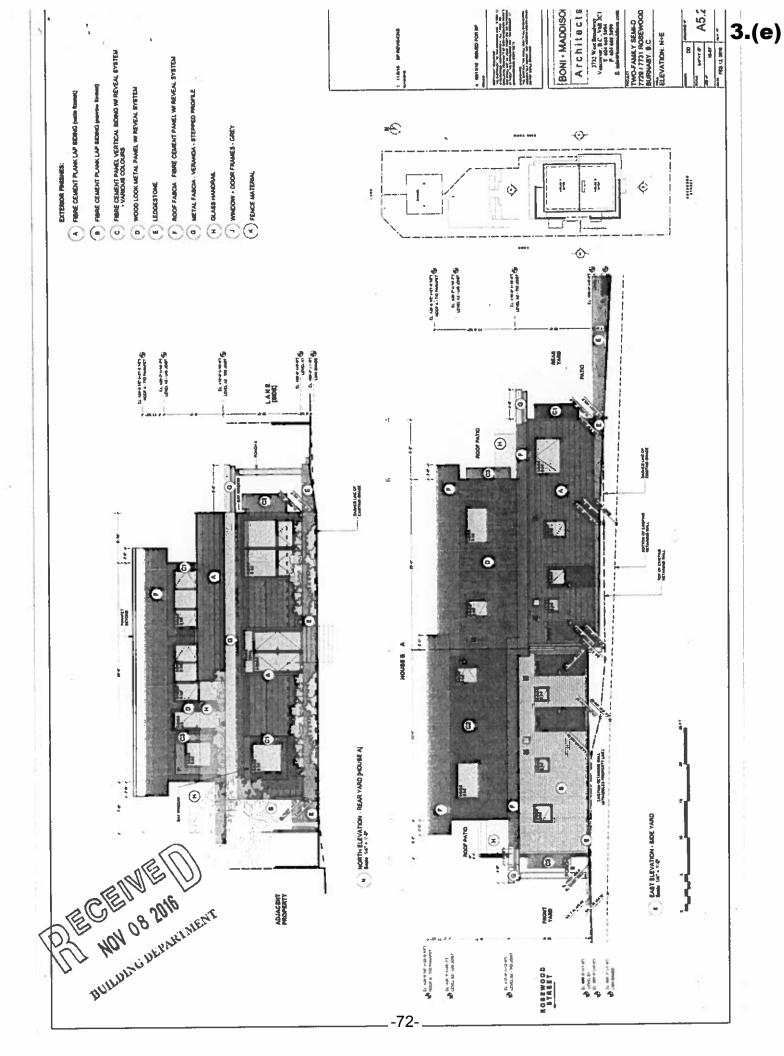
Bowl - Maddiso Architects

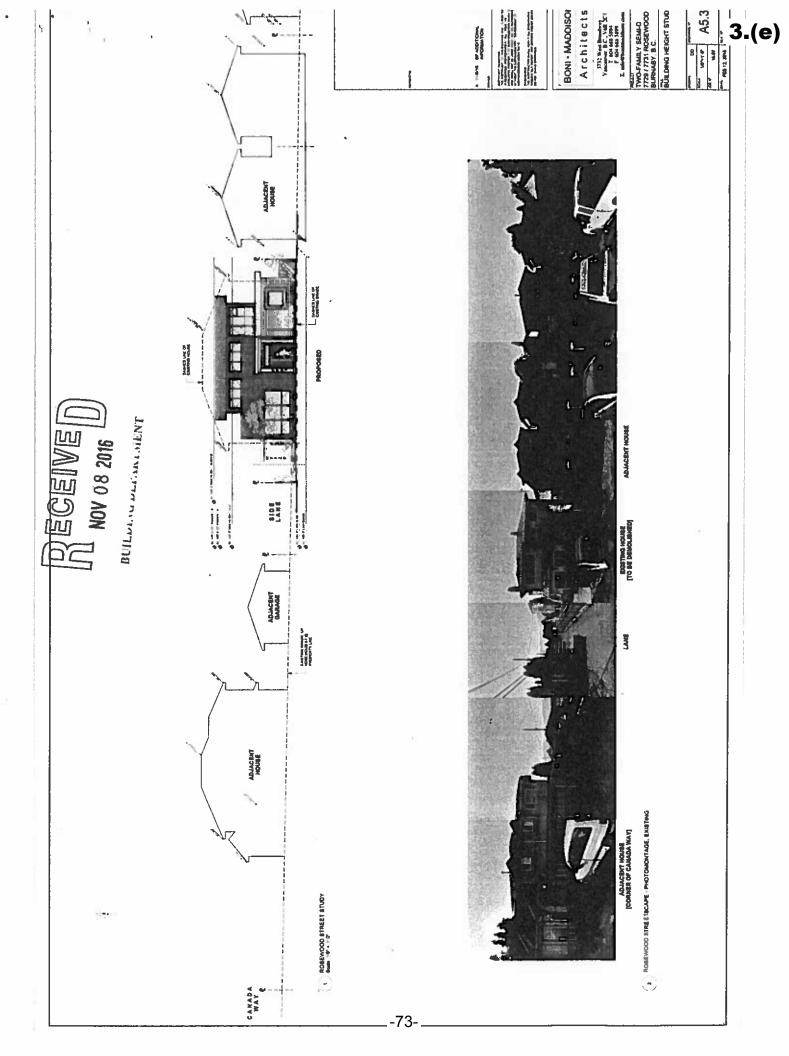


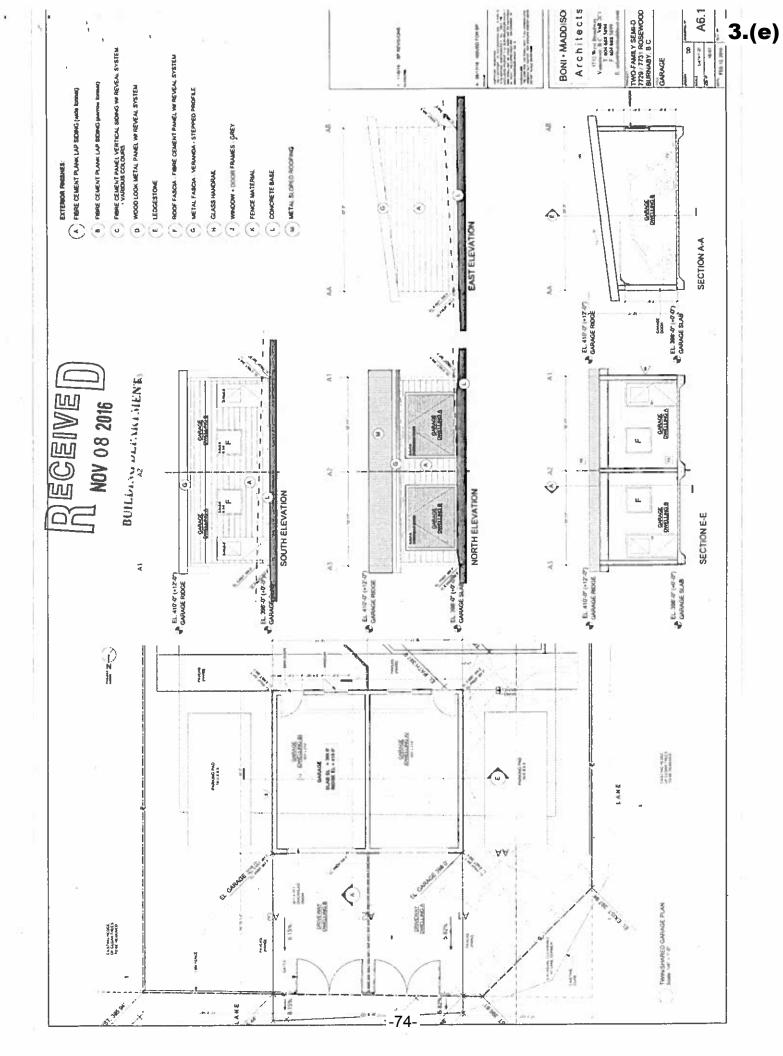
SECOND FLOOR REPLECTED CEILING PLAN













## **Project Manual #2**

Building Envelope and Architectural Details

TWO-FAMILY SEMI DETACHED
DWELLINGS
AT
7729/7731 ROSEWOOD STREET,
BURNABY, B.C.

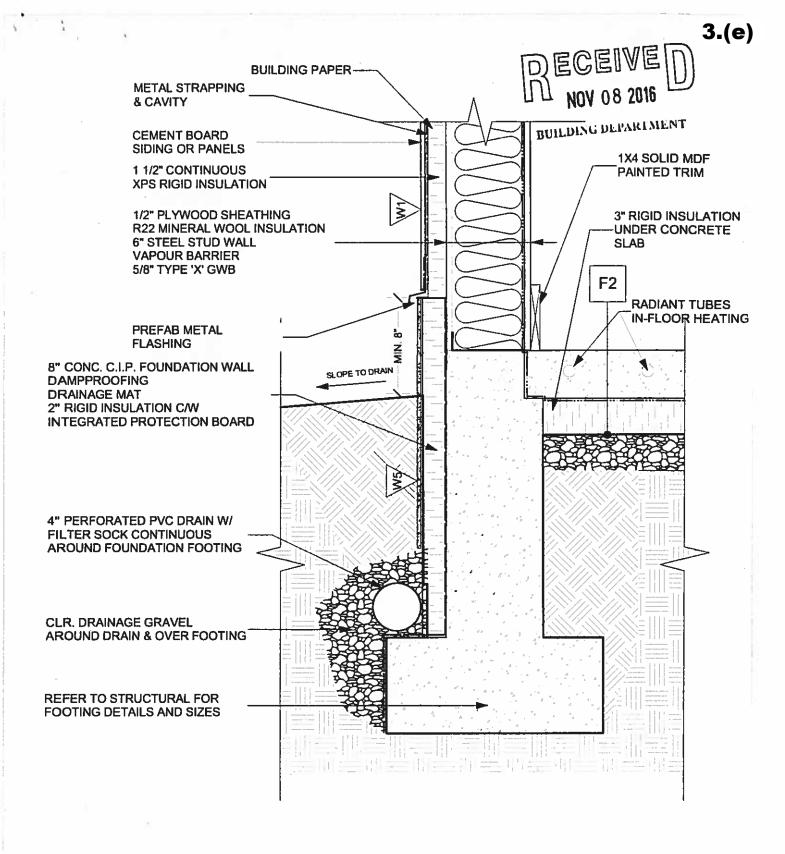
Direct all inquiries to:

**CHARLIE MADDISON, MAIBC** 

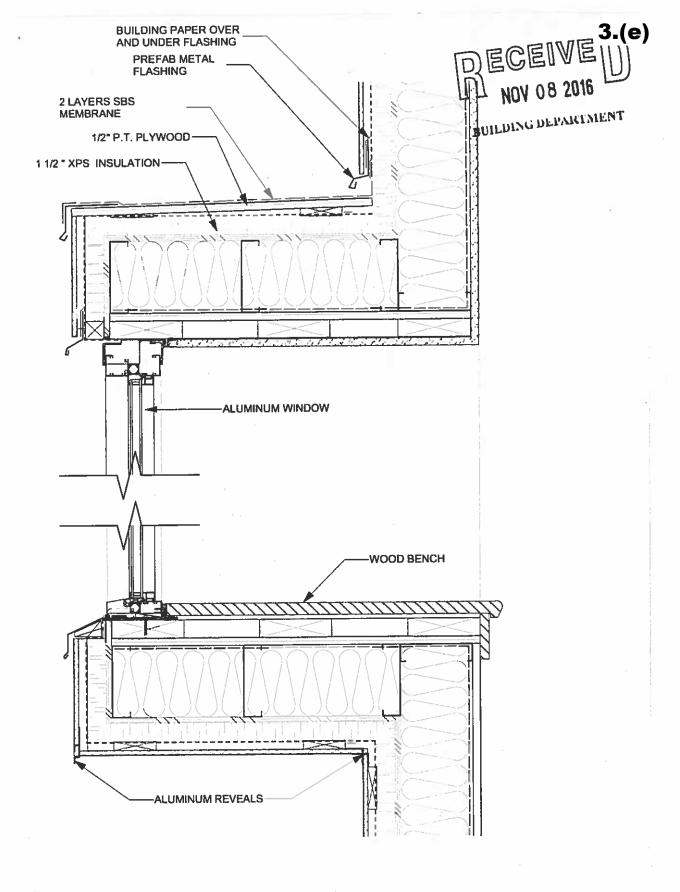
Boni Maddison Architects

(604) 688-5894 ex.112

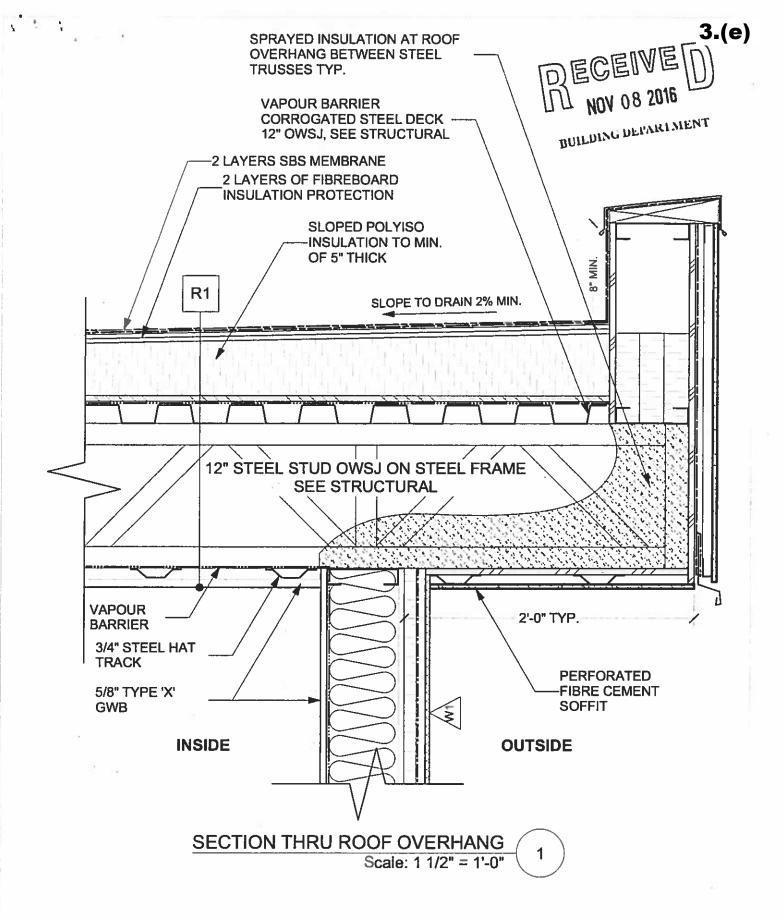
Project Manual #2
Issued for Building Permit, June 03, 2016
Revised Nov 08, 2016



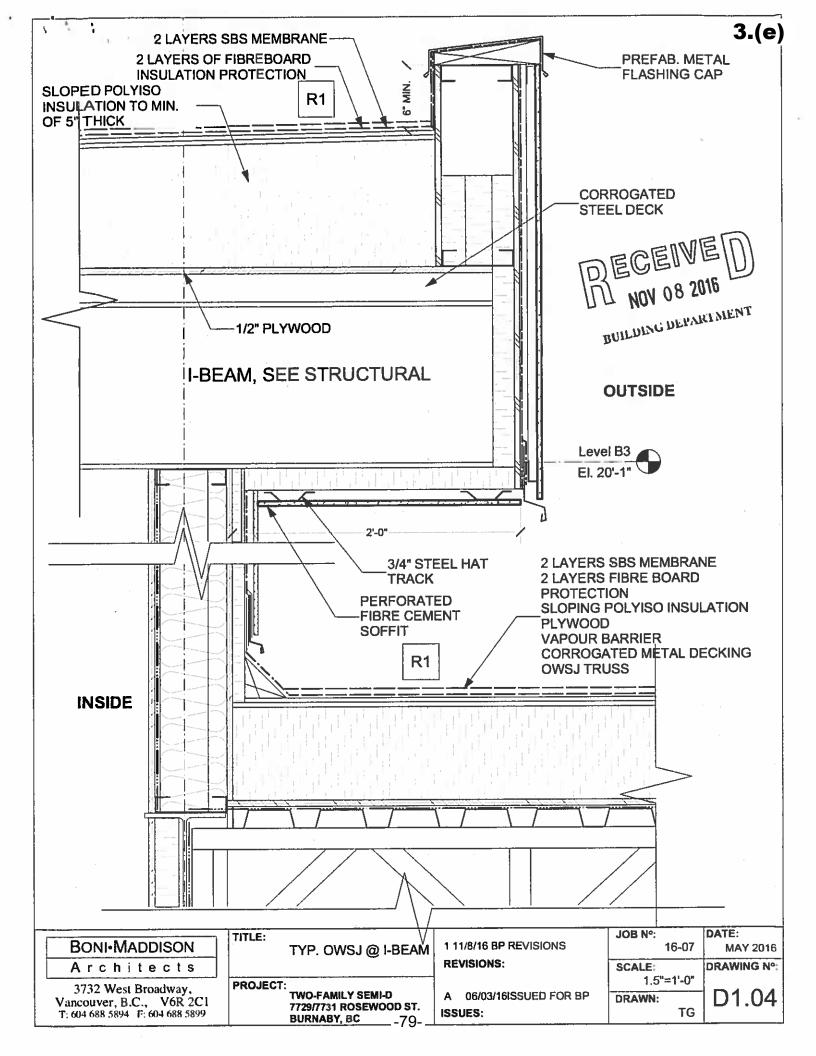
BONI-MADDISON	TITLE: FOUNDATION	1 11/8/16 BP REVISIONS	JOB Nº: 16-07	MAY 2016
Architects 3732 West Broadway,	PROJECT:	REVISIONS:	SCALE: 1.5"=1'-0"	DRAWING Nº:
Vancouver, B.C., V6R 2C1 T: 604 688 5894 F: 604 688 5899	TWO-FAMILY SEMI-D 7729/7731 ROSEWOOD ST. BURNABY, BC 76	A 06/03/16ISSUED FOR BP ISSUES:	DRAWN: TG	D1.01

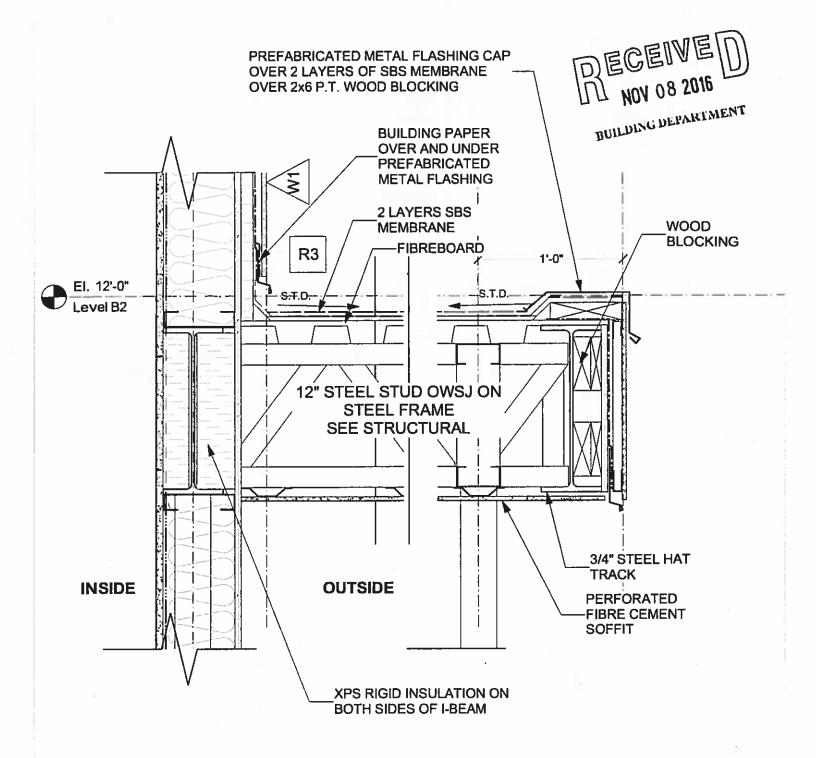


Г	BONI-MADDISON	TITLE: BAY WINDOW DETAIL	1 11/8/16 BP REVISIONS	JOB Nº: 16-07	DATE: MAY 2016
	Architects	DAT WINDOW DEVIAL	REVISIONS:	SCALE: 1.5"=1'-0"	DRAWING Nº:
	3732 West Broadway, Vancouver, B.C., V6R 2C1 T: 604 688 5894 F: 604 688 5899	PROJECT: TWO-FAMILY SEMI-D 7729/7731 ROSEWOOD ST. BURNABY, BC	A 06/03/16ISSUED FOR BP	DRAWN:	D1.02

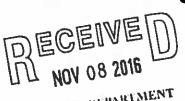


BONI-MADDISON	TITLE: . TYP. ROOF	1 11/8/16 BP REVISIONS	JOB Nº: 16-07	DATE: MAY 2016
Architects	OVERHANG @ OWSJ	REVISIONS:	SCALE: 1.5"=1'-0"	DRAWING Nº
3732 West Broadway, Vancouver, B.C., V6R 2C1 T: 604 688 5894 F: 604 688 5899	PROJECT: TWO-FAMILY SEMI-D 7729/7731 ROSEWOOD ST. RUBNARY BC. 70	A 06/03/16ISSUED FOR BP	DRAWN:	D1.03





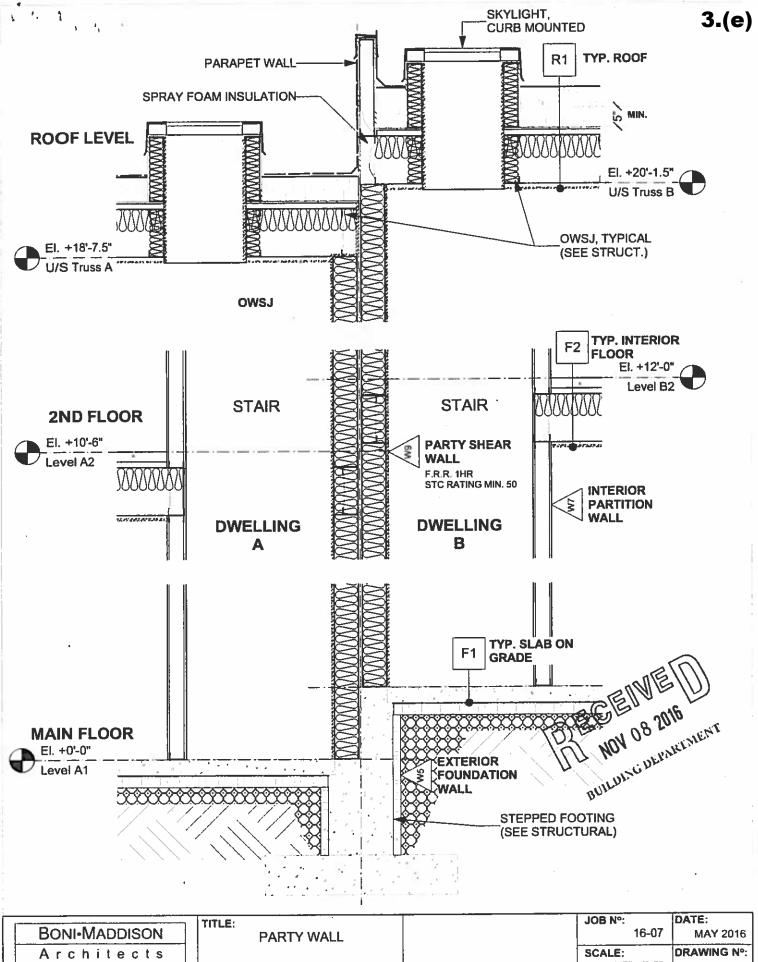
BONI•MADDISON	TITLE: TYP. ENTRANCE	1 11/8/16 BP REVISIONS	JOB N°: 16-07	DATE: MAY 2016
Architects	PORCH	REVISIONS:	SCALE: 1.5"=1'-0"	DRAWING Nº:
3732 West Broadway, Vancouver, B.C., V6R 2C1 T: 604 688 5894 F: 604 688 5899	PROJECT: TWO-FAMILY SEMI-D 7729/7731 ROSEWOOD ST. BURNABY, BC -80-	A 06/03/16ISSUED FOR BP	DRAWN:	D1.05



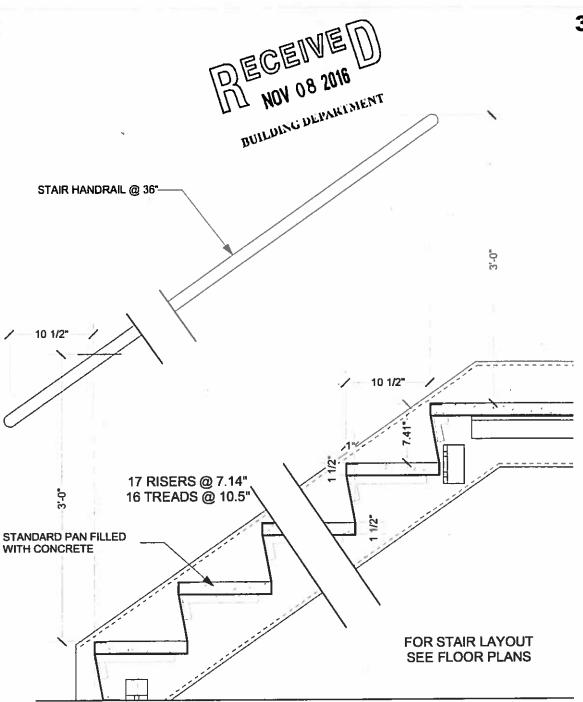
BUILDING DEPARTMENT DOOR TO ROOF DECK **ROOF DECK AREA** SBS MEMBRANE-2ND FLOOR 1 5/8" THICK RADIANT IN FLOOR **CONCRETE PAVERS** ON RUBBER **HEATING** R2 **PEDESTALS** FINISHED FLOORING-SLOPE TO DRAIN -WOOD BLOCKING I-BEAM, SEE STRUCTURAL 12" OWSJ, SEE STRUCTURAL MIN. R 30 SPRAY INSULATION **SPRAY** INSULATION

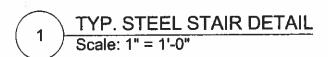
Γ	BONI-MADDISON	TITLE: SECTION AT	1 11/8/16 BP REVISIONS	JOB Nº: 16-07	DATE: MAY 2016
	Architects 3732 West Broadway,	DECK DOOR PROJECT:	REVISIONS:	SCALE: 1.5"=1'-0"	DRAWING N°:
	Vancouver, B.C., V6R 2C1 T: 604 688 5894 F: 604 688 5899	TWO-FAMILY SEMI-D 7729/7731 ROSEWOOD ST. BURNABY, BC 81 -	A 06/03/16ISSUED FOR BP ISSUES:	DRAWN: TG	D1.06

**MAIN FLOOR** 



	BONI-MADDISON	PARTY WALL		16-07	MAY 2016
1	Architects		,		DRAWING Nº:
Ì	3732 West Broadway,	PROJECT: TWO-FAMILY SEMI-D	A 11/8/16 ADDITIONAL INFO	1.5"=1'-0"	D4 07
	Vancouver, B.C., V6R 2C1 T: 604 688 5894 F: 604 688 5899	7729/7731 ROSEWOOD ST.	ISSUES:	DRAWN: TG	ן זט.וען
-1	1: (84 666 5677 1: (87 686 5677	BURNABY, BC			<u></u>





BONI-MADDISON	STAIR DETAIL		16-07	MAY 2016
Architects 3732 West Broadway,	DECK DOOR PROJECT: TWO-FAMILY SEMI-D	A 06/03/16ISSUED FOR BP	1"=1'-0"	DRAWING Nº:
Vancouver, B.C., V6R 2C1 T: 604 688 5894 F: 604 688 5899	7729/7731 ROSEWOOD ST. BURNABY, BC	ISSUES:	DRAWN: TG	D3.01

## EXTERIOR WALL ASSEMBLIES:

W1a		W1a EXTERIOR STEEL STUD WALL W/ CEMENTIOUS LAP SIDING.  • FIBRE CEMENT LAP SIDING 5/16" THICK, 8.25" WIDE (EXPOSURE 7")  • 1" x 3" P.T. WOOD STRAPS, VERTICAL  • BUILDING PAPER  • 1 1/2" XPS RIGID INSULATION (R-7.5)  • 1/2" PLYWOOD SHEATHING  • 6" STRUCTURAL STEEL STUD @ 16" O.C.  • R22 BATT INSULATION  • 6 MIL.VAPOUR BARRIER  • 5/8" GWB TYPE 'X'
W1b	70010100000000000000000000000000000000	W16 EXTERIOR STEEL STUD WALL W/ CEMENTIOUS LAP SIDING  • SAME AS W1a EXCEPT DIFFERENT SIDING SIZE  • FIBRE CEMENT LAP SIDING 5/16" THICK, 5.25" WIDE (EXPOSURE 4")
W1c		W1c EXTERIOR STEEL STUD WALL W/ CEMENTIOUS SIDING OF NONCOMBUSTIBLE CONSTRUCTION 1HR FRR  • FIBRE CEMENT LAP SIDING 5/16" THICK, 5.25" WIDE (EXPOSURE 4")  OR FIBRE CEMENT BOARDS C/W REVEALS  • 0.75" HAT TRACK, VERTICAL @ 16" O.C. SCREWED IN 6" STEEL JOISTS  • BUILDING PAPER  • 1 1/2" MINERAL WOOL RIGID INSULATION  • FIBERGASS MAT GYPSUM PANEL  • 6" STRUCTURAL STEEL STUD @ 16" O.C.  • R22 BATT INSULATION  • 6 MIL.VAPOUR BARRIER  • 5/8" GWB TYPE 'X'
W2		W2 EXTERIOR STEEL STUD WALL W/ CEMENTIOUS PANELS  • FIBRE CEMENT PANELS • 1" x 3" P.T. WOOD STRAPS, VERTICAL • BUILDING PAPER • 1 1/2" XPS RIGID INSULATION (R-7.5) • 1/2" PLYWOOD SHEATHING • 6" STRUCTURAL STEEL STUD @ 16" O.C. • R22 BATT INSULATION • 6 MIL. VAPOUR BARRIER • 5/8" GWB TYPE 'X'  DELETED  DELETED
W3	DELETED	DELETED BUILDING DELEVAN
		N a A

BONI-MADDISON	TITLE: WALL TYPES 1	1 11/8/16 BP REVISIONS	JOB N°: 16-07	DATE: MAY 2016
Architects	PROJECT:	REVISIONS:	SCALE: 1/2"=1'-0"	DRAWING Nº:
3732 West Broadway, Vancouver, B.C., V6R 2C1 T: 604 688 5894 F: 604 688 5899	TWO-FAMILY SEMI-D 7729/7731 ROSEWOOD ST. BURNABY, BC	A 06/03/16ISSUED FOR BP	DRAWN: NB	D7.01

## EXTERIOR WALL ASSEMBLIES:

` W4a		W4a WOOD LOOK ALUMINUM PANEL SIDING W/ REVEAL SYSTEM  • ALUMINUM PANEL RAINSCREEN SYSTEM  • BUILDING PAPER  • 1 1/2" XPS RIGID INSULATION (R-7.5)  • 1/2" PLYWOOD SHEATHING  • 6" STEEL STUD WALL  • R22 BATT INSULATION  • 6 MIL. VAPOUR BARRIER  • 5/8" GWB TYPE 'X'
W4b	<u> </u>	W4b FIBRE CEMENT PANEL SIDING W/ REVEAL SYSTEM • FIBRE CEMENT PANEL • 1"x4" P.T. WOOD STRAPPING • BUILDING PAPER • 1 1/2" XPS RIGID INSULATION (R-7.5) • 1/2" PLYWOOD SHEATHING • 6" STEEL STUD WALL W/ R22 BATT INSULATION • R22 BATT INSULATION • 6 MIL. VAPOUR BARRIER • 5/8" GWB TYPE 'X'
W5		W5 EXTERIOR CONC. FOUNDATION WALL  • 2" XPS INSULATION (R-10)  W/ INTEGRAL PROTECTION BOARD  • DRAINAGE MAT  • DAMPPROOFING  • 8" C.I.P.
W6		W6 GARAGE EXTERIOR STEEL STUD WALL W/ CEMENTIOUS LAP SIDING  • FIBRE CEMENT LAP SIDING 5/16" THICK, 8.25" WIDE (EXPOSURE 7") • 1" x 3" P.T. WOOD STRAPS, VERTICAL • BUILDING PAPER • 1/2" PLYWOOD SHEATHING • 6" STRUCTURAL STEEL STUD @ 16" O.C. • R22 BATT INSULATION • 6 MIL.VAPOUR BARRIER • 1/2" GWB
		• 6" STRUCTURAL STEEL STUD @ 16" O.C. • R22 BATT INSULATION • 6 MIL.VAPOUR BARRIER • 1/2" GWB   RULLING DE PARTIER  RULLING D

BONI-MADDISON Architects	WALL TYPES 2	1 11/8/16 BP REVISIONS REVISIONS:	16-07	DATE: MAY 2016 DRAWING N°:
3732 West Broadway, Vancouver, B.C., V6R 2CI T: 604 688 5894 F: 604 688 5899	PROJECT: TWO-FAMILY SEMI-D 7729/7731 ROSEWOOD ST.	A 06/03/16/SSUED FOR BP	1/2"=1'-0" DRAWN: NB	D7.02

 1
W7 INTERIOR PARTITION WALL  1/2" GWB  3 5/8" STEEL STUD @ 16" O.C.  1/2" GWB  ACOUSTIC INSULATION OPTIONAL
W8 INTERIOR PARTITION WALL  • 1/2" GWB  • 6" STEEL STUD @ 16" O.C.  • 1/2" GWB  • ACOUSTIC INSULATION OPTIONAL
W9 SHEAR PARTY WALL [F.R.R 1HR, STC MIN. 50]  • 5/8" GWB TYPE 'X'  • METAL STRAP (SEE STRUCTURAL)  • 6" STEEL STUD @ 16" O.C.  • ACOUSTIC INSULATION  • 1" AIR SPACE  • ACOUSTIC INSULATION  • 6" STEEL STUD @ 16" O.C.  • METAL STRAP (SEE STRUCTURAL)  • 5/8" GWB TYPE 'X'
F1 TYP. SLAB ON GRADE (INSULATED)  • SLAB ON GRADE C/W IN-FLOOR RADIENT HEATING, SEE STRUCTURAL • 6 MIL. VAPOUR BARRIER • 3" XPS INSULATION (R-15) • COMPACTED SAND
F2 TYP. INTERIOR FLOOR ASSEMBLY  • FINISHED FLOOR (SEE FINISH SCHEDULE) • 4" CONC. TOPPING C/W IN-FLOOR RADIANT HEATING • 1 1/2" CORROGATED STEEL DECK • 12" STEEL STUD OWSJ ON STEEL FRAME • 3/4" STEEL HAT TRACK • 5/8" GWB TYPE 'X'
• 11/2" CORROGATED STEEL DECK • 12" STEEL STUD OWSJ ON STEEL FRAME • 3/4" STEEL HAT TRACK • 5/8" GWB TYPE 'X'  F3 GARAGE SLAB ON GRADE • SLAB ON GRADE  • SLAB ON GRADE  SEE STRUCTURAL • 6 MIL. VAPOUR BARRIER • COMPACTED SAND

BONI•MADDISON	TITLE: WALL TYPES 3	1 11/8/16 BP REVISIONS	JOB N°: 16-07	DATE: MAY 2016
Architects		REVISIONS:	SCALE: 1/2"=1'-0"	DRAWING Nº:
3732 West Broadway, Vancouver, B.C., V6R 2C1 T: 604 688 5894 F: 604 688 5899	PROJECT: TWO-FAMILY SEMI-D 7729/7731 ROSEWOOD ST. BURNABY, BCRG_	A 06/03/16ISSUED FOR BP	DRAWN:	D7.03

## ROOF ASSEMBLIES:

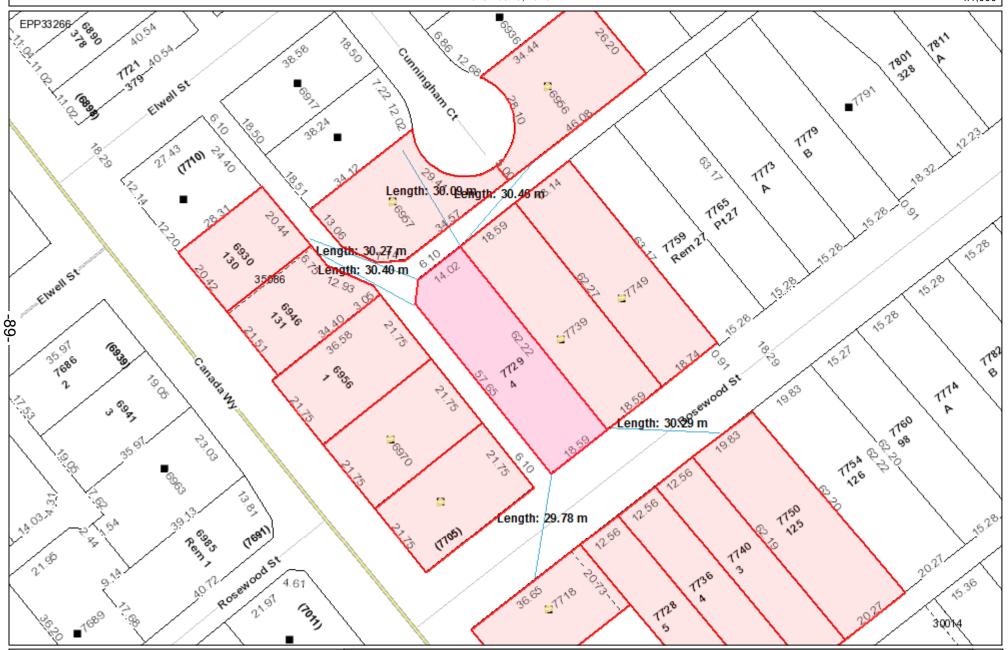
R1		R1 ROOF ASSEMBLY, TYP.  - 2 LAYER SBS MEMBRANE - PROTECTION BOARD - MIN. 5" RIGID POLYISO INSULATION, SLOPING (R-30) -1/2" PLYWOOD - 1 1/2" CORROGATED STEEL DECK - R22 BATT INSULATION - 12" OWSJ ON STEEL FRAME - 3/4" STEEL HAT TRACK - 1/2" TYPE X GWB
R2		R2 ROOF PATIO ASSEMBLY, TYP.  1 5/8" CONCRETE PAVERS ON RUBBER PEDESTALS SBS MEMBRANE 4" CONCRETE TOPPING 1 1/2" CORROGATED STEEL DECK MIN. R-30 SPRAY INSULATION 12" STEEL STUD OWSJ ON STEEL FRAME 3/4" STEEL HAT TRACK 5/8" TYPE 'X' GWB
R3	97 10	R3 ROOF: PORCH (NO INSULATED REQUIRED)
R4		R4 VERANDA: ROOF PROJECTION (NO INSULATED REQUIRED)
R5	11)	R5 ROOF: GARAGE (SLOPED)  R5 ROOF: GARAGE (SLOPED)  RULLULTURE THE PART TO THE PART

BONI-MADDISON	TITLE: ROOF TYPES 1	1 11/8/16 BP REVISIONS	JOB Nº: 16-07	MAY 2016
Architects	PROJECT:	REVISIONS:	SCALE: 1/2"=1'-0"	DRAWING Nº:
3732 West Broadway, Vancouver, B.C., V6R 2C1 T: 604 688 5894 F: 604 688 5899	TWO-FAMILY SEMI-D 7729/7731 ROSEWOOD ST. BURNABY, BC _87_	A 06/03/16ISSUED FOR BP	DRAWN: TG	D7.04



#### 7729 / 7731 Rosewood St

November 9, 2016 1:1,000



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.





# 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	HARB MAKE
Mailing Address	7779 11th AVE
City/Town	BURNARY Postal Code V3N 2N4
Phone Number(s)	(H) (C) 604 375 1655
Email	moderelopment I Q gmail.com
Preferred method of	contact: 🖬 email 🗆 phone 🗆 mail
Property	
Name of Owner	Jack 8 PAULINE CHAN
Civic Address of Prop	erty 8462 Royal OAK AVE DURNARY
	PL NWP1489 LT18 D4150 LD 76
best of my knowledge, tri	information submitted in support of this application is, to the ue and correct in all aspects, and further that my plans have no laws other than those applied for with in this application.
OCT 31 /2016	
Date	Applicant Signature
	Office Use Only
Appeal Date 2016	Recember 0   Appeal Number BV# 6356
Required Documents:	
	dship Letter from Applicant Plan of Subject Property
	Iding Department Referral Letter
Any doc	Iments submitted in support of this Board of

Any documents submitted in support of this Board of Variance Appeal will be made available to the Public

#### SUBJECT - Hardship Letter regarding 8462 Royal Oak Avenue Burnaby

To Whom it may concern,

I am writing this formal hardship letter to the Board of Variance to request that our application to build a new detached family dwelling at address 8462 Royal Oak Avenue be approved for a 4ft height increase of the new home planned.

The reason why we are looking for a 4ft height increase is because the property is very steep to begin with as it is located on the corner of royal oak avenue and Keith st, on block north of marine drive. The driveway to the attached garage will have a slope of 33% initially, however with the 4 ft height increase we can obtain a driveway slope of 14.88% (this is the number where we derived the 4ft height increase from), the maximum allowed for driveway slope is 15% according to the city bylaws. The driveway will come off of the back alley for Keith st. City of Burnaby Engineering will not allow for a driveway off of Royal Oak Avenue as it is a main road, also we are unable to build a detached garage as the property is not wide enough to accommodate enough distance between the garage and the main residence, in addition the owner's that will be occupying this home are in their mid to late 70's of age and will not be able to walk down the number of steps required if a detached garage was an option.

The proposed height of the new home will not obstruct the North and East neighbors views they currently have from their homes. The placement of the new proposed home is currently complying with all building setbacks and there is no room to adjust the placement of the building on the property.

We hope that the Board will consider all the above information justifying the increase in height of the new proposed building and make the appropriate descision.

Thank you for your time and consideration

Harb Mann

A-



BOARD OF VARIANCE REFERRAL LETTER	
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DATE: No	TE: Nov 2, 2016 DEADLINE: Nov 08, 2016 for the Dec 1, 2016 hearing		This is <u>not</u> an application.	
NAME OF	Please take letter to Board of Variance.			
ADDRESS OF APPLICANT: 5537 Marine Drive Burnaby			(Clerk's office -	
TELEPHONE: 604-435-1248		Ground Floor)		
PROJECT				
DESCRIPT	ΓΙΟΝ: New Single	Family Dwelling w/ Secondary Suite and	Attached Garage	
ADDRESS	: 8462 Royal Oa	k Avenue		
LEGAL:	LOT: 18	DL: 158	PLAN: NWP1489	

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

## Zone/Section(s) R2 [102.6(1)(a)] 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.

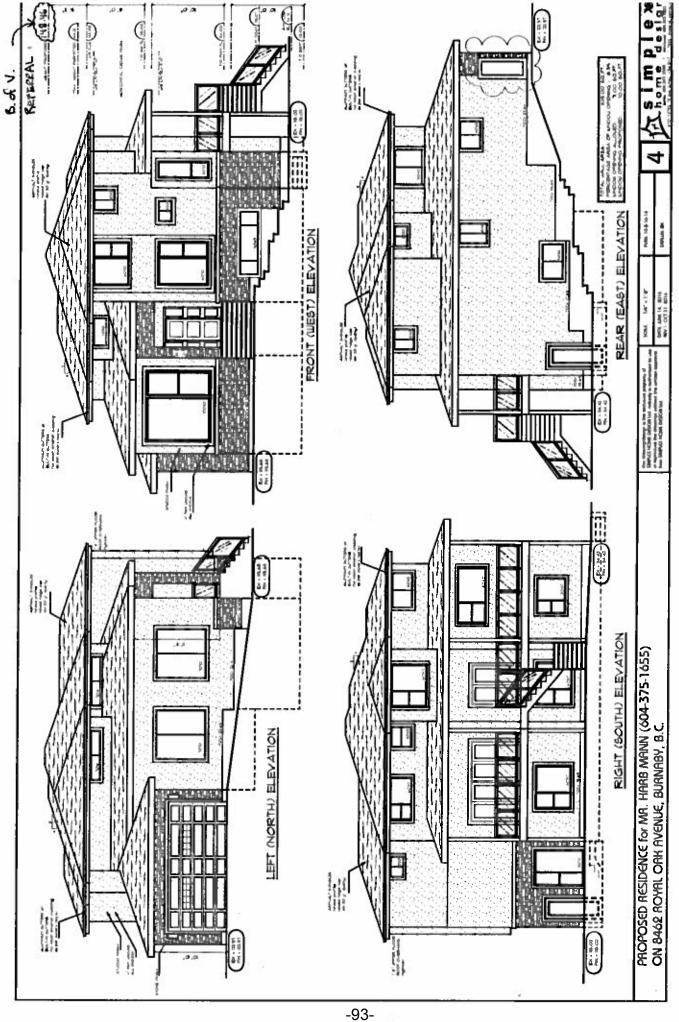
To vary Section 102.6(1)(a) – "Height of Principal Building" of the Zoning Bylaw from 29.5 ft. to 33.74 ft. The purpose of this variance is to allow construction of the proposed single family dwelling with a sloped roof to exceed the permitted maximum building height, as measured from the front average elevation. The principal building height, measured from the rear average elevation will be 27.15 feet.

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.

MS

Peter Kushnir

Deputy Chief Building Inspector





#### 8462 Royal Oak Ave

November 9, 2016 1:800



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.





# 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

		17 1150 2130 TAX A	andin derka@barriaby.ca
Applicant		AL VALUE OF	
Name of Applicant	ADRUAM	BOTEL	
Mailing Address	1501 - 8160	Postal Code	RS
City/Town	Richpromo	Postal Code	46 x 349
Phone Number(s)	(H)	(c) 478 004in - M38	9960570
Email	ADRIAN @	BEN - MIHBO	wrs. ca
Preferred method of	contact: 🗆 email	<b>≰</b> phone □ mail	
Property			
Name of Owner	Abria	A BOTER	
Civic Address of Prop	erty 4610	M BOTTER MARCINE	BRITE
I hereby declare that the best of my knowledge, tru conflict with municipal by	ue and correct in all a:	spects, and further th	at my plans have no
to 8, 2016		0	
Date	<del></del>	Applicant Signature	<u> </u>
	Office Use (	<u>Only</u>	
Appeal Date 2016 D	ecember of Appeal	Number BV# 6257	
□ Site	dship Letter from Applica Plan of Subject Property ding Department Referra	•	
Any doc	uments submitted in	support of this Board	o\$

Any documents submitted in support of this Board of Variance Appeal will be made available to the Public

### Hardship Letter for City of Burnaby Board of Variance

Applicant Name: Adrian Botez Date: October 11th, 2016

Project address: 4160 Marine Drive, Burnaby, BC

To whom it may concern,

This letter is to demonstrate and describe the hardship resulting in the request for the relaxation of the Building Height as per the Burnaby Zoning Bylaw as it applies to this property.

The proposed building is in the R5 Residential District Zone and is located on south side of Marine Drive. The shape of the site is a parallelogram which is approximately 50 ft. wide and 200 ft. deep. To the east and west of the subject site there are single family dwellings. There is no back lane so vehicle access is through the front driveway. The property's south boundary is bordered by the parking lot of the Riverway Sports Complex.

The site slopes significantly from north to south, with a difference of 28.88 ft in elevation from the highest elevation at the street property line to the lowest elevation point of the site at the rear property line (39.98 ft. – 11.10 ft.). When applying the height calculation as per the lowest average side the property's steep terrain has a significant impact. The calculation would cause the building to be significantly below the road level and significantly lower that the neighboring homes. The result poses difficulty in dealing with driveway slopes from the street, considering there is no lane access for a detached structures this further complicates the design abilities for the property.

When viewed from Marine Drive the proposed building height measured from the front (north) elevation will be only 17.03 ft. (57.01ft. – 39.98ft.). This will create a pleasant streetscape with the neighboring homes.

In the back the height of the building is 20'10" on the south edge of the house and only 32' towards the middle of the building height increases with 9'6" taking the maximum height to 30'4". At that point, as detailed in LOT PROFILE attached, the height from the grade is only 23'7".

Compared to the other two newer homes on the west side of the property, the top of the roof follows the street line and is lower than other two homes situated west of the property (57'01" for proposed building vs 58'20" the first house and 61'22" second house – all the roof elevations have been surveyed by Richard Fu Land Surveying Inc.).

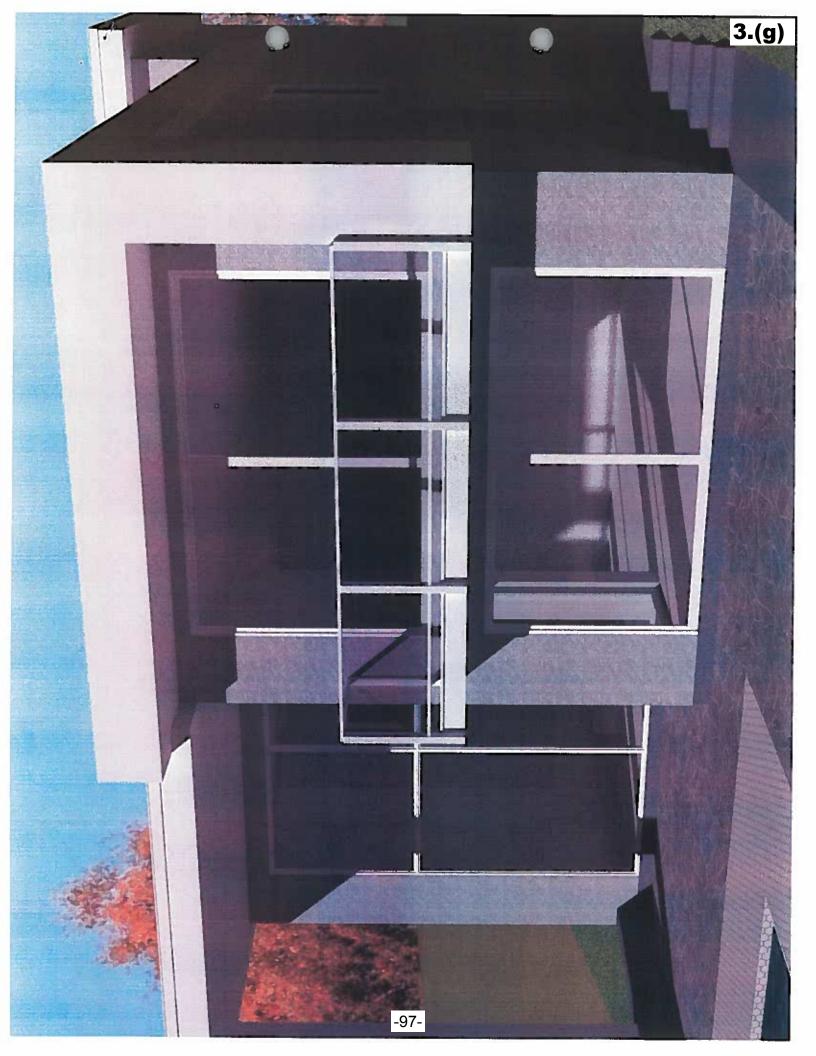
Seen from back yard or front yard house looks like a 2 story house, a rendering is attached to this letter.

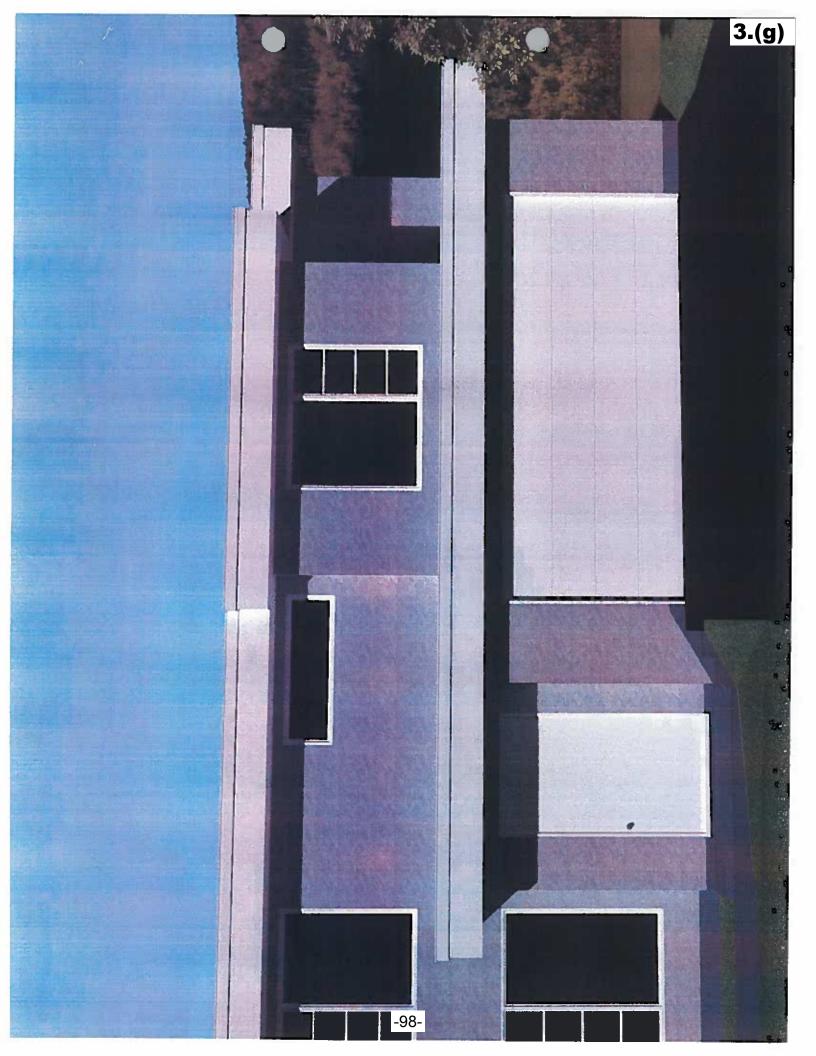
I consider that it is unlikely that the height created by a relaxation in the height calculation would affect the views from the north side neighboring properties as these are much higher in their position on north side of Marine Drive, nor would it affect the parking lot to the south of the property in any negative manner.

The steep slope of the site creates this hardship situation when attempting to meet the bylaw height restrictions. A relaxation in the height would create a considerably more pleasing architectural and streetscape appearance on the block of homes and would address the structural challenge in building on the extensively sloped site. This will all be achieved with only positive impacts to the neighborhood.

Sincerely,

Adrian Botez







#### BOARD OF VARIANCE REFERRAL LETTER

DATE: No	vember 01, 2016	DEADLINE: November 8, 2016 the December 1, 2016 hearing	application.
NAME OF	Please take letter to Board of Variance.		
ADDRESS OF APPLICANT: 4610 Marine Drive, Burnaby, B.C. TELEPHONE: 778 996 0570			(Clerk's office - Ground Floor)
			Ground Floor)
PROJECT			· 15 · 18 · 16 · 16 · 17 · 17 · 17 · 17 · 17 · 17
DESCRIPT	ΓΙΟΝ: New single fa	mily dwelling w/ attached garage	
ADDRESS	: 4610 Marine Driv	ve	
LEGAL:	LOT: 110	DL: 157	PLAN: NWP26519

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 [102.6(1)(b)] of the Burnaby Zoning Bylaw No. 4742

#### **COMMENTS:**

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

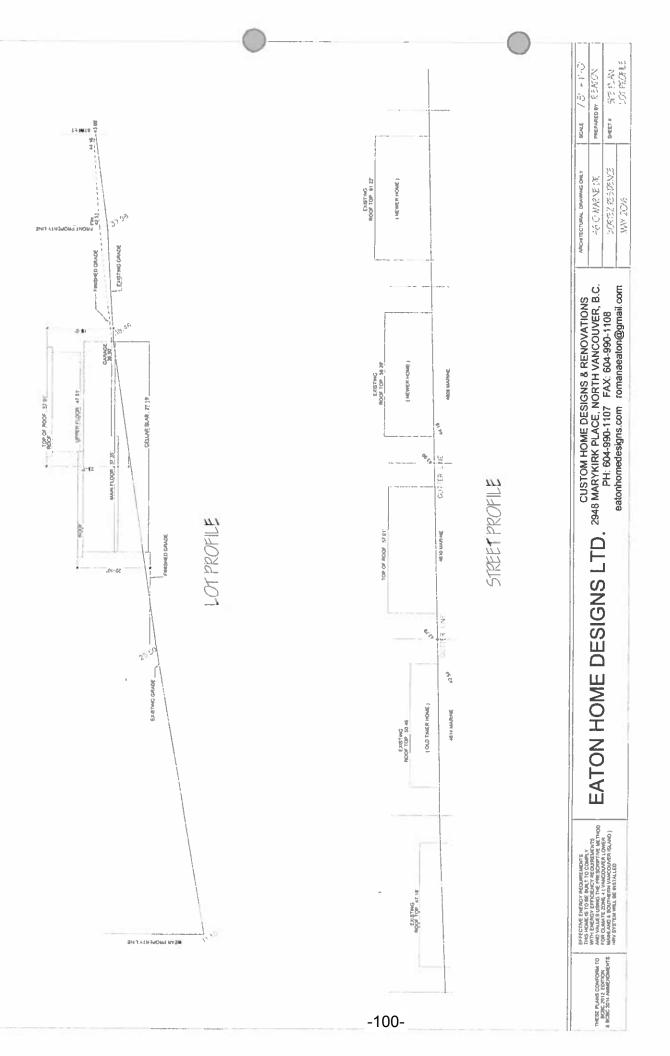
1) To vary Section 102.6(1)(b) - "Height of Principal Building" of the Zoning Bylaw from 24.3 feet to 30.32 feet. The purpose of this variance is to allow construction of the proposed single family dwelling with a flat roof to exceed the permitted maximum building height, as measured from the rear average elevation. The building height, as measured from the rear average elevation, is proposed to be 19.0 feet.

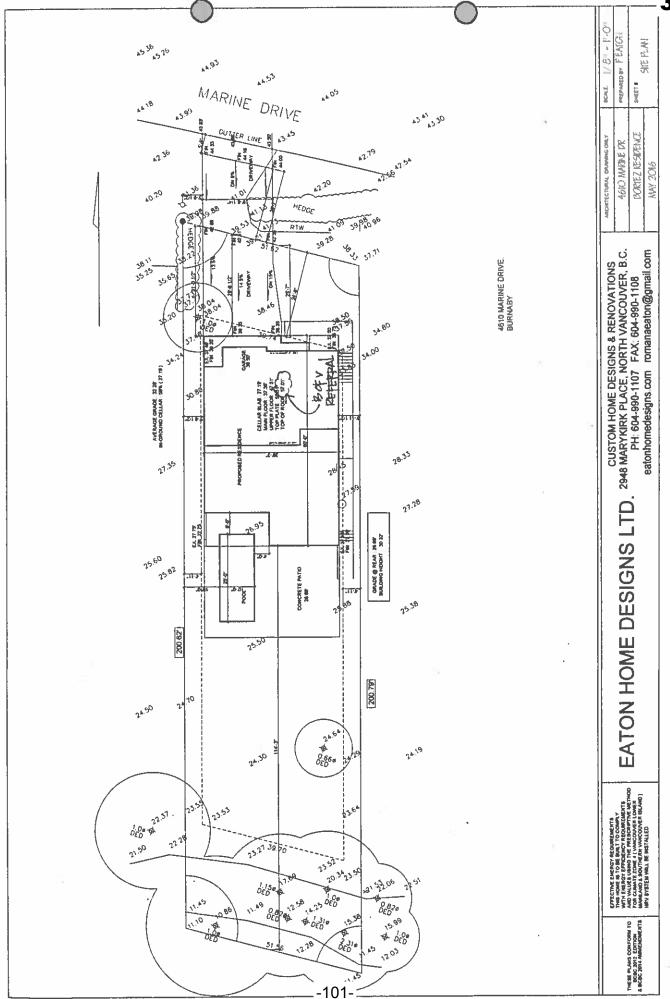
Note: The applicant recognizes that should the project contain additional characteristics in contravention of the zoning by-law a future appeal(s) may be required.

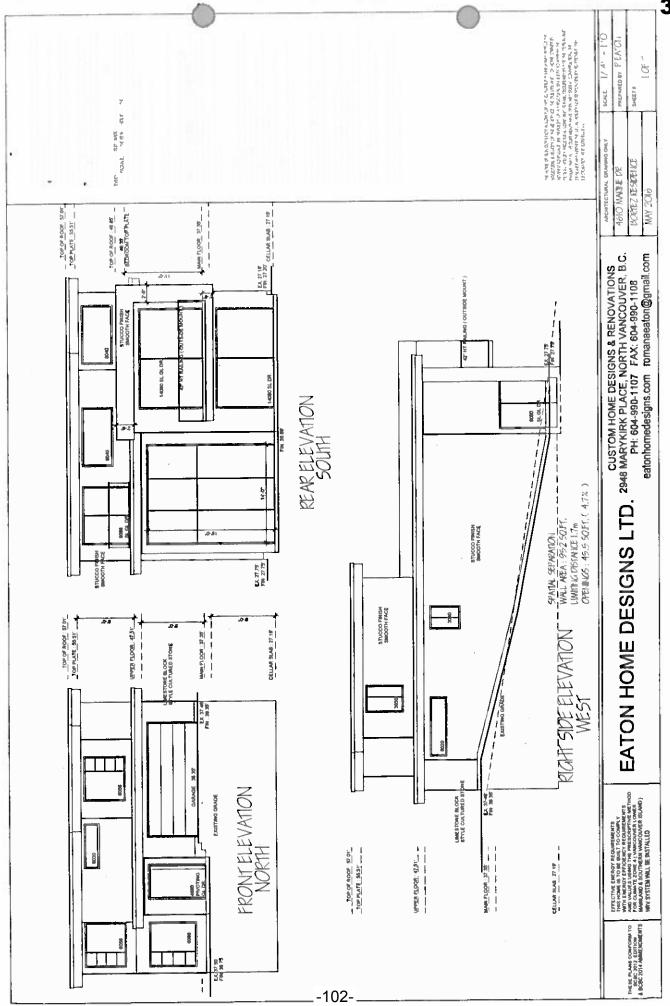
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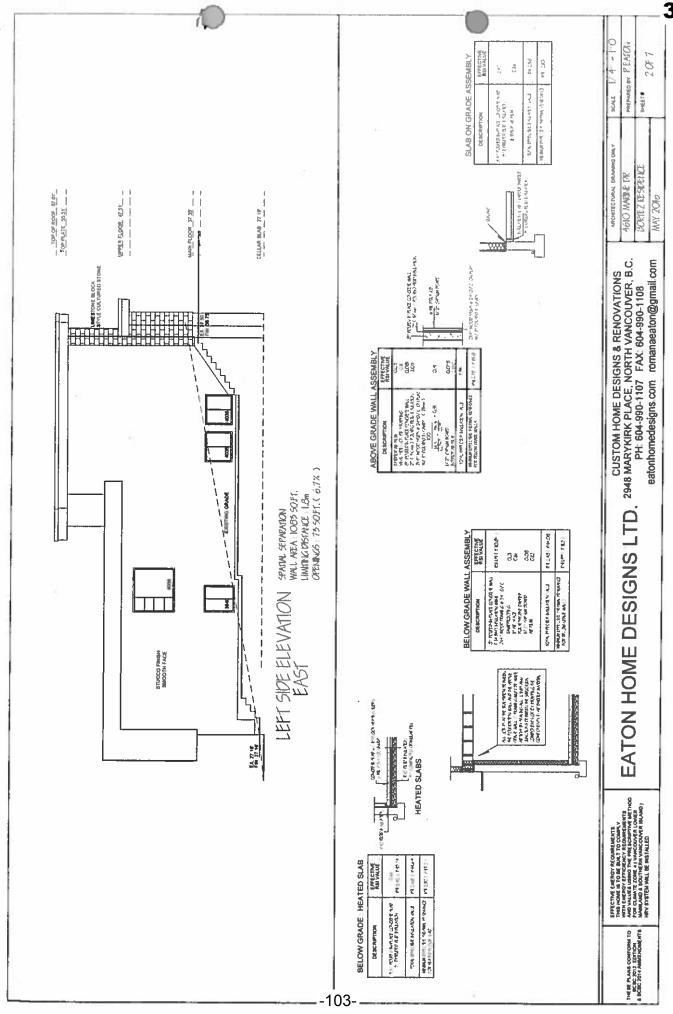
Deputy Chief Building Inspector, Permits and Customer Service







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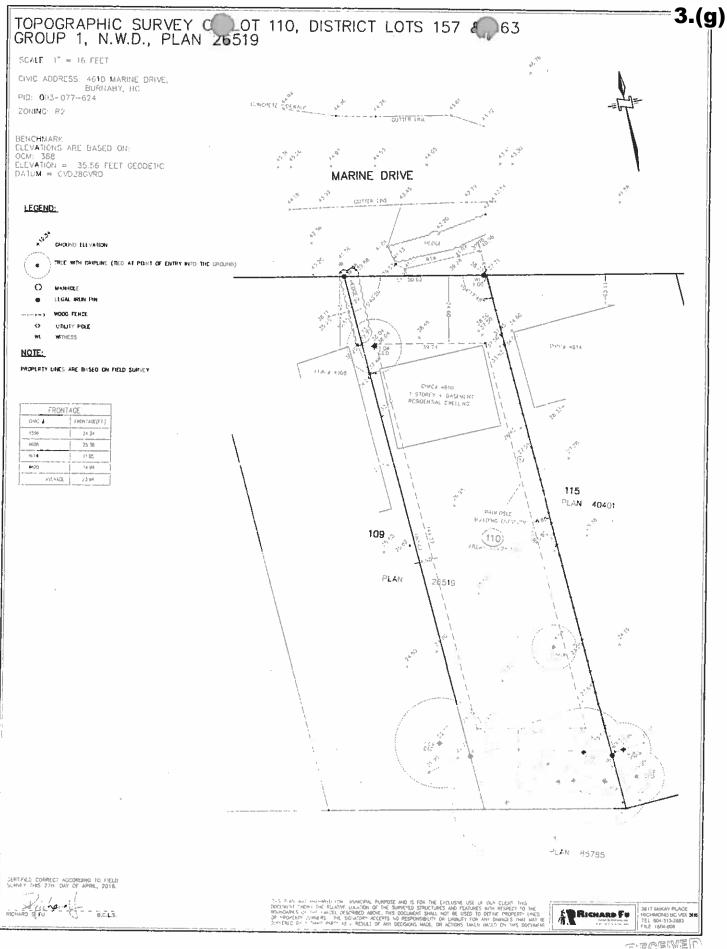
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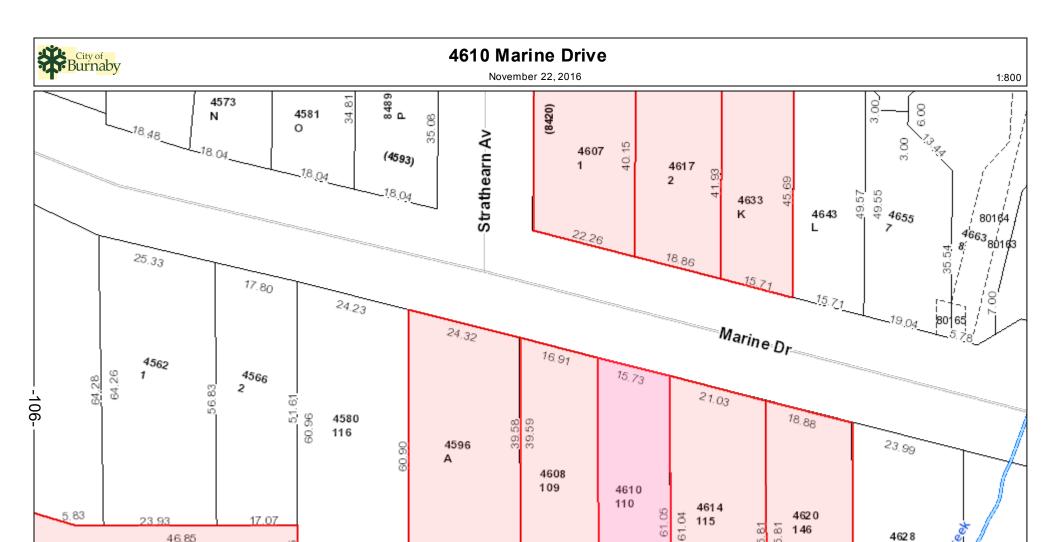
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### Board of Variance Appeal Application Form

#### 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	Rob Hsu
Mailing Address	Vancouver Postal Code V5L 562
City/Town	Vancouver Postal Code V5L 542
Phone Number(s)	(H) (C) 604 3/2 901/
Email	robh@ymail.com
Preferred method of	contact: 😿 email 🔯 phone 🗆 mail
Property	
Name of Owner	Alice On
Civic Address of Prop	erty 395 North Glynde Ave.
	Burnaby
best of my knowledge, tre	information submitted in support of this application is, to the ue and correct in all aspects, and further that my plans have no laws other than those applied for with in this application.
NOV.02,2016	
Date	Applicant Signature
	Office Use Only
Appeal Date 2016 D	ccember 01 Appeal Number BV# 6258
Required Documents:	
	rdship Letter from Applicant e Plan of Subject Property
	lding Department Referral Letter

Any documents submitted in support of this Board of Variance Appeal will be made available to the Public

Oct 21st, 2016

Burnaby Board of Variance
Office of the Secretary
c/o City Clerk's Office
Ground Floor, City Hall
4949 Canada Way
Burnaby, BC
V5G-1M2

#### Re: Application to Board of Variance for property 395 N. Glynde Ave, Burnaby

#### **PROPERTY SPECIFICS:**

Legal Description and Property ID: N66' of Lot 16, Block 39 Plan of District Lot 189,
NWP4953 on R2 zoning.
Land Size 66' x 130.89' for a total of 8639 sq ft.
Current house build in 1948 and is a one story standard house with a basement.
Want to build a new single family dwelling two story house with a basement.
R2 zoning allows for 4736 sq ft.

Dear Members of the Board of Variance,

My wife Alice On (a primary school teacher) and myself Harry Lim (an engineer) purchased the property at 395 N. Glynde Ave. with the hope of building our dream single dwelling family home for our three children (ages 2, 11, and 13). We hired professionals to design a modern, west-coast influenced home to take advantage of the property's beautiful view.

The current house is a sixty-seven year old single level house with a basement and no back lane access. Since the property is zoned for a R2 lot, we felt there would be no issues building a two level home with a basement on this lot. However, in going through the design process we found that some of the Burnaby Zoning Bylaws conflict with the property. The main problem is that the current property is sunken roughly 8.5 feet from city curb to the front building setback line. Like most properties in the Capital Hill region, it is a sloping lot — a factor which further complicates the situation.

Due to the lack of back lane access, a fire hydrant in front of the lot and limited parking all around, we need to build a front garage. In order to build a two-level home with an attached

	garage we need relaxation of Sections 102.6(1)(b) of the Burnaby Zoning Bylaw. The ving variances are being requested:
	Section 102.6(1)(b). Please allow us to build a principal building height of 33.5 feet measured from the rear average elevation and 25.86 feet measured from the front average elevation where the maximum building height of 24.3 feet is permitted.
	Please note that the proposed dwelling would observe a height of 17.62 feet when viewed from both the N. Glynde Ave. city curb and street level – a height which would be within the maximum height of 24.3 feet allowed by the Zoning Bylaw. The additional height we request will have no street impact.
	Please note that we would like to emulate the height configuration of an adjacent property (398 N. Glynde Ave.), which is a two level home built in 2010.
	Please note that the property in front of the proposed dwelling (460 N. Glynde Ave.) resides an additional 4 feet, 2 inches above the front property line, which extends to the garage slab. From the front property line of 395 N. Glynde Ave. there is roughly 19 feet to the main level of 460 N. Glynde Ave. which confirms that the additional height we request will have limited impact on neighbouring properties.
Please	approve our application for the following reasons:
Aesth	
	The planned home and retaining walls have been professionally designed with care for aesthetic impact. Views from both the road and below will be enhanced while maintaining attractive lines of sight for neighbouring properties.
	The style of the newly designed house is consistent with some of the recent houses built in the area.
	We will remove a house built in 1948 and plant a new house on the property.
Neigh	bours have been informed:
	We have spoken to some of the surrounding neighbours about our plans for this property.
Hardsi	•
	In order to meet the 24.3ft maximum building height, the main floor has to be 6.35 ft below the natural/existing grade. We are unable to lower the house as it would place the driveway in violation of the 15% slope allowance.

- There is limited to no street parking available and there is a fire hydrant in front of the property, so a garage would be required.
- ☐ Since there is no back lane access, the garage needs to be from the front and would be attached due to young children in the family.
- The current property is already sunken compared to the frontage, with fourteen steps to get to the house (8.5 feet). If the proposed property is to meet the current bylaw we would require roughly 24 steps (over 14 feet) to get to the street level, which will be problematic for young children. The 24 steps would also be the only escape route to the street/safety zone if there were to be an emergency.
- ☐ The current property has roughly a 21% slope from the city curb to the property line where it should have been a maximum of 1% to 3%, thus creating the current sunken situation.

Asking for an additional height variance of 9.2 feet may initially seem high, but the fact that the current property is in a sunken lot of 8.5 feet with a downward slope of 21% slope from the city curb to the property line has created a unique situation. Please see photos below on the challenges facing this property.

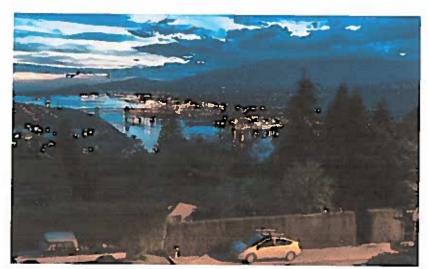


Photo 1: Photo from Neighbor on the East Side in front of the property. View should not be obstructed with increased height.



Photo 2: Photo from street level in front of the property. Cannot even see the top of the roof with the previous house on the property. From center of lot, the top of the new house will be roughly 10ft over the current hedges.



Photo 3: Photo showing the stairs to the house.



Photo 4: Photo showing stairs to the sunken property.

We thank you for your consideration of our application and look forward to a favourable response.

Regards,

Alice On and Harry Lim



#### BOARD OF VARIANCE REFERRAL LETTER

DATE: Oc	t 21, 2016	DEADLINE: Nov Dec 1, 2016 hearin		application.
NAME OF	Please take letter to Board of Variance.			
ADDRESS (	(Clerk's office - Ground Floor)			
TELEPHO	Grouna Floor)			
PROJECT				
DESCRIP	ΓΙΟΝ: New Sing	e Family Dwelling w/ Att	ched Garage	
ADDRESS	: 395 North Gly	nde Avenue		
LEGAL:	LOT: 16	DL: 39	189	PLAN: 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) R2 [102.6(1)(b)] 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. To vary Section 102.6(1)(b) "Height of Principal Building" of the Zoning Bylaw from 24.3 ft. to 33.5 ft. The purpose of this variance is to allow construction of the proposed single family dwelling with a flat roof to exceed the permitted maximum building height, as measured from the rear average elevation
- 2. To vary Section 102.6(1)(b) "Height of Principal Building" of the Zoning Bylaw from 24.3 ft. to 25.86 ft. The purpose of this variance is to allow construction of the proposed single family dwelling with a flat roof to exceed the permitted maximum building height, as measured from the front average elevation.

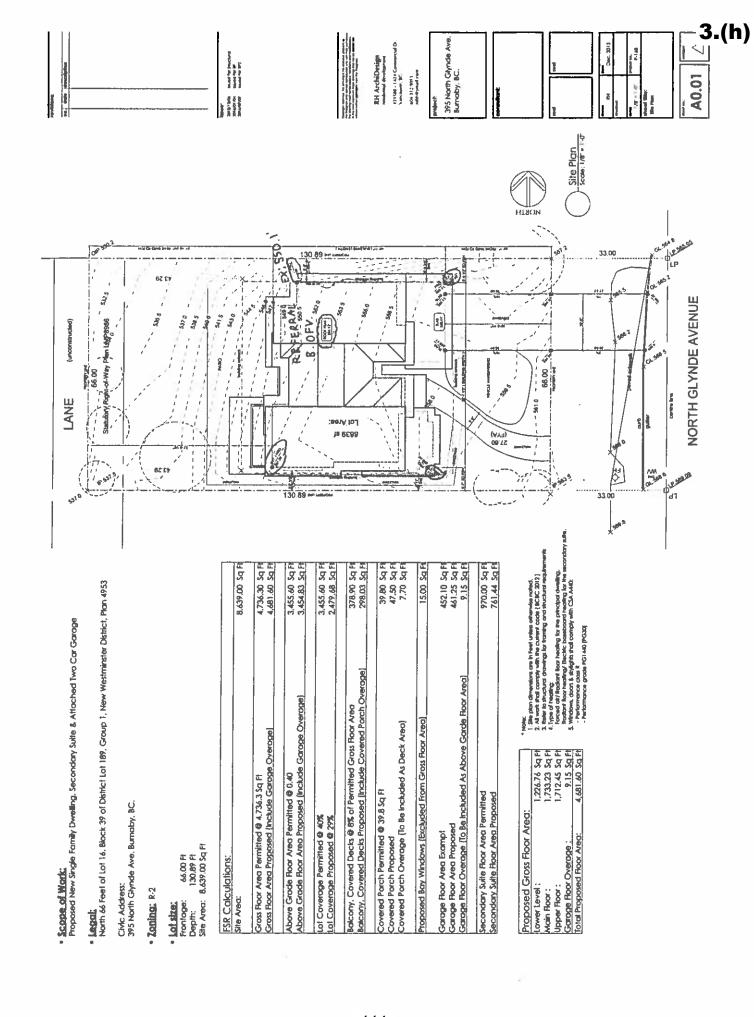
Note: The applicant recognizes that should the project contain additional characteristics in contravention of the zoning by-law a future appeal(s) may be required.

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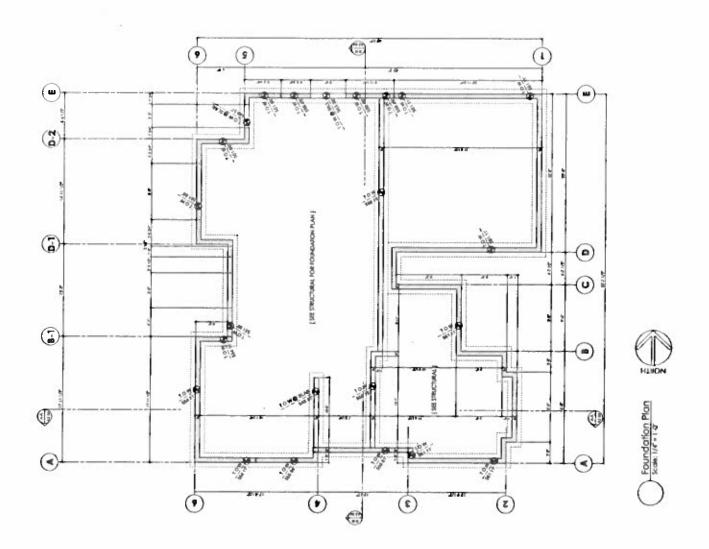
Peter Kushnir

Deputy Chief Building Inspector

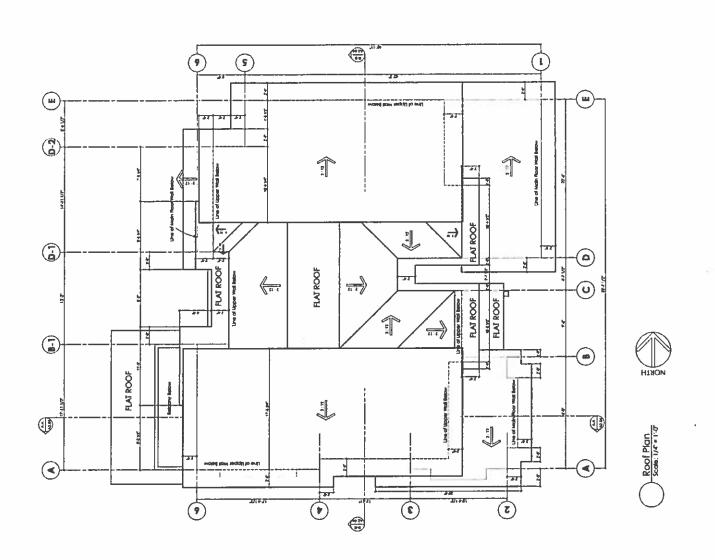
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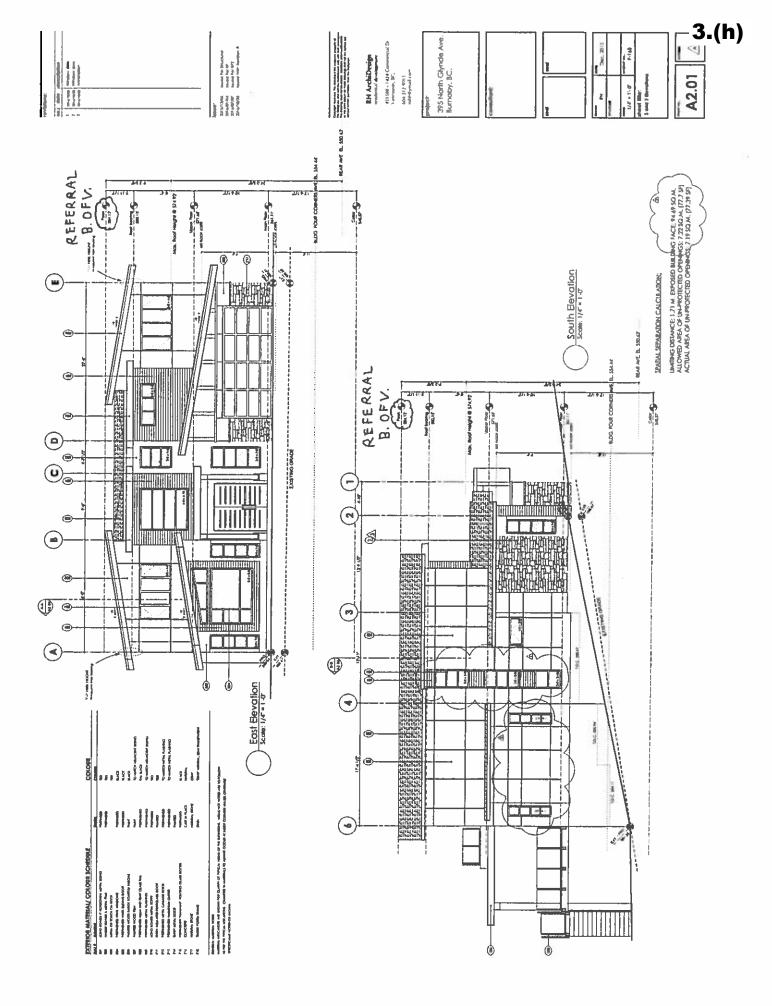


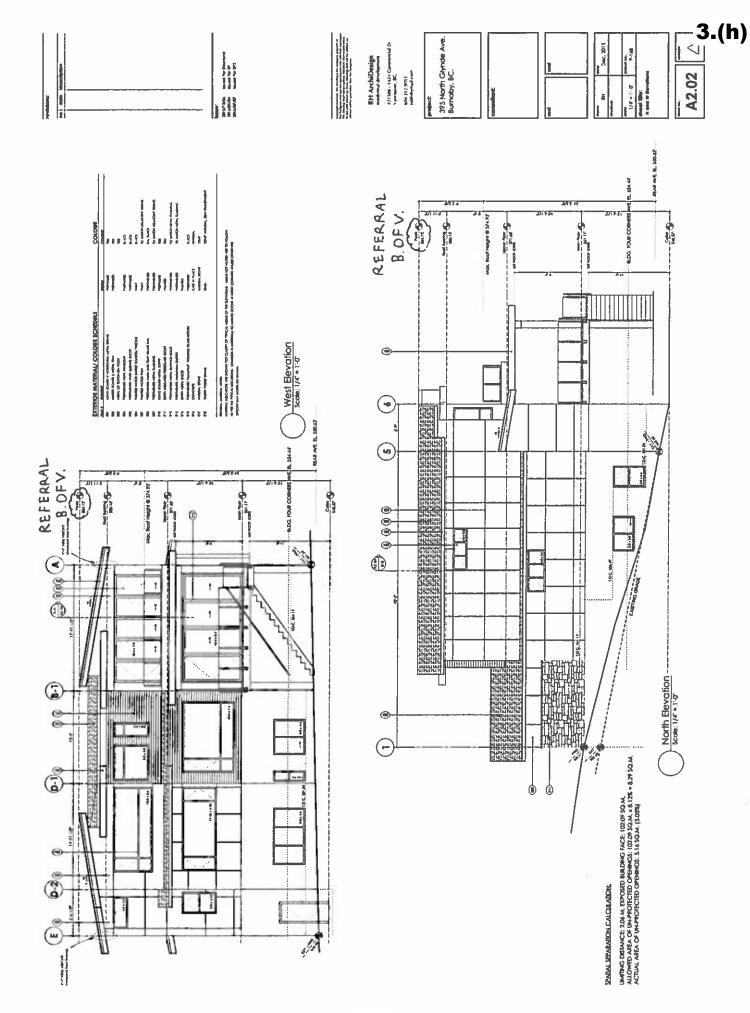


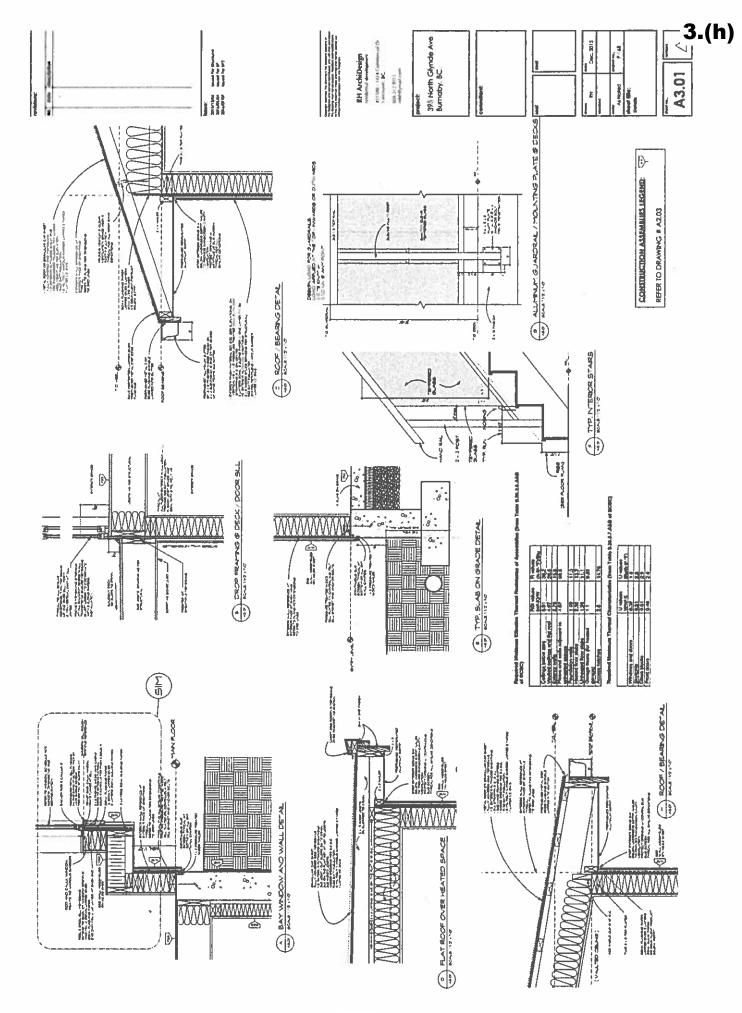








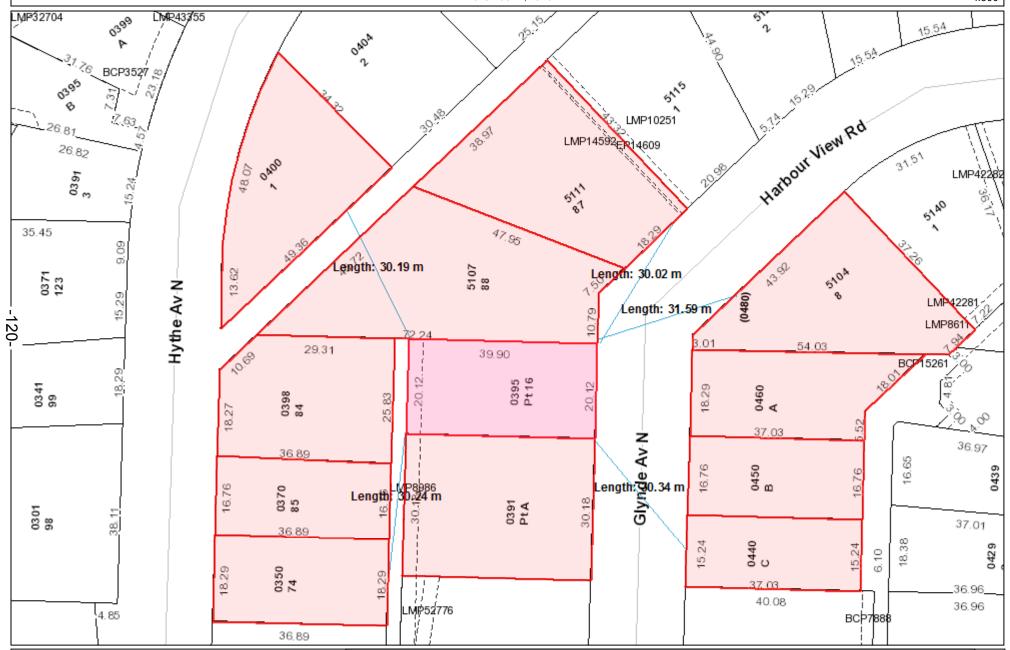






#### 395 Glynde Ave N

November 2, 2016 1:800



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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	RAFFAELE and ASSOCIATES.					
Mailing Address	2642 EHASTINGS ST					
City/Town	VANCOUVER Postal Code VSK126					
Phone Number(s)	(H) (e042514(e10 (c)					
Email	office. raffaele@gmail.com					
Preferred method of	contact: ☑email □ phone □ mail					
Property						
Name of Owner Civic Address of Prop	SUNNY GUIJAL (MECA PROPERTIES 7774 GOVERNMENT RD					
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 8 2016 Date	Applicant Signature					
	Office Use Only					
Appeal Date 2016 December 01 Appeal Number BV# 6259						
□ Site	dship Letter from Applicant Plan of Subject Property Iding Department Referral Letter					
Any docu	uments submitted in support of this Board of					

#### Raffaele & Associates Design and Planning Consultants

2642 East Hastings Street, Vancouver, BC V5K 1Z6 p. 604-251-4610 e. office.raffaele@gmail.com

Attn: Burnaby Board of Variance

Re: 7774 Government St., Burnaby

Dear Honourable Board Members,

Our site at 7774 Government Street is subject to two site conditions that makes it impossible for a house to be designed under the current zoning bylaw. We are writing this letter to request a variance to allow for the use of a front yard setback of <u>47.89</u> feet to the door instead of the average front yard setback or 114.5 feet, calculated by the neighbouring properties. We feel this better reflects the neighbouring properties and is a compromise between the two extremes of the minimum front yard setback and the average front yard setback.

There are two factors that will put undue hardship when designing a house on our site. The first factor is that our lot depth is much less than the neighbours; therefore, their houses can be set back much farther than ours and the resulting front yard average that this creates takes over most of our lot at 114.5 feet. The second is that there is a water course behind our property which has been reviewed by the Environmental Review Committee (ERC) and they have asked for a minimum rear yard setback of 55.77 feet. Due to these two factors, there is no resulting building envelope since these numbers overlap.

We respectfully request a variance for using a front yard setback of <u>47.89</u> feet to the door instead of the average front yard setback. Without this variance, the site conditions will incur undue hardship on the buildable area and make it impossible for any house to be designed on this lot. We hope that you understand our situation and we thank you for your time and consideration.

Regards,

Raffaele & Associates



#### BOARD OF VARIANCE REFERRAL LETTER

DATE: No	vember 8, 2016	DEADLINE: November 8, 2016 for the December 1, 2016 hearing	This is <u>not</u> an application.
NAME OF	Please take letter to Board of Variance.		
ADDRESS O	(Clerk's office -		
TELEPHO	Ground Floor)		
PROJECT			
DESCRIPT	ΓΙΟΝ: New single f	amily dwelling	
ADDRESS	: 7774 Governmer	ıt Road	
LEGAL:	LOT: 54	DL: 42	PLAN: 26832

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 a new single family dwelling. The following relaxation is being requested.

1) Under Section 101.8 of the Burnaby Zoning Bylaw the depth of the front yard is required to be 114.5 feet (based on front yard averaging). A front yard depth of 43.81 feet is proposed.

All projections into the proposed front yard will conform to the requirements of Section 6.12.

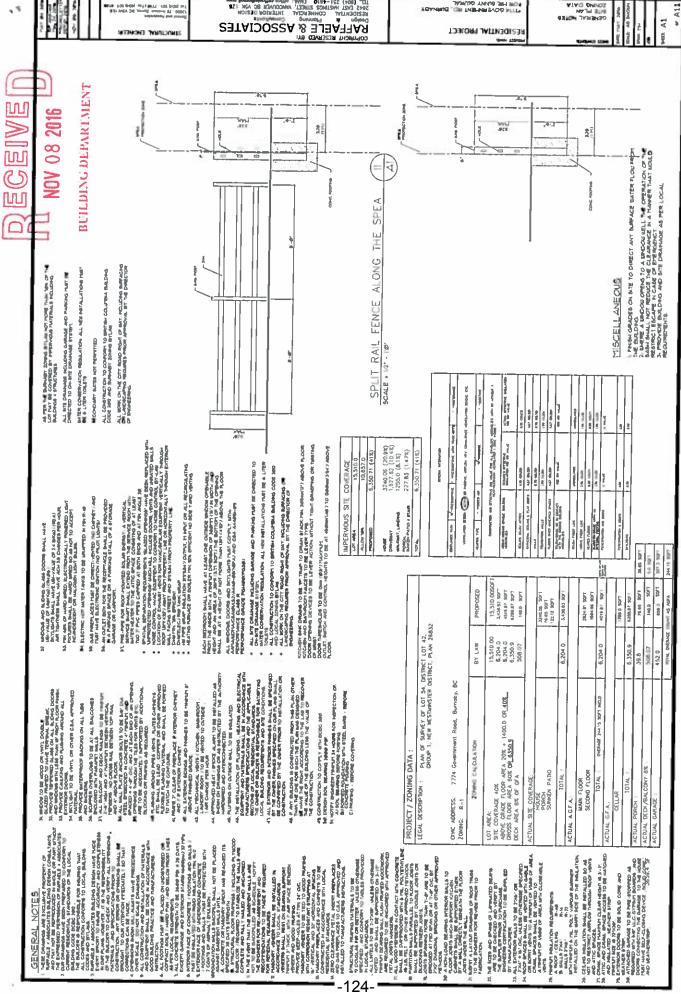
This variance is being requested in order to allow construction of the single family dwelling and its front porch within the required front yard.

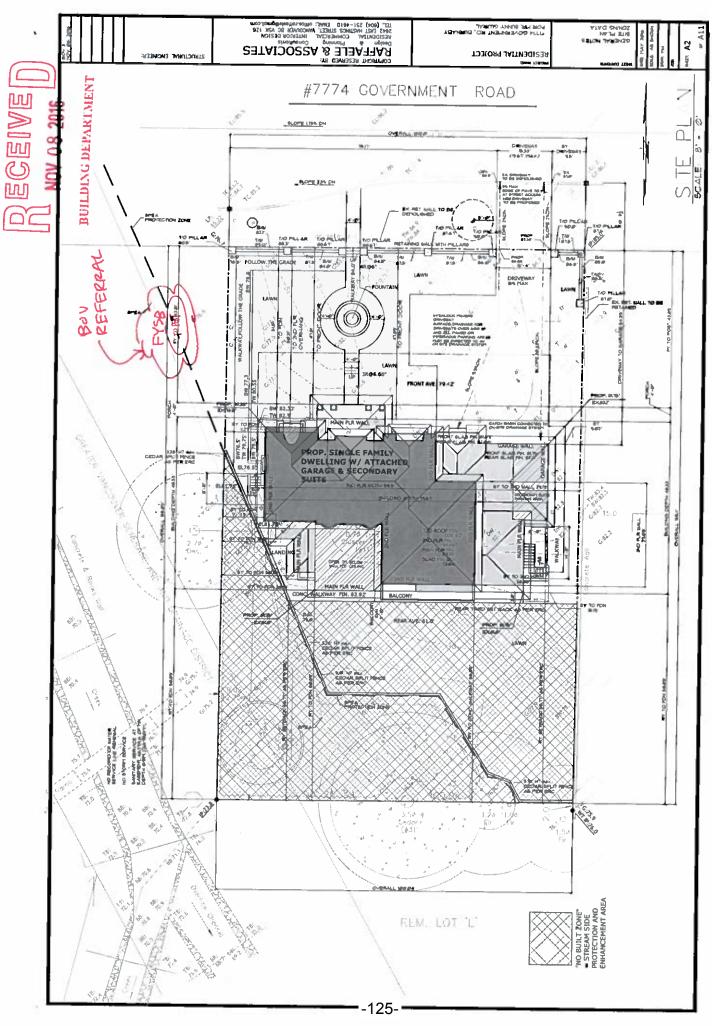
Note: A previous Board of Variance appeal (B.V.6246, October \$\frac{1}{2}\$ 2016) seeking relaxation of the front yard setback requirement was denied.

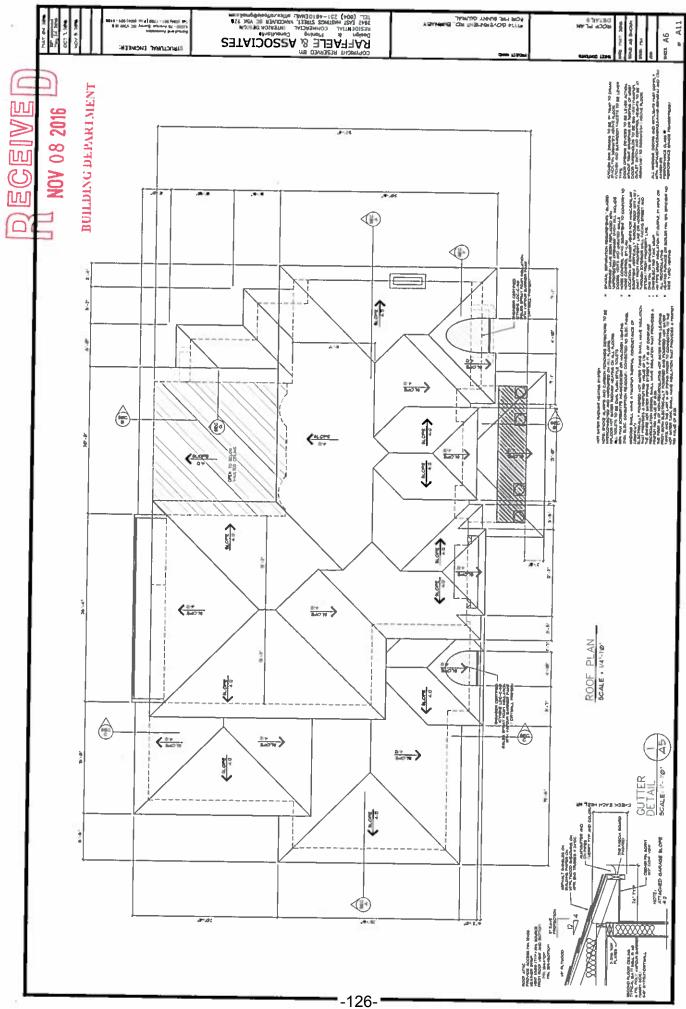
Note: A previous Board of Variance appeal (B.V.6250, November 2016) seeking relaxation of the front yard setback requirement was denied.

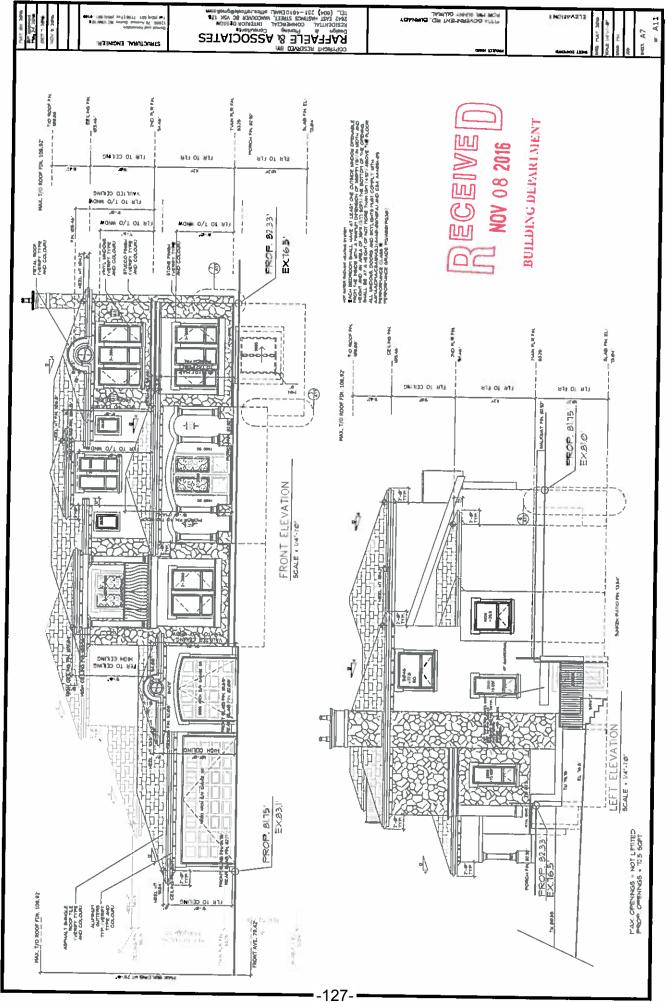
Note: The applicant recognizes that should the project contain additional characteristics in contravention of the zoning by-law a future appeal(s) may be required.

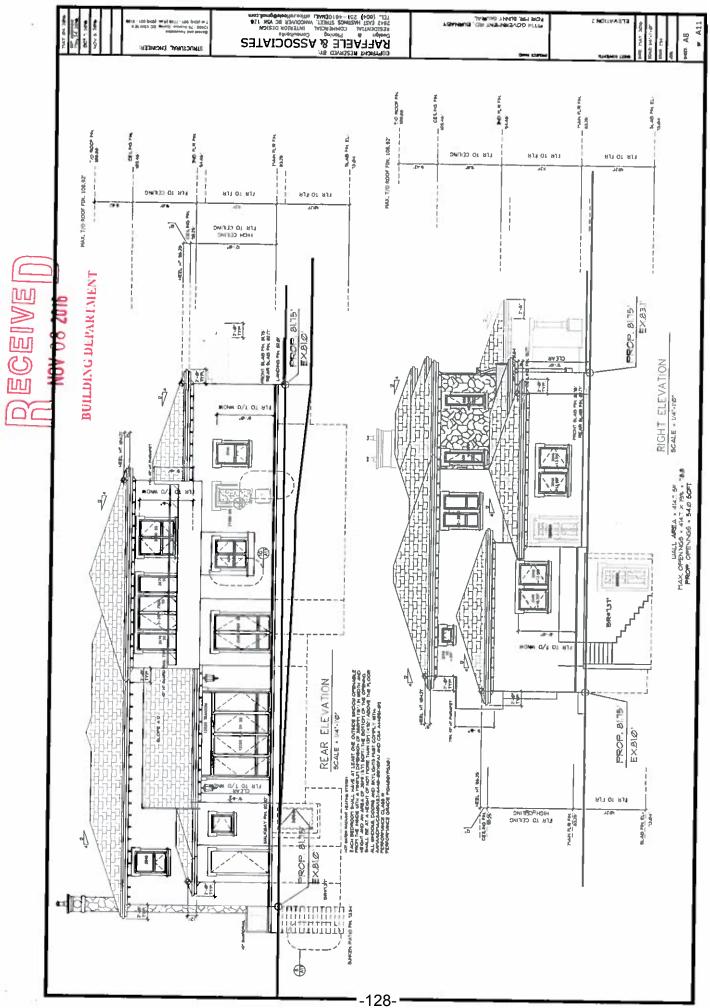
Peter Kushnir
Deputy Chief Building Inspector

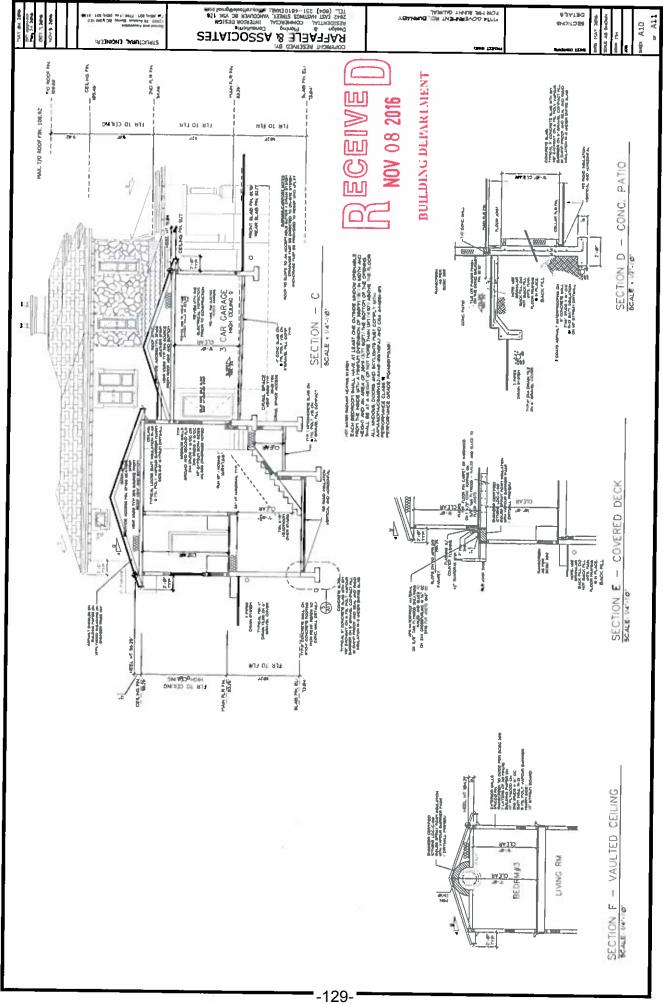








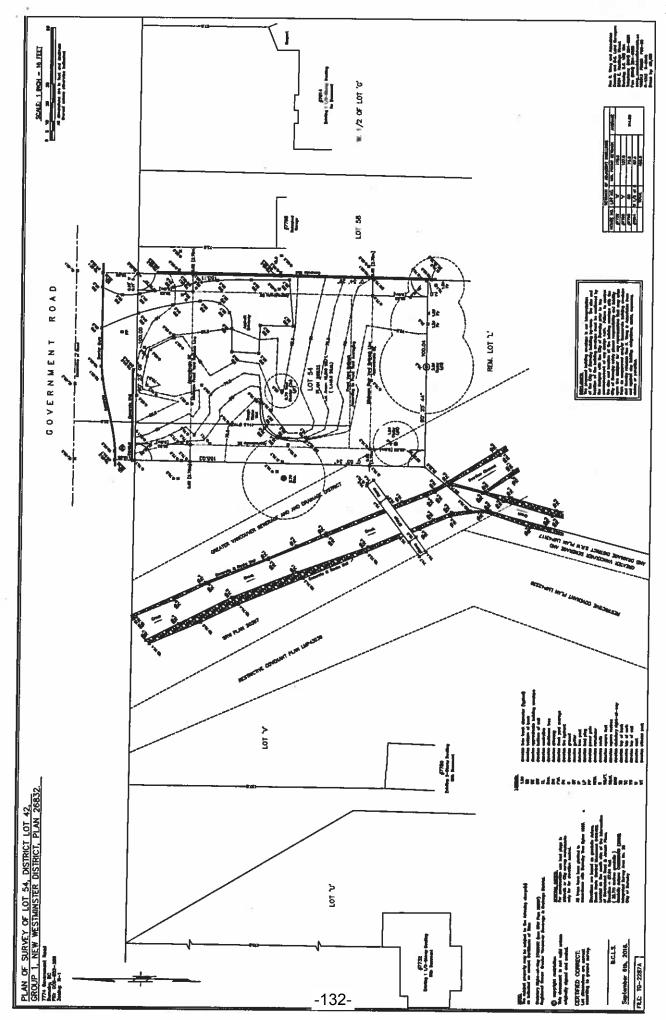


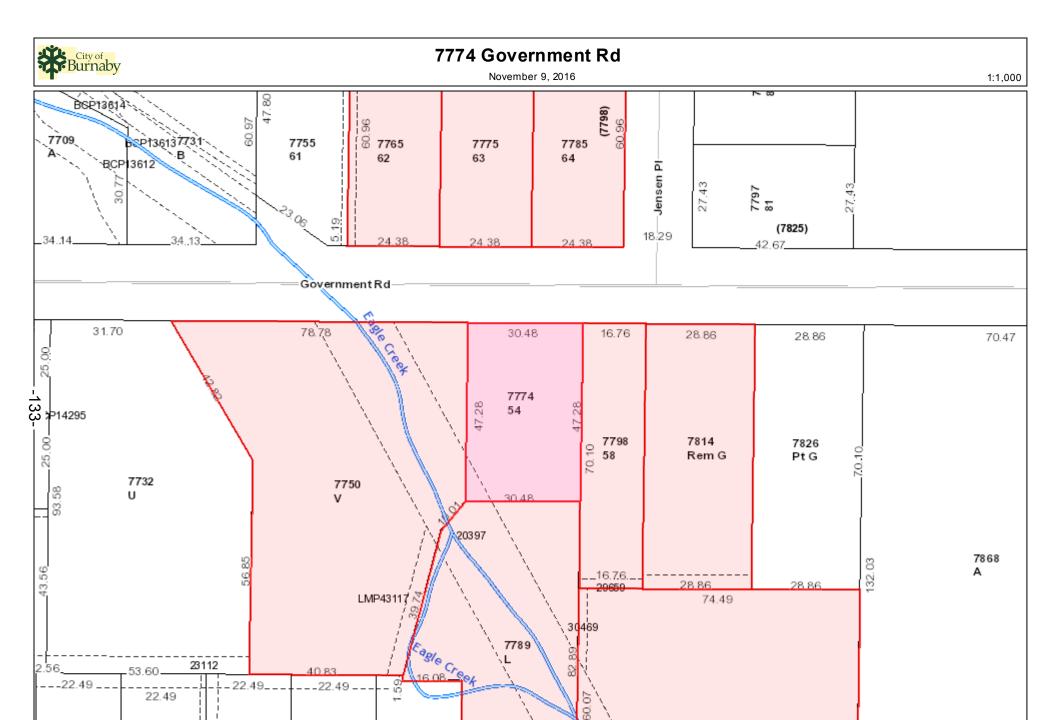


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BUILDING DEPARTMENT

PLAN EPP62522 EXPLANATORY PLAN OF COVENANTS OVER A PORTION OF LOT 54, DISTRICT LOT 42, GROUP 1, NEW WESTMINSTER DISTRICT, PLAN 26832 PURSUANT TO SECTION 99(1)(6), LAND TITLE ACT B.C.G.S. 92G.026 All distances are in metres and decimals thereof unless atherwise indicated. The intended plot size of this plan is 280mm in width by 432mm in height (sheet size B) when plotted at a scale of 1;300. GOVERNMENT ROAD EPP61160 54 PLAN 26832 PLAN 23020 24.555 58 FORMAL REAR YARD≃ 254.2m<sup>2</sup> PLAN 29659 SPEA ENHANCED AREA= 304.5m 2 26.094 'L' DL 42 **GROUP 1** PLAN 14386 Bearings are grid derived Ken K. Wang and Associates Canada and B.C. Land Surveyors 5624 E. Hastings Street Burnaby, B.C. V5B 1R4 Telephone: (604) 294–8881 from Plan EPP61160. LECEND: This plan is based on the following Land Title and Survey Authority of BC records: m <sup>2</sup> – denotes square metres Fax: (604) 294-0625 160408 FB928 P88-90 SU-2832 TG-2287 R-1212 R-9645 SPEA - denotes Streamside Protection and Enhancement Area Plan EPP61160 Drawn by: MD Steven E. Wong, BCLS #942 8th day of June, 2016 FILE: SI-4660 This plan lies within the Greater Vancouver Regional District. -131-





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