



BOARD OF VARIANCE

NOTICE OF OPEN MEETING

DATE: THURSDAY, 2017 FEBRUARY 02

TIME: 6:00 PM

PLACE: COUNCIL CHAMBER, MAIN FLOOR, CITY HALL

A G E N D A

1. CALL TO ORDER

2. MINUTES

(a) Minutes of the Board of Variance Hearing held on 2017 January 05

3. APPEAL APPLICATIONS

(a) **APPEAL NUMBER:** B.V. 6262 **6:00 p.m.**

APPELLANT: Maxcyne Dias

REGISTERED OWNER OF PROPERTY: Anthony and Maxcyne Dias

CIVIC ADDRESS OF PROPERTY: 6895 Curtis Street

LEGAL DESCRIPTION OF PROPERTY: Lot: 36; DL 206; Plan 19729

APPEAL: An appeal for the relaxation of Section 6.3.1 of the Burnaby Zoning Bylaw which, if permitted, would allow for the retention of a partly covered deck to the rear of the existing single family dwelling (work done without a permit) at 6895 Curtis Street. The distance between the principal building and the detached garage is 13.67 feet where a minimum distance of 14.8 feet is required. (Zone-R5)

(b) APPEAL NUMBER: B.V. 6265 6:00 p.m.

APPELLANT: Takeru & Shereene Yukawa

REGISTERED OWNER OF PROPERTY: Takeru & Shereene Yukawa

CIVIC ADDRESS OF PROPERTY: 4158 Georgia Street

LEGAL DESCRIPTION OF PROPERTY: Lot 49; DL 121; Plan NWP50383

APPEAL: An appeal for the relaxation of Section 105.8(1) of the Burnaby Zoning Bylaw which, if permitted, would allow for retention of an addition (work done without a permit) to a single family home at 4158 Georgia Street. The principal building depth would be 64.0 feet where a maximum depth of 60.0 feet is permitted. (Zone R5)

(c) APPEAL NUMBER: B.V. 6266 6:15 p.m.

APPELLANT: Harb Mann

REGISTERED OWNER OF PROPERTY: Jack and Paulina Chan

CIVIC ADDRESS OF PROPERTY: 8462 Royal Oak Avenue

LEGAL DESCRIPTION OF PROPERTY: Lot 18; DL 158; Plan NWP1489

APPEAL: An appeal for the relaxation of Sections 102.6(1)(a), 102.8(1), & 102.10 of the Burnaby Zoning Bylaw which, if permitted, would allow for the construction of a new single family dwelling with secondary suite and attached garage at 8462 Royal Oak Avenue. The following variances are being requested:

a) A principal building height, measured from the front average elevation, of 32.09 feet where a maximum height of 29.5 feet is permitted. The height measured from the rear average elevation would be 24.79 feet;

b) A front yard setback of 34.56 feet where a minimum setback of 39.48 feet is required based on front yard averaging; and,

c) A rear yard setback of 20.0 feet where a minimum setback of 29.5 feet is required. All principal building projections, fences and retaining walls into the resulting front and rear yards will conform to the requirements of Sections 6.12 and 6.14, respectively. (Zone R2)

A previous Board of Variance appeal (BOV 6261, 2016 December 15) sought allowance for a principal building height of 33.74 feet, and a front yard setback of

24.6 feet. Both variances were denied.

(d) APPEAL NUMBER: B.V. 6267 6:15 p.m.

APPELLANT: Nick Zanic

REGISTERED OWNER OF PROPERTY: Franco and Maria Cortese

CIVIC ADDRESS OF PROPERTY: 4589 Venables Street

LEGAL DESCRIPTION OF PROPERTY: Lot H; DL 122; Plan 13058

APPEAL: An appeal for the relaxation of Section 105.9 of the Burnaby Zoning Bylaw which, if permitted, would allow for the construction of a new single family dwelling with secondary suite and detached garage at 4589 Venables Street. The front yard setback would be 29.95 feet where a minimum setback of 35.1 feet is required. All principal building projections, fences and retaining walls will conform to the requirements of Sections 6.12 and 6.14, respectively. (Zone R5)

4. NEW BUSINESS

5. ADJOURNMENT

**CITY OF BURNABY****BOARD OF VARIANCE****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, 2017 January 05 at 6:00 p.m.

1. CALL TO ORDER

PRESENT Ms. Charlene Richter, Chair
 Mr. Rana Dhatt, Citizen Representative
 Mr. Stephen Nemeth, Citizen Representative
 Mr. Brian Pound, Citizen Representative

ABSENT: Mr. Guyle Clark, Citizen Representative

STAFF: Mr. Maciek Wodzinski, Development Plan Technician
 Ms. Eva Prior, Administrative Officer

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

2. ELECTION**(a) Election of Chair**

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

Mr. Brian Pound nominated Ms. Charlene Richter for the position of Chairperson of the Board of Variance for 2017.

There were no further nominations received.

MOVED BY MR. POUND

SECONDED BY MR. NEMETH

THAT Ms. Charlene Richter be appointed as Chairperson of the Burnaby Board of Variance from 2017 January 05 to 2017 December 31.

CARRIED UNANIMOUSLY

3. MINUTES**(a) Minutes of the Board of Variance Hearing held on 2016 December 01**MOVED BY MR. POUNDSECONDED BY MR. DHATT

THAT the minutes of the Board of Variance Hearing held on 2016 December 01 be adopted.

CARRIED UNANIMOUSLY

(b) Minutes of the Special Meeting of the Board of Variance held on 2016 December 15MOVED BY MR. NEMETHSECONDED BY MR. DHATT

THAT the minutes of the Special Meeting of the Board of Variance Hearing held on 2016 December 15 be adopted.

CARRIED UNANIMOUSLY

4. APPEAL APPLICATIONS

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

(a) APPEAL NUMBER: B.V. 6263APPELLANT: Amrik Singh SahotaREGISTERED OWNER OF PROPERTY: Amrik, Jasbir and Amanbir SahotaCIVIC ADDRESS OF PROPERTY: 3408 Dalebright DriveLEGAL DESCRIPTION OF PROPERTY: LOT 170; DL 58; PLAN 34460

APPEAL: An appeal to vary Section 101.8 'Front Yard' of the Burnaby Zoning Bylaw which, if permitted, would allow for the construction of a new single family home with secondary suite and detached garage at 3408 Dalebright Drive. The following variances are being requested:

a) The depth of the front yard, fronting Lougheed Highway, would be 25.0 feet to allow for a detached garage outside of the resulting front yard, where a depth of 70.63 feet is required based on front yard averaging. All garage projections into the front yard will conform to the requirements of Section 6.12; and,

b) the depth of the front yard, fronting Lougheed Highway, would be 64.46 feet to build a principle building outside of the resulting front yard, where a depth of 70.63 feet is required based on front yard averaging.

All principle building projections into the resulting front yard will conform to the requirements of Section 6.12.

APPELLANT'S SUBMISSION

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

Mr. Sahota and Mr. Bhogal appeared before members of the Board of Variance.

BURNABY PLANNING AND BUILDING DEPARTMENT COMMENTS

The subject site, zoned R1 Residential District, is located in a stable single-family neighbourhood in the Government Road area. This large through lot, approximately 70.0 ft. wide and 150.0 ft. long, fronts Dalebright Drive to the south and Lougheed Highway to the north. Single family dwellings abut the subject site to the east and west. A large industrial property and an elevated section of the Skytrain guideway are located directly across Lougheed Highway to the north. Vehicular access to the subject site is provided from Dalebright Drive. The site observes a downwards slope of approximately 8.6 ft. from the northwest (rear) corner to the southeast (front) corner.

A new single family dwelling with a secondary suite and a detached garage is proposed for the subject site, for which two variances are requested.

The first a) appeal proposes the relaxation of Section 101.8 – “Front Yard” of the Burnaby Zoning Bylaw from 70.63 ft. (based on front yard averaging) to 25.0 ft. The purpose of this variance is to allow the construction of a detached garage encroaching into the required front yard abutting Lougheed Highway.

The second b) appeal proposes the relaxation of Section 101.8 – “Front Yard” of the Burnaby Zoning Bylaw from 70.63 ft. (based on front yard averaging) to 64.46 ft. The purpose of this variance is to allow the construction of a single family dwelling encroaching into the required front yard abutting Lougheed Highway.

In both appeals Section 6.12 – “Yards” of the Zoning Bylaw allowing specific projections into the front yard will also be applicable.

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

As noted above, both appeals are related to the front yard setback requirement, in the first a) appeal in relation to the proposed accessory detached garage and in the second b) appeal in relation to the proposed principal building.

The second b) appeal is discussed first, with the comments on the first a) appeal following.

With respect to the second b) appeal, the proposed single family dwelling would observe a front yard setback from Dalebright Drive of 31.53 ft., which meets the minimum 31.12 ft. front yard setback required by front yard averaging calculations in the R1 District. Therefore, a consistent building edge would be maintained throughout the block, as all of the houses have similar front yard setbacks.

The front yard setback from Loughheed Highway is the setback for which the relaxation is requested. The front yard averaging calculations are based on the setbacks of the two dwellings immediately west of the subject site at 3388 and 3398 Dalebright Drive, and the two dwellings immediately east of the subject site at 3418 and 3428 Dalebright Drive. The front yard setbacks for these properties are 66.82 ft., 69.67 ft., 78.05 ft. and 67.97 ft. respectively.

It should be noted that these front yard setbacks function as rear yards, with no vehicular access provided from this side. In addition, the frontages along Loughheed Highway consist primarily of fencing and tall hedges or other screening, with the visibility of the residences further reduced by the depth of the intervening yards.

The proposed siting would place the subject dwelling 5.21 ft. in front of the neighbouring dwelling immediately to the west and approximately 13.59 ft. in front of the neighbouring dwelling immediately to the east. The proposed front yard setback of 64.46 ft. is measured to the deck attached to the north face of the dwelling, excluding the outermost 3.94 ft. deep portion of deck, which is the allowable projection into the front yard. The main body of the dwelling is proposed to be set back further by 3.06 ft., resulting in the distance of 67.52 ft. to the north front (Loughheed Highway) property line. In addition, the northwest and northeast (rear) corners of the dwelling are proposed to be recessed, 8.67 ft. and 12.18 ft. respectively, on both the main and upper floor levels. The proposed "stepped" design would help mitigate immediate massing impacts on the neighbouring residences to the west and east of the subject site.

The proposed reduction in the front yard setback is substantial. However, the extent to which the proposal exceeds the established setbacks must be considered in the context of future redevelopment of the neighbourhood, given that most of the surrounding homes were built in the early 1970's to late 1980's and reflect the development standards present at that time. In particular, the depth of most surrounding buildings ranges from approximately 30 ft. to 50 ft., significantly less than the 60 ft. depth that is permitted under prevailing zoning. While this does not represent a physical hardship, it is a substantial constraint that warrants consideration.

In addition, the function of this second front yard as a rear yard must be considered. Given the width and high traffic volumes that characterize Loughheed Highway, there is little chance that this frontage will serve any other function in the foreseeable future. For these reasons, it may be suitable to relax the front yard averaging requirements for the second front yard, in order to permit the greater building depths provided for elsewhere in the Bylaw, while maintaining the generous frontages along Dalebright Drive.

In summary, the proposed relaxation is suitable given the relationship of the site and surrounding properties to Loughheed Highway, and may help to transition the development pattern of the neighbourhood to allow greater building depths consistent with prevailing zoning.

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

With respect to the first a) appeal, a need for this relaxation is related to the fact that under Section 6.2(2) of the Zoning Bylaw accessory buildings are not permitted within the required front yards. Therefore, a second front yard setback relaxation is requested in relation to the accessory detached garage proposed within the required front yard abutting Loughheed Highway.

The accessory detached garage is proposed in the northwest portion of the site, 4.0 ft. away from the west side property line and 25.0 ft. away from the north front property line. It should be noted that the proposed siting of the garage corresponds with the minimum 75 ft. setback for principal and accessory buildings or structures to the center line of Loughheed Highway, required under Section 6.16 "Building line Setbacks". The two-car detached garage would be approximately 13.67 ft. high and 21 ft. wide by 23.5 ft. deep, including the two-piece washroom area which projects 3.18 ft. from the garage south face. The distance between the proposed principal building and the proposed accessory detached garage would be 19.42 ft., which exceeds the required minimum distance between two structures by 4.62 ft.

The proposed reduction in the front yard setback is significant. The accessory building would encroach into the required 70.63 ft. front yard setback by 45.63 ft. Further, the accessory building would have little spatial or visual separation from the neighbouring property to the west.

In the broader context, the majority of lots in the subject block (approximately 14 lots out of 17 lots) do not feature accessory buildings within the Lougheed Highway frontages. Therefore, the placement of an accessory building, just 25 ft. away from the north front yard, would be out of place.

Further, the siting of the accessory building in this location is a design choice, as other options exist on a large lot such as the subject lot. For example, attaching the garage to the principal building should be considered, as it could potentially eliminate or significantly lessen a need for this variance.

In summary, this is a major variance that defeats the intent of the Zoning Bylaw and will impact the neighbouring properties. Therefore, this Department objects to the granting of this first a) variance.

ADJACENT OWNER'S COMMENTS:

Form letters were received from the owners/residents of 3388 and 3518 Dalebright Drive advising that they have no objection to the construction of the variances requested.

No further correspondence was received.

MOVED BY MR. NEMETH
SECONDED BY MR. POUND

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

CARRIED

OPPOSED: Mr. Dhatt

MOVED BY MR. NEMETH
SECONDED BY MR. POUND

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

CARRIED UNANIMOUSLY

(b) **APPEAL NUMBER: B.V. 6264**

APPELLANT: Antonio Rigor

REGISTERED OWNER OF PROPERTY: Nicholas and Theresa Fong

CIVIC ADDRESS OF PROPERTY: 3931 Harper Court

LEGAL DESCRIPTION OF PROPERTY: Lot: 104; DL 34; PLAN 46918

APPEAL: An appeal to vary Section 104.6(1)(a) 'Height of Principal Building' and Section 104.10(1) 'Side Yard' of the Burnaby Zoning Bylaw which, if permitted, would allow for the interior alteration and addition to basement and main floor, and a new upper floor addition to an existing single family home at 3931 Harper Court. The following variances are being requested:

- a) the height of the principal building, measured from the rear average elevation, would be 33.63 feet where a maximum height of 29.5 feet is permitted. The building height, as measured from the front elevation, is proposed to be 28.23 feet;
- b) the height of the principal building would be 3 storeys, where 2 1/2 storeys is permitted;
- c) the side yard would be 3.93 feet measured to the cantilevered upper floor, where a side yard of 4.90 feet is required; and,
- d) the side yard sum for both side yards would be 9.75 feet, where the sum of 11.50 is required. (Zone R4)

APPELLANT'S SUBMISSION

Mr. Nick Fong submitted an application requesting a relaxation of the zoning bylaw to allow for construction of interior alterations and additions to an existing single family home.

Mr. Fong, owner and Mr. Rigor, Architect, appeared before members of the Board of Variance.

BURNABY PLANNING AND BUILDING DEPARTMENT COMMENTS

The subject site is zoned R4 Residential District and is located in the Garden Village neighbourhood where the age and condition of the existing single and two family dwellings vary. This slightly irregular interior lot is approximately 60.0 ft. wide and 120.0 ft. deep and is fronting Harper Court to the south. The subject site abuts single family lots to the west and east. Vehicular access to the subject site is provided via the rear lane to the north. The site observes a moderate downward slope of approximately 12.6 ft. from the southwest corner to northeast corner.

The subject site contains a 2 storey single family dwelling, consisting of an unfinished basement and main floor, which was originally built in 1975. The applicant proposes various additions and interior alterations to the dwelling, including an addition of a secondary suite in the basement, conversion of the existing attached carport into an enclosed garage in the basement, addition of a front covered deck and partial roof cover over the existing rear deck at the main floor and an addition of an upper floor.

With the exception of a secondary suite addition, the proposed additions are the subject of four appeals.

The first a) and second b) appeals are related to the principal building height and are co-related.

The first a) appeal is to vary Section 104.6(1)(a) – “Height of Principal Building” of the Zoning Bylaw from 29.5 ft. to 33.63 ft., as measured from the rear average elevation.

The second b) appeal is to vary Section 104.6(1)(a) - Height of Principal Building” of the Zoning Bylaw from 2 ½ storey to 3 storey.

The purpose of both variances is to allow for construction of an addition of an upper floor, with a sloping roof, to the existing single family dwelling. Section 6.12 – “Yards” of the Zoning Bylaw allowing specific projections into the front yard will also be applicable.

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.

The subject upper floor addition is proposed over the entire width of the main floor (48.0 ft.), but set back from the front and rear building face by 4.0 ft. This upper floor addition would be aligned with the footprint of the main floor below on both sides of the existing building, except for two areas which are proposed to cantilever beyond this existing footprint. The 14 ft. long by 1.5 ft. deep cantilevered floor area is proposed on the west elevation and the 6.0 ft. long by 1.0 ft. deep cantilevered floor area is proposed on the east elevation. These two floor area projections would contain washrooms. There is also a high volume space proposed at the southeast portion of the upper floor which would be open to the entry hall and living area below.

With respect to the first a) appeal, the proposed upper floor addition observes a front elevation height of 28.23 ft. from the Harper Court property line, which is 1.27 ft. less than the allowed maximum height. Therefore, this proposal would not affect the views from the properties directly across the Harper Court to the south, which are at slightly higher elevations.

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

The proposed height encroachment of 4.13 ft. occurs starting approximately 2 ft. above the fascia board over almost the entire width of the upper roof, when viewed from the rear lane. The proposed excess height, in combination with the fact that the entire rear elevation would appear as a three-storey form, would create negative massing impacts

the neighbouring residence across the lane to the north, which features a large raised deck in the rear yard, and it is at a lower elevation.

The encroachment along the western and eastern side edges of the roof would be limited to relatively small triangular areas at the roof peak, away from the roof edges, so limited impacts are expected on the neighbouring properties immediately to the west and east of the subject property.

With respect to the second b) appeal, according to the Zoning Bylaw a storey is considered a "storey, half" if it contains less than 50% of the gross floor area of the storey immediately below. The proposed new upper floor with an area of 1,220 sq. ft. would exceed 50% of the gross floor area of the main floor (1,674 sq. ft.) by 383 sq. ft. or 46 %, which is a major variance. It is noted that the gross floor area of the main floor does not include an area of the existing two-car carport (which is proposed to be enclosed) attached to the rear of the dwelling. However, the gross floor area of the upper floor does not include high volume open areas proposed over the entry hall and living area, which, however, add to the bulk of the building.

The subject dwelling has a building depth of 52.42 ft. (where the maximum building depth of 60.0 ft. is permitted). Therefore, with the rear yard setback of 43.58 ft. (where the minimum rear yard setback of 29.5 ft. is required) there is an approximate 7.58 ft. deep rear yard as a potential for horizontal extension of the building. As such, there are design options in relation to the second b) appeals, which would not create a need for another variance on the subject site.

In summary, the requested variances to the height requirements of the Zoning Bylaw would create negative impacts the neighbouring property across the lane to the north, as well as the second b) relaxation is significant and appears to be the result of design choices rather than a hardship, and could be lessened with design modifications.

For these reasons, this Department does object to the granting of the first a) and second b) variances.

The third c) and fourth d) appeals are related to the side yard setback and are co-related.

The third c) appeal proposes a side yard setback of 3.93 ft., where a minimum side yard setback of 4.9 ft. is required.

The fourth d) appeal proposes a sum of side yard setbacks of 9.75 ft., where a minimum sum of side yard setbacks of 11.5 ft. is required.

The purpose of both variances is to allow for construction of the proposed basement and main floor additions and the upper floor addition to the existing single family dwelling. Section 6.12 – "Yards" of the Zoning Bylaw allowing specific projections into the front yard will also be applicable.

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

The existing dwelling observes the east side yard setback of 4.73 ft. and a sum of side yard setbacks of 11.38 ft., and is legal non-conforming with respect to the side yard setback requirement (4.9 ft.) and the sum of side yard setback requirement (11.5 ft.).

The proposed east side yard setback is measured from the east property line to the cantilevered portion of the proposed upper floor addition on the east side of the existing dwelling. The proposed sum of side yard setbacks is measured from the east property line to the cantilevered portion of the proposed upper floor addition on the east side of the existing dwelling and from the west property line to the cantilevered portion of the proposed upper floor addition on the west side of the existing dwelling.

With the exception of the two upper floor areas cantilevered beyond the existing footprint, the other proposed additions would be essentially in line with the footprint of the existing dwelling. The proposed 21.5 ft. deep enclosure of the existing carport, which is attached to the northeast corner of the existing dwelling, would marginally decrease the east side yard setback at its northeast corner, from 4.73 ft. to 4.41 ft., due to the slightly angled placement of the existing dwelling in relation to the east side property line. The 4.0 ft. deep front covered deck addition, proposed in the southeast corner of the existing dwelling, as well as the 16.0 ft. deep roof cover over the existing rear deck (above the carport) would be consistent with the existing east side yard setback and would create the relatively small additional massing. Also, the main face of the upper floor (excluding the cantilevered 1.0 ft. by 6.0 ft. portion) would encroach only 0.17 ft. into the required east side yard.

With respect to the west side yard, only the proposed cantilevered 14 ft. long by 1.5 ft. deep portion of the upper floor would decrease the existing west side yard setback by 1.5 ft. and subsequently decrease the sum of two setbacks requirement accordingly.

In summary, considering the small scale of the proposed side yard encroachments, no significant impacts are expected to neighbouring properties. However, both side yard relaxation requests appear to be the result of design choices rather than a hardship. Similarly to comments under the first a) and second b) appeals, modifications could be made to the upper floor to expand in the horizontal direction in order to eliminate the cantilevered portions over the main floor, which are main contributors to the side yard setbacks encroachments. Such elimination would also help to lessen the overall impacts of the requested height relaxations.

In view of the above, this Department cannot support to the granting of the third c) and four d) variances.

ADJACENT OWNER'S COMMENTS:

No correspondence was received regarding this appeal.

MOVED BY MR. POUND
SECONDED BY MR. DHATT

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

CARRIED UNANIMOUSLY

MOVED BY MR. POUND
SECONDED BY MR. DHATT

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

CARRIED UNANIMOUSLY

MOVED BY MR. POUND
SECONDED BY MR. NEMETH

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

CARRIED UNANIMOUSLY

MOVED BY MR. POUND
SECONDED BY MR. NEMETH

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

CARRIED UNANIMOUSLY

5. **NEW BUSINESS**

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

6. **ADJOURNMENT**

MOVED BY MR. POUND
SECONDED BY MR. DHATT

THAT this Hearing do now adjourn.

CARRIED UNANIMOUSLY

The Hearing adjourned at 6:45 p.m.

Ms. C. Richter

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 MAXCYNE DIAS

Mailing Address 6895 CURTIS ST.

City/Town BURNABY Postal Code V5B 2B2

Phone Number(s) (H) _____ (C) 604.721.2175

Email casad@telus.net

Preferred method of contact: ☒ email ☐ phone ☐ mail

Property

Name of Owner MAXCYNE AND ANTHONY DIAS

Civic Address of Property 6895 CURTIS 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 15 / 16
Date

Maxcyne Dias
Applicant Signature

Office Use Only

Appeal Date 2017 February 02 Appeal Number BV# 16262

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

From: Anthony and Maxcyne Dias
6895 Curtis Street
Burnaby BC
V5B 2B2

November 7, 2016

Doug Cadorette
Bylaw Enforcement Coordinator
Building Department
City of Burnaby
4949 Canada Way, Bby. V5G 1M2

Dear Doug,

This letter is to explain the unfortunate circumstances in the upgrade to my home and request forgiveness.

We have owned this home since September, 2006 and during that time we have put considerable effort into repair and maintenance of the property. Now we are informed that we may have to redo these upgrades. In order to meet these requirements, we will need to invest a considerable amount of money, which is beyond our current financial capabilities. The time and resources that I will have to put into that has added severe distress affecting my personal life and health.

Please let me take this opportunity to bring to your attention that the decks to the newer homes beside my home is closer to their garages than mine is.

I would respectfully appeal the decision and ask that you reconsider the decision in light of my circumstance.

I close with gratitude for your help, consideration and understanding of my situation.

Respectfully Submitted

Maxcyne and Anthony Dias.



BOARD OF VARIANCE REFERRAL LETTER
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DATE: October 7, 2016	DEADLINE: November 8, 2016 for the December 1, 2016 hearing	<i>This is <u>not</u> an application. Please take letter to Board of Variance. (Clerk's office - Ground Floor)</i>	
NAME OF APPLICANT: Maxcyne Dias			
ADDRESS OF APPLICANT: 6895 Curtis St., Burnaby V5B 2B2			
TELEPHONE: 604.721.2175			
PROJECT			
DESCRIPTION: Interior Alterations and Rear Deck Addition to an Existing Single Family Dwelling			
ADDRESS: 6895 Curtis Street			
LEGAL:	LOTS: 36	DL: 206	PLAN: 19729

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 [6.3.1]
of the Burnaby Zoning Bylaw No. 4742

COMMENTS:

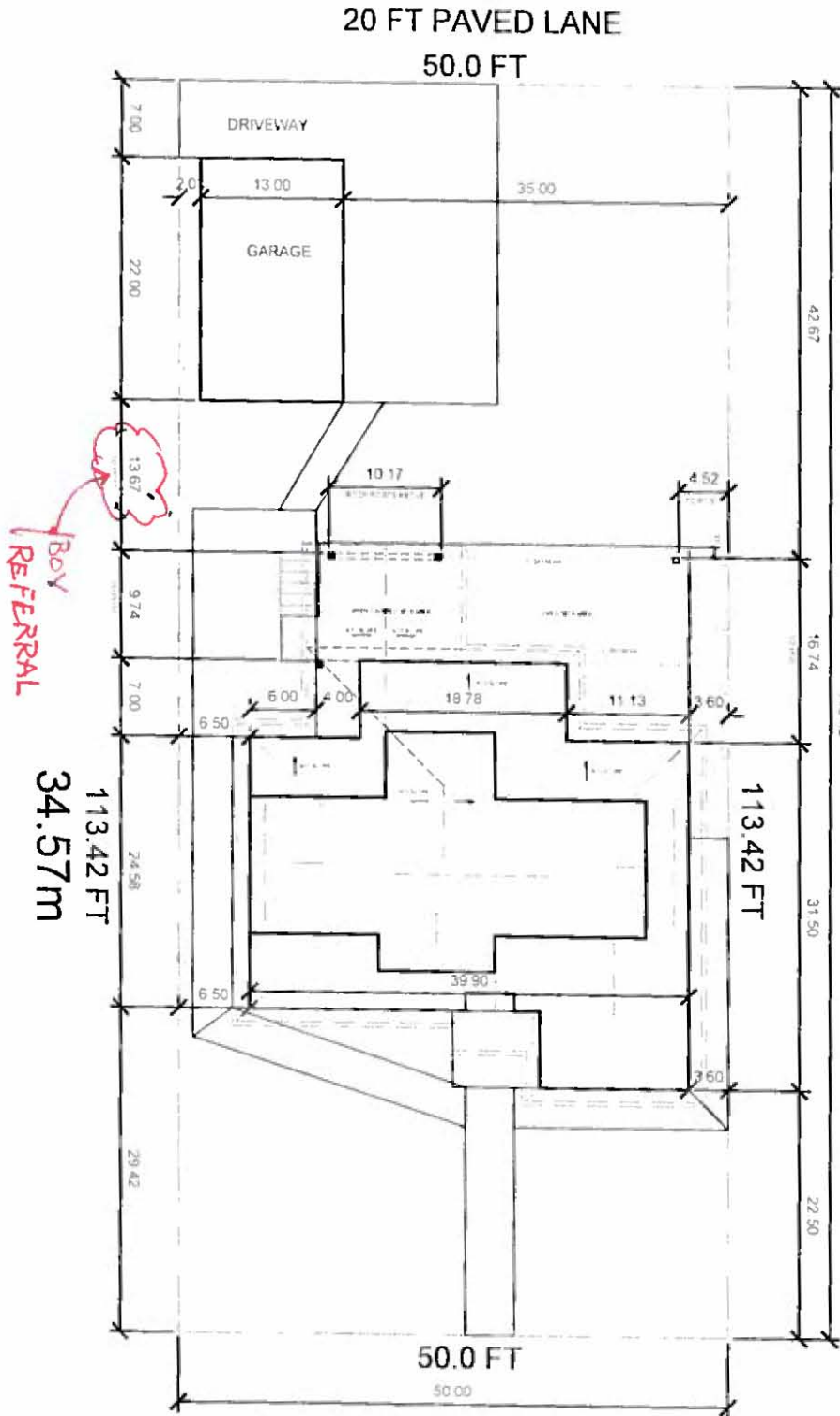
The applicant has built a deck (partly covered) to the rear of the existing single family dwelling w/o permit. The following relaxation is being requested.

- 1) Under Section 6.3.1 of the Burnaby Zoning Bylaw, a minimum distance of 14.8 feet is required between a principal building and a detached garage. The proposed distance between the buildings is 13.67 feet. The variance is being requested in order to allow the existing rear deck to be retained.

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.

DC

Peter Kushnir
Deputy Chief Building Inspector



6895 CURTIS STREET
BURNABY BC
SITE PLAN

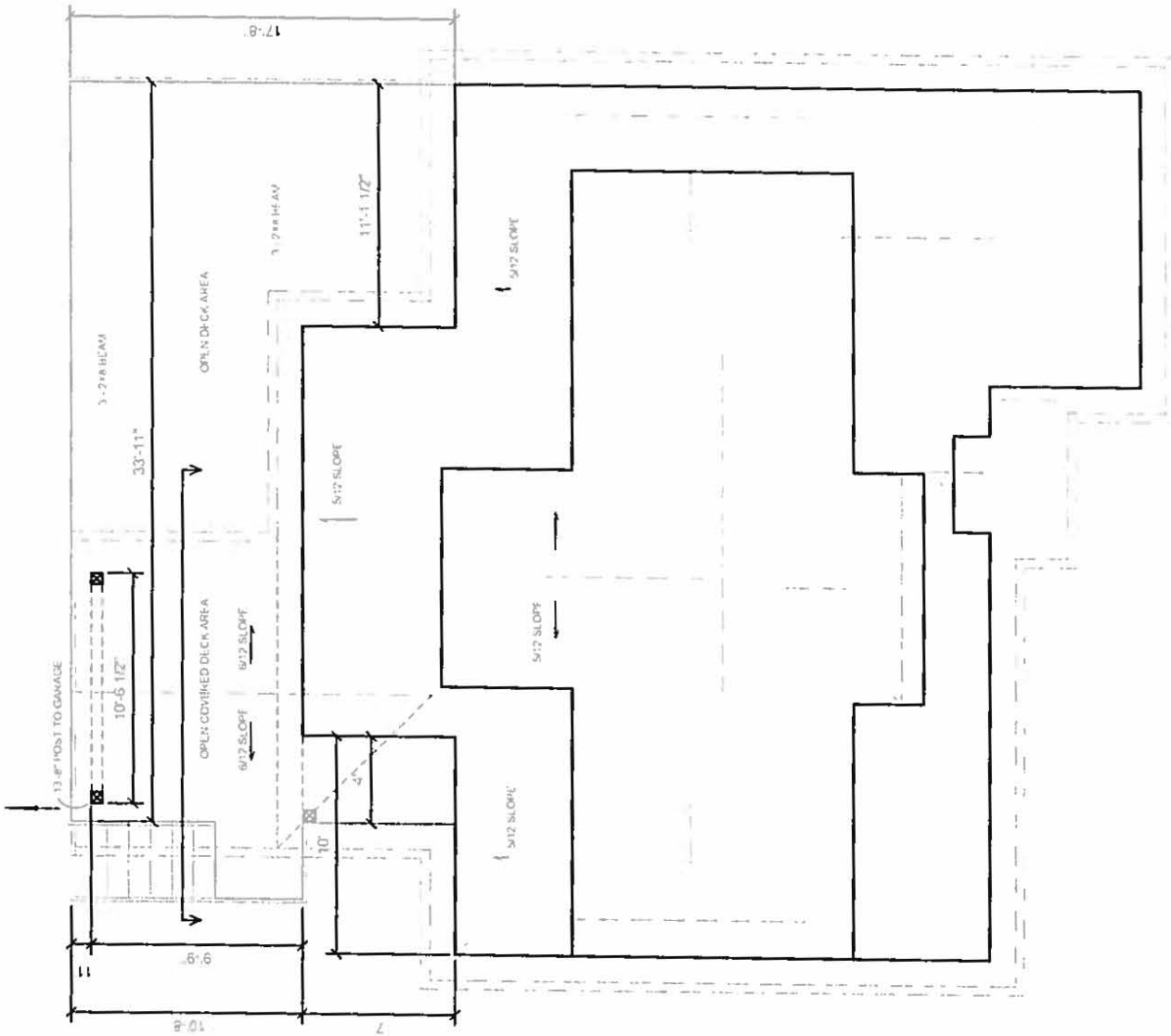
SCALE: 1/16" = 1'-0"

LOT 36 BLK 2 DL 206
PL 19729

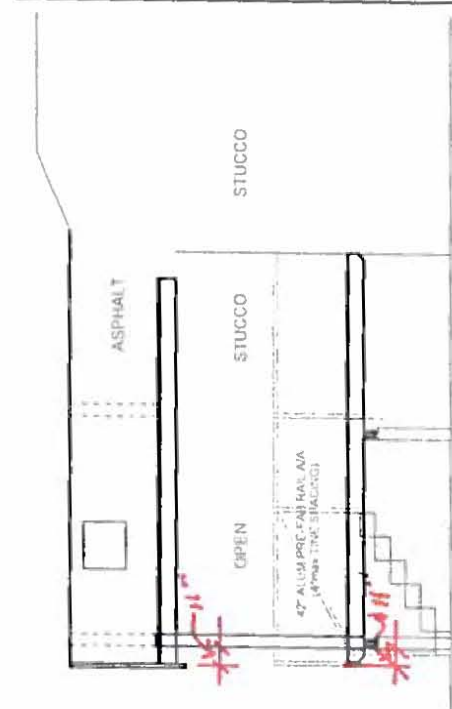
ZONE R5

<p>Sheet No. A-2</p>	<p>Project No. A-2</p> <p>Client A-2</p> <p>Drawn A-2</p> <p>Checked A-2</p> <p>Approved A-2</p>	<p>THIS DRAWING MUST NOT BE SCALED. THE GENERAL CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND LEVELS PRIOR TO COMMENCEMENT OF WORK. ALL ERRORS AND OMISSIONS SHALL BE REPORTED IMMEDIATELY TO THE DESIGNER. COPYRIGHT RESERVED THIS PLAN AND DESIGN ARE AND REMAIN AT ALL TIMES THE EXCLUSIVE PROPERTY OF KINGSWAY PLANS LTD. AND MAY NOT BE USED OR REPRODUCED WITHOUT PRIOR WRITTEN CONSENT.</p>	<p>KINGSWAY PLANS LTD.</p> <p>102 WILLOW STREET VANCOUVER B.C. V6L 4T8 TEL: (604) 438-4113 FAX: (604) 438-4114</p>
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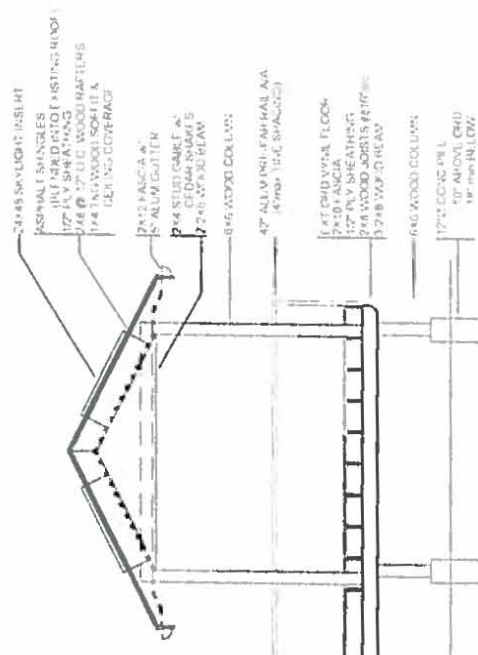
<p>KINGSWAY PLANS LTD.</p> <p>1102 KANAWAS BLVD. S.E. VANCOUVER, B.C. V6L 4T8 TEL: 604-458-8113 FAX: 604-458-8118</p>	<p>THIS DRAWING WAS NOT BE SCALED. THE COMPANY SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED HEREON. THE COMPANY SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED HEREON. THE COMPANY SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED HEREON.</p>	<p>A-6</p> <p>Project No. 21000000 Sheet No. 1 of 1 Date: 10/05/2011 Project Name: 4th FLOOR Drawing Title: ROOF PLAN</p>
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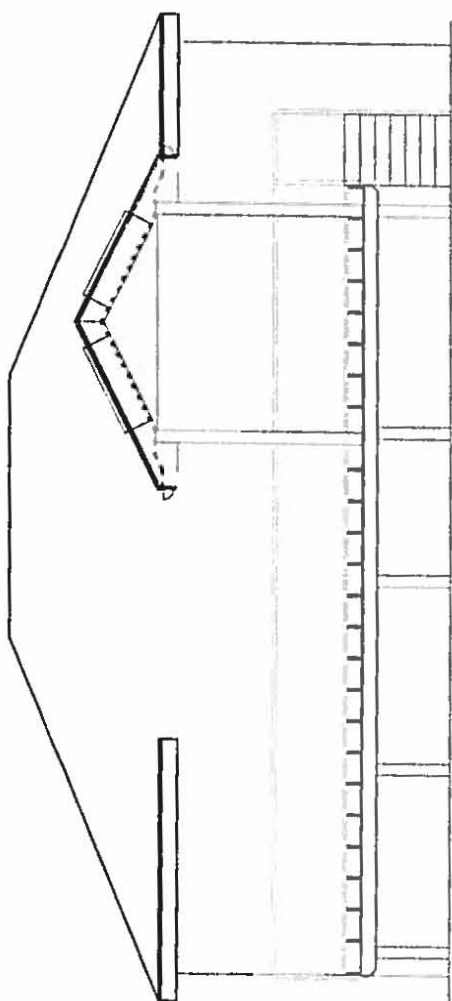
4 ROOF PLAN



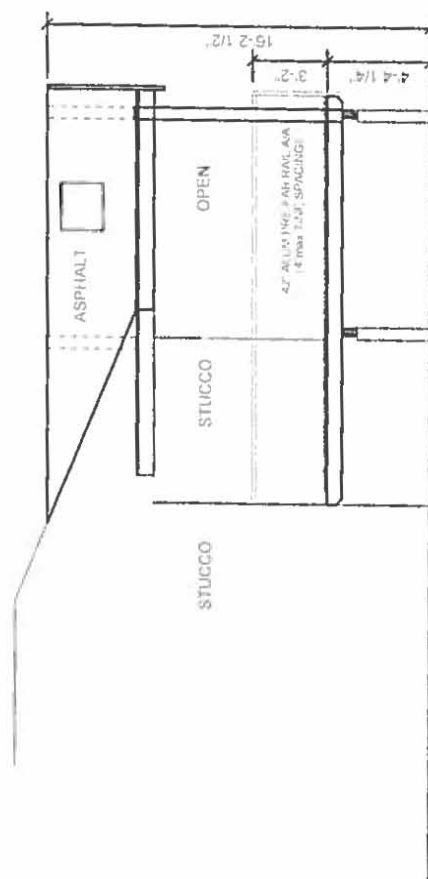
4 WEST



6 SECTION



3 NORTH



5 EAST



6895 Curtis St

December 14, 2016

1:800

(6850)	15.24	15.24	18.50	15.24	15.24	22.68	18.21	18.21	18.21	18.21	18.21	18.21	6964 22	6962
0936 44	6860 43	6866 42	6880 41	6906 33	6916 34	6928 35	6934 19	6944 20	6954 21	6964 22	6974 23	6984 24	6994 25	7004 26
17.68	15.24	15.24	18.50	15.24	15.24	22.68	18.21	18.21	18.21	18.21	18.21	18.21	18.21	18.21
6.10	Length: 30.61 m													
6.10	Length: 30.30 m													

20.42	23.07	23.16	15.24	15.24	15.24	22.68	18.21	18.21	18.21	18.21	18.21	18.21	18.21	18.21
0948 45	6815 46	6855 47	6875 35	6895 36	6925 37	6935 1	6945 2	6955 3	6965 4	6975 5	6985 6	6995 7	7005 8	7015 9
20.42	23.07	23.16	15.24	15.24	15.24	22.68	18.21	18.21	18.21	18.21	18.21	18.21	18.21	18.21
Length: 30.91 m														

Length: 30.32 m
Curtis St

20.12	20.12	20.12	20.12	20.12	20.12	20.12	20.12	20.12	20.12	20.12	20.12	20.12	20.12	20.12
6830 A	6840 Rem 14	6852 B	6872 C	6898 Pt 2	6920 2	6930 1	6940 1	6950	6970 3	6980 7	6990	7000	7010	7020
20.12	20.12	20.12	20.12	20.12	20.12	20.12	20.12	20.12	20.12	20.12	20.12	20.12	20.12	20.12
Length: 30.32 m														

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

3.(a)



2017 Board of Variance Notice of Appeal 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 Shereene Yukawa
 Mailing Address 4158 Georgia St.
 City/Town Burnaby Postal Code V5C 2T4
 Phone Number(s) (H) _____ (C) 604-818-2934
 Email shereene.ry@gmail.com

Property

Name of Owner Takeru and Shereene Yukawa
 Civic Address of Property 4158 Georgia St. Burnaby BC V5C2T4

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.

Jan. 9 /17
 Date

Shereene Yukawa
 Applicant Signature

Office Use Only

Appeal Date 2017 Feb 02. Appeal Number BV# _____

Required Documents:

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

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

January 9th, 2017

To Whom It May Concern;

This letter is to formally connect with you regarding our family home at 4158 Georgia Street in Burnaby. In the final stages of our approval / inspection process, we were very surprised to be told that our house exceeded the allowed length of 60ft by 4 feet and this matter needed to be taken to the Board of Variance for approval. Since the purchase of our house in May of 2014 and throughout our permitting, renovation and approval stages, this issue was never brought up until we brought in the last item to the building department for final approval at the end of December 2016. We strongly believe in pleading our case because both of these elements were not issues before and during our purchase of the home. The patio was added by the previous home owner and none of our renovations altered the original length of the house nor the patio. Frankly, we feel these recent developments a little unfair as we've worked diligently with our contractor to do all of our renovations to code and spent a substantial amount of money to ensure everything was done in proper compliance and respect with building requirements. It's worth noting that the inspector's concern with the patio required inspection by an engineer and architectural drawings - both requiring time and a fair sum of money.

In addition, since occupying the home, we have been enjoying the use of this garage as storage for our growing family, as well as the outside space of the patio. If these spaces were torn down we would lose valuable storage and living space for our family.

We hope this letter offers a clearer picture of our scenario and hope that we can come to an understanding that does not require a lot more work on either side. We truly love our community and want to find a solution that works for all of us.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Yukawa', with a long horizontal stroke extending to the right.

Tak, Shereene, Ethan and Nixon Yukawa



BOARD OF VARIANCE REFERRAL LETTER

DATE: January 06, 2017			<i>This is <u>not</u> an application. Please submit this letter to the Clerk's office (ground floor) when you make your Board of Variance application.</i>
DEADLINE: January 10, 2017 for the February 2, 2017 hearing.			
APPLICANT NAME: Takeru Landon Yukawa			
APPLICANT ADDRESS: 4158 Georgia St. Burnaby, V5C 2T4			
TELEPHONE: 604.454.7886			
PROJECT			
DESCRIPTION: Existing single family dwelling with interior alterations and addition			
ADDRESS: 4158 Georgia Street			
LEGAL DESCRIPTION:	LOT: 49	DL: 121	PLAN: NWP50383

Building Permit application BLD14-00955 will be denied by the Building Department because the design is not in compliance with Burnaby Zoning Bylaw No. 4742:

Zone R5 / Section 105.8(1)

COMMENTS:

The applicant proposes to legalize an unpermitted addition to an existing single family dwelling. In order to allow the Building Permit application to proceed, the applicant requests that the following variance be granted:

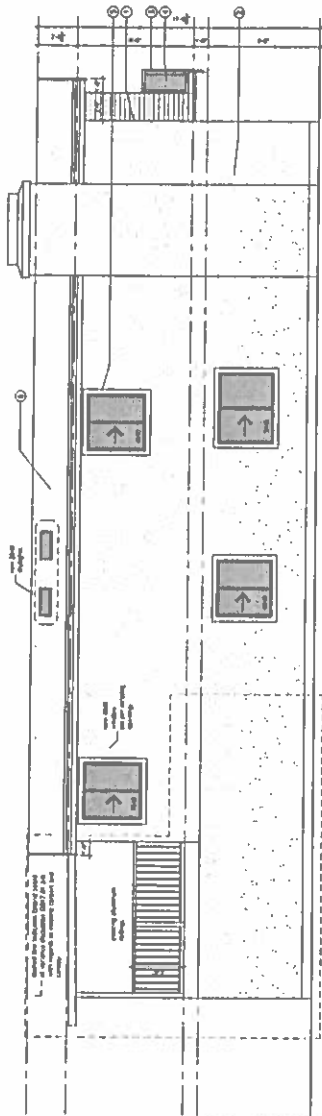
- 1) To vary Section 105.8(1) – “Depth of Principal Building” of the Zoning Bylaw requirement for a maximum building depth from 60.0 feet to 64.0 feet.

The applicability of this variance, if granted, is limited to the scope of the proposal shown on the attached plans.

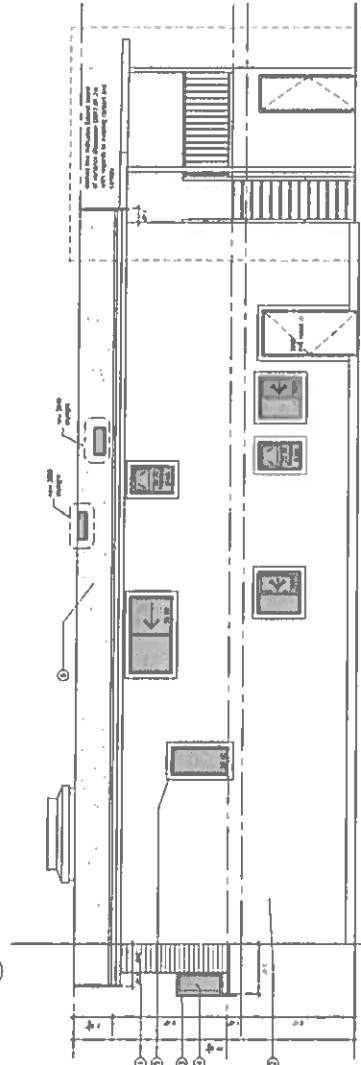
LM

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.

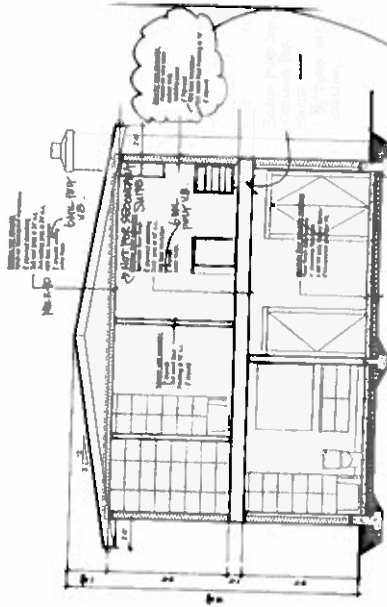
Peter Kushnir
Deputy Chief Building Inspector



1 East Elevation
Scale: 1/8" = 1'-0"



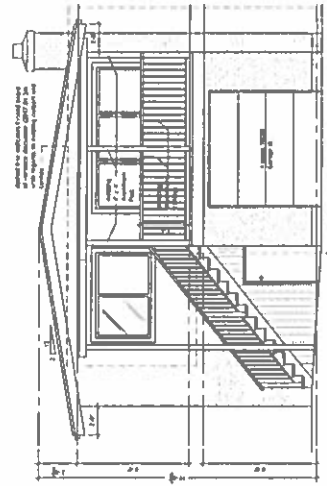
2 West Elevation
Scale: 1/8" = 1'-0"



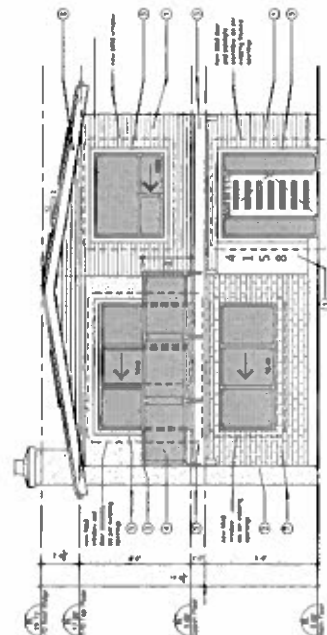
3 North Elevation
Scale: 1/8" = 1'-0"

Notes:
1. See Section A-A for details of exterior wall construction.
2. See Section A-A for details of exterior wall construction.
3. See Section A-A for details of exterior wall construction.
4. See Section A-A for details of exterior wall construction.
5. See Section A-A for details of exterior wall construction.
6. See Section A-A for details of exterior wall construction.
7. See Section A-A for details of exterior wall construction.
8. See Section A-A for details of exterior wall construction.
9. See Section A-A for details of exterior wall construction.
10. See Section A-A for details of exterior wall construction.

- EXTERIOR FINISHES:
1. See Section A-A for details of exterior wall construction.
 2. See Section A-A for details of exterior wall construction.
 3. See Section A-A for details of exterior wall construction.
 4. See Section A-A for details of exterior wall construction.
 5. See Section A-A for details of exterior wall construction.
 6. See Section A-A for details of exterior wall construction.
 7. See Section A-A for details of exterior wall construction.
 8. See Section A-A for details of exterior wall construction.
 9. See Section A-A for details of exterior wall construction.
 10. See Section A-A for details of exterior wall construction.



4 South Elevation
Scale: 1/8" = 1'-0"



5 North Elevation
Scale: 1/8" = 1'-0"

Project:
Yakawa Residence
4158 Georgia St.
Burnaby, B.C.

Drawn by:
i3 design

Client:
Yakawa Residence

Project Number:
000

Scale:
1/8" = 1'-0"

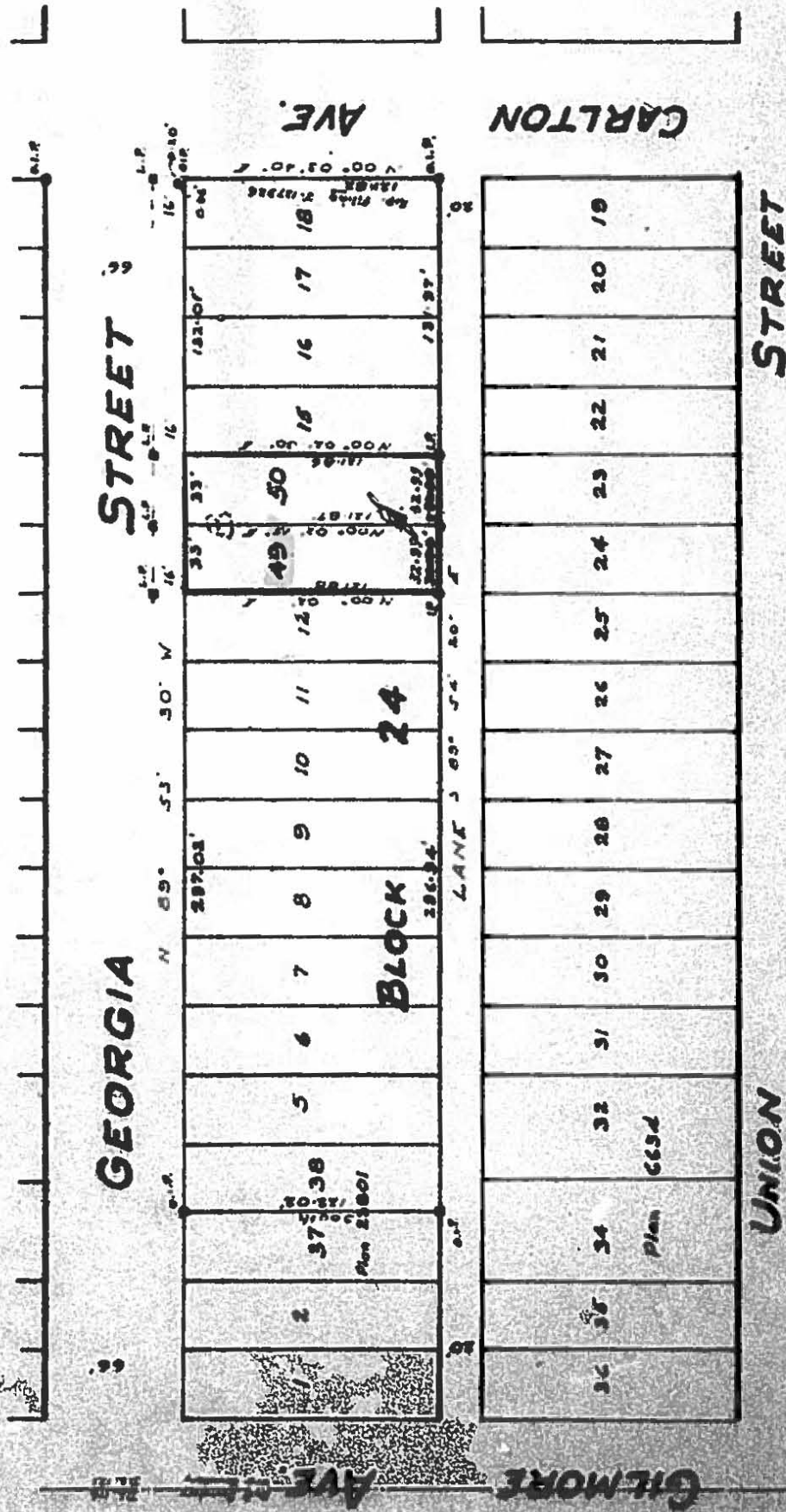
Sheet:
A3

A3 3.(b)



SUBDIVISION PLAN OF LOT B, BLOCK 24, D.L. 121,
GROUP 1, N.W.D. PLAN 12709. PLAN 50383

SCALE: 1 INCH = 60 FEET



Approved under the "Land Registry Act,"
this 19th day of April 1968 at London.

Anthony Z. Form G. Wolf David Phillips
Recorder General Secretary Director

3.(b)

9A 740 2 26

Q10	Indicates	Old Iron Road Fund
12	"	Iron Road Act
13	"	Local Iron Act
14	"	Local Road Act

*This Plan Includes Many New
Grades, Maintenance, Repairs, etc.*

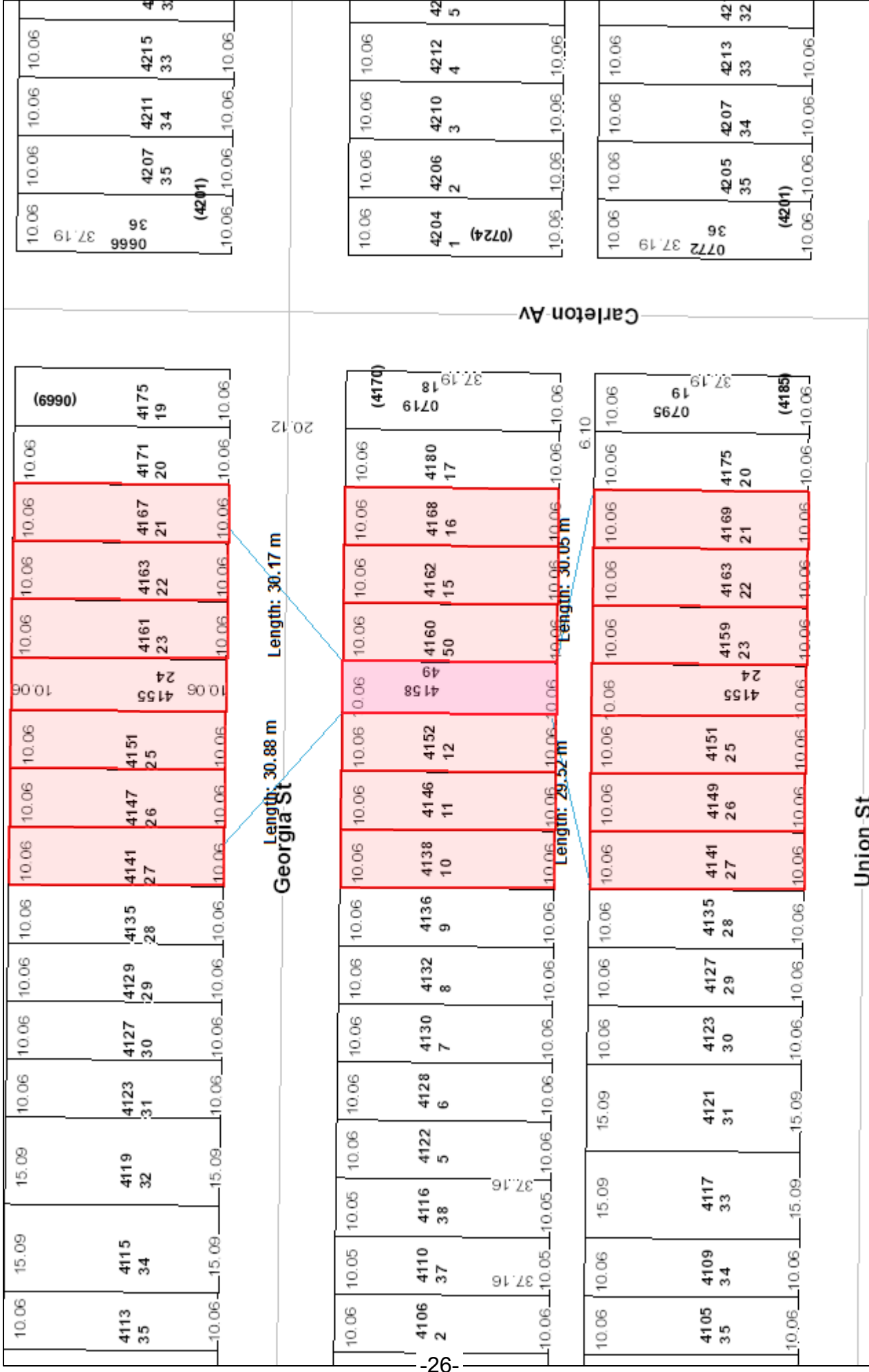
Everyone who photographs and sets against them
 them \$4.00.



4158 Georgia Street

January 10, 2017

1:900



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

3.(b)



2017 Board of Variance Notice of Appeal 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 MANN
 Mailing Address 7779 11th Ave
 City/Town BURNABY Postal Code V3N 2N4
 Phone Number(s) (H) 604 375-1655 (C) _____
 Email mvddevelopment1@gmail.com

Property

Name of Owner JACK & PAULINE CHAN
 Civic Address of Property 8462 ROYAL OAK AVE BURNABY

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

JAN 9 / 2017
 Date

[Signature]
 Applicant Signature

Office Use Only

Appeal Date 2017 Feb 02. Appeal Number BV# _____

Required Documents:

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

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



BOARD OF VARIANCE REFERRAL LETTER

DATE: January 6, 2016		<i>This is <u>not</u> an application. Please submit this letter to the Clerk's office (ground floor) when you make your Board of Variance application.</i>	
DEADLINE: January 10, 2017 for the February 2, 2017 hearing.			
APPLICANT NAME: Jack and Paulina Chan			
APPLICANT ADDRESS: 5537 Marine Drive			
TELEPHONE: 604-435-1248			
PROJECT			
DESCRIPTION: New single family dwelling with secondary suite and attached garage			
ADDRESS: 8462 Royal Oak Avenue			
LEGAL DESCRIPTION:	LOT: 18	DL: 158	PLAN: NWP1489

Building Permit application BLD16-01173 will be denied by the Building Department because the design is not in compliance with Burnaby Zoning Bylaw No. 4742:

Zone R2 / Sections [102.6(1)(a), 102.8(1), & 102.10]

COMMENTS:

The applicant proposes to build a new single family dwelling with a secondary suite and an attached garage. In order to allow the Building Permit application to proceed, the applicant requests that the following variances be granted:

- 1) To vary Section 102.6(1)(a) – “Height of Principal Building” of the Zoning Bylaw from 29.5’ to 32.09’ measured from the front average grade. The principal building height measured from the rear average grade will be 24.79.
- 2) To vary Section 102.8(1) – “Front Yard” of the Zoning Bylaw requirement for the minimum front yard depth from 39.48 feet (based on front yard averaging) to 34.56 feet.
- 3) To vary Section 102.10 – “Rear Yard” of the Zoning Bylaw requirement for the minimum rear yard depth from 29.5 feet to 20.00 feet.

All principal building projections into the resulting front and rear yard will conform to the requirements of Section 6.12.

Fences and retaining walls in the resulting front and rear yards will conform to the requirements of Section 6.14.

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

The applicability of this variance, if granted, is limited to the scope of the proposal shown on the attached plans.

MS



Peter Kushnir
Deputy Chief Building Inspector

SUBJECT – Hardship Letter regarding 8462 Royal Oak Avenue Burnaby

To Whom it may concern,

I am writing this second 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 the following:

- A 2.58 ft height increase of the building structure
- A front yard setback of 34.56 from property line to foundation where a minimum front yard setback of 39.48 ft. is required based on front yard averaging
- A back yard setback of 20ft from property line to foundation where a minimum back yard setback of 29.5 ft. is required.

This would be our second application to the board of variance regarding the construction of a new single family dwelling at the address noted above. The first BOV meeting, which took place on December 15th, 2016 we had requested the following relaxations, and they were both voted down:

- A 4 ft height increase of the building structure
- A front yard setback of 24.60 from property line to foundation where a minimum front yard setback of 39.48 ft. is required based on front yard averaging.

Right after the last BOV meeting, I had met with the Planning department to see what I can do from our end so that we can come to an agreement on the initial requested relaxations.

I was advised that if we can minimize the impact on front yard setback from a difference of 15 ft to a smaller number by moving the placement of the proposed building further back (Now proposing front yard setback for 34.56 ft) and thus taking away from the minimum backyard setback which is 29.5 ft (we have now proposed 20ft as the back yard setback) the placement of the building will have minimum impacts on front and backyard setbacks as opposed to having a large impact on just the front yard setback as we initially requested.

With moving the proposed building back 10 ft, we had challenges with the driveway slope to the garage getting to steep, the solution to this issue was to raise the garage slab to meet the bylaw for driveway slopes, and adding a step from the garage slab to the main floor of the home.

Planning also stated that if I can find a way to decrease the height difference from 4 ft to a smaller number to minimize the building height impact, they will consider supporting the relaxation request. We are now proposing a 2.58 ft increase in height as opposed to a 4ft increase which was initially requested. We accomplished the decrease in height by changing the ceiling heights for the cellar floor from 9ft to 8ft and the main floor from 10ft to 9ft.

The reason why we are looking for a 2.58ft height increase is because the property is very steep to begin with (dropping 18.74ft over the 104 ft depth) 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 2.58 ft height increase and raising the garage slab elevation we can obtain a driveway slope of 15% (this is the number where we derived the 2.58ft height increase from after incorporating a design change to raise the garage elevation up higher), 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 it will be unsafe and difficult for them 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 neighbors views they currently have from their homes as the neighbor's to the north of the subject property are on substantially higher elevation. The placement of the new proposed building cannot be moved as there is no room to adjust the placement of the building on the property.

We have already changed our ceiling heights on the cellar floor from 9ft to 8ft and the main floor from 10ft to 9ft and we have raised our garage slab elevation to be higher than the main floor, we are unable to lower the building any further down as the garage slab and driveway slopes do not comply with city building code bylaws.

The second and third relaxation's we are proposing now are changes to the front and back yard minimum setbacks of the proposed new single family dwelling at the above address.

The front yard setback off of Keith St (which in this properties case is the side yard setback as the front yard is facing Royal Oak Ave) is proposed to be 34.56 ft to the foundation now. The minimum front yard setback of 39.48 is required based on front yard averaging of the 2 properties to the east of 8462 Royal Oak Ave.

The back yard setback off of the alley is now proposed to be 20 ft from the property line to the foundation of the proposed building. The minimum back yard setback in the bylaw is stated to be 29.5 ft, however In order for us to decrease the impact to the front yard setback as per our initial request (difference of 15ft) we were advised by the Planning department to move the building back further which will have minimal impact on front and back yard setbacks.

The subject site, which is zoned R2 Residential District, is located in the South Slope neighbourhood, in which the age and condition of single and two-family dwellings vary. This interior lot is approximately 70 ft. wide and 104 ft in depth. The property next door (5229 Keith St) has a driveway off the front elevation of Keith St. The property 2 houses down to the east 5269 Keith St also has a driveway off the front elevation of Keith St; as do many other addresses on Keith St. We feel that the reason some of these homes on Keith St are set so far back are because they have attached garages on the front elevations with driveways.

8462 Royal Oak also has an attached garage however the driveway is proposed off of the back alley on the north elevation and the minimum backyard setback allowed in the bylaw is 29.5 ft, we have proposed 20 ft from the property line to the foundation of the house as the backyard setback. This third variance request has arised from the fact that the proposed building has been moved back further to minimize the impact to the front yard setback. The house is 49.33 ft wide, in this amount of space we were able to slightly obtain a functional floor plan.

According to building code bylaw section 10.2.7 (depth of principal building) under the R2 zoning it is stated that the depth of a principal building shall not exceed the lesser of:

- a) 50 percent of the lot depth, or
- b) 18.3 m (60ft)

We are not exceeding any of the above, the hardship to my client's is the bylaw requirement that states that we need to take the front yard averaging of the 2 adjacent lots and use that average as the front yard setback. This property is only 104ft in depth, with a front yard average setback of 39.48 and a minimum back yard setback of 29.5 ft we are only left with 35.02 ft to

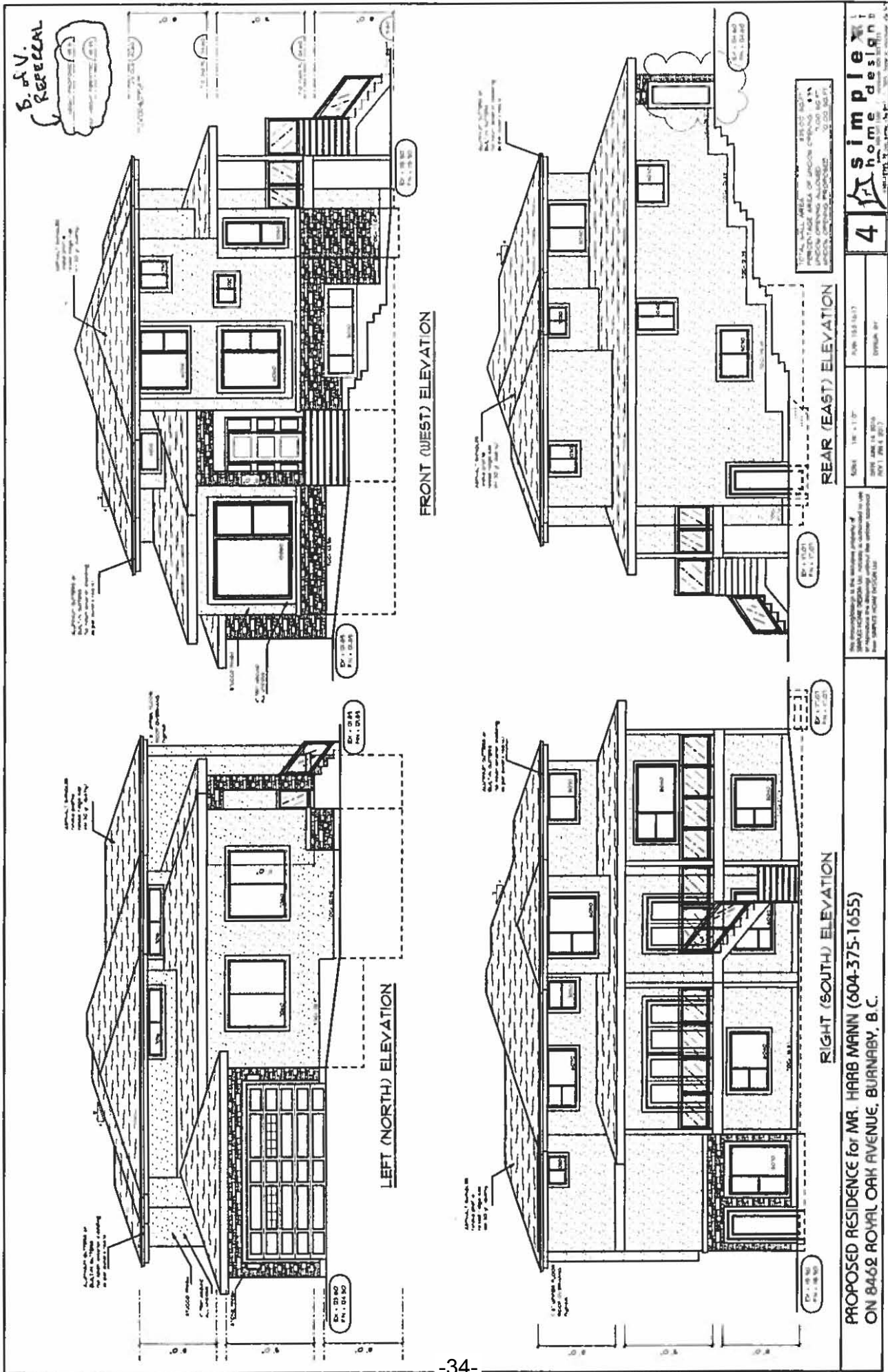
design the house, when the depth of the principal building can be set at 52ft according to section 10.2.7 and we are proposing the depth of the building to be 49.33 ft.

We hope that the Board will consider all the above information justifying the relaxations requested of the new proposed building and make the appropriate decision.

Thank you for your time and consideration

Harb Mann

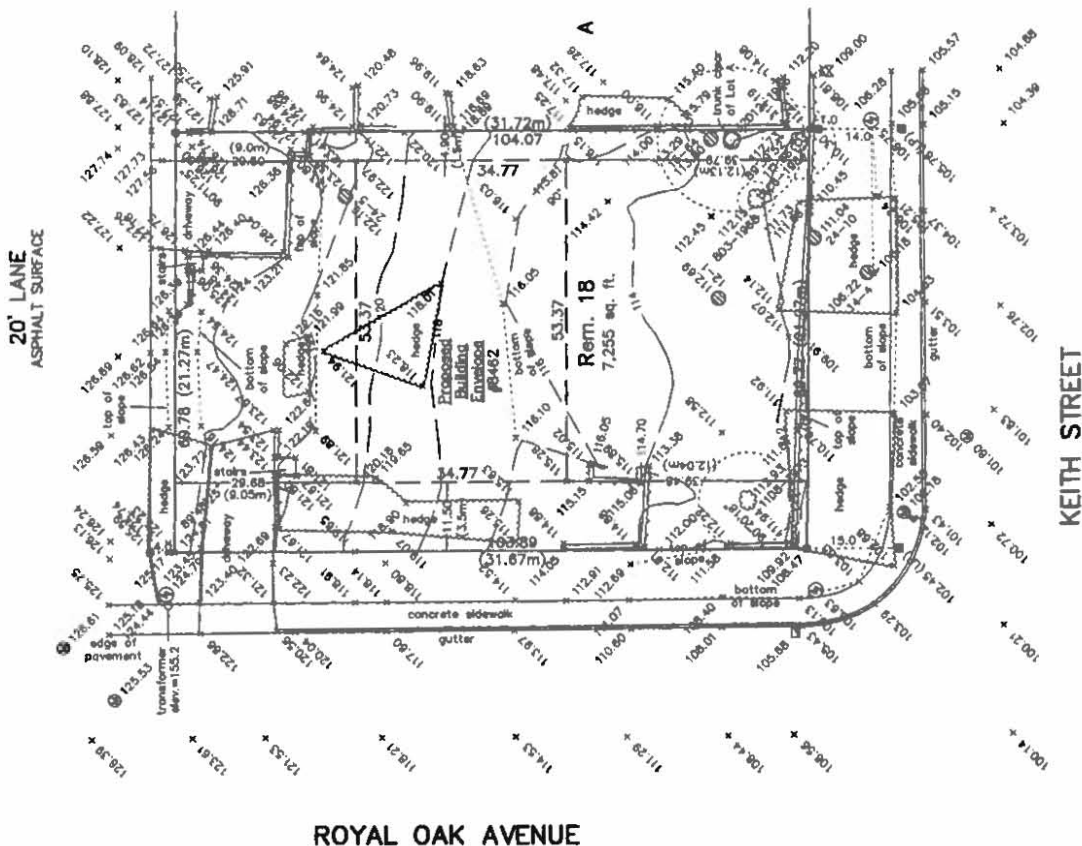
A handwritten signature in blue ink, consisting of a stylized 'H' followed by a series of loops and a long horizontal stroke.



RECEIVED
JAN 05 2007
BUILDING DEPARTMENT

BUILDING DEPARTMENT

SCALE 1" = 16'
All distances are in feet.



Applicable Adjacent House	Depth of Front Yard
5220 Keith Street (Lot A)	39.53 ft
5249 Keith Street (Lot Ø)	39.42 ft
Total	78.95 ft
Average	39.48 ft

NOTES:

- Lat. Coordinates are derived from field survey.
- Elevations are based on Geodetic Datum of Burma; and are derived from control monument D79-409 situated at the intersection of Keith Street and Royal Oct Avenue. Elevation = 102.45 feet.
- Control monument or lead plug is concrete cylinder, cast in place
- Building envelope shown is just an approximate interpretation of City Zoning Bylaws. Central Planning Department for final building envelope prior to design.
- Trees and shrubs shown are as required by municipal bylaws. All detailed drawings shall conform to said requirements.
- Symbols selected are for illustrative purposes and are not representative of their true size.
- → denotes anchor
- ⊗ denotes steel stump.
- B-L height (height) (height)
- ⊕ denotes tree
- ⊖ denotes live
- R(0 to 124 ft) (tree top number)
- L (top line radius (feet))
- C=coniferous
- D=deciduous
- G=dormant type
- denotes standard post.
- ⬤ denotes lead plug.
- ④ denotes hydr. pole.
- be denotes top of wall.
- be denotes bottom of wall.
- ① denotes manhole
- ② denotes water valve
- ③ denotes catch basin.
- ④ denotes main post.

CIVIC ADDRESS
8462 ROYAL OAK AVENUE
BURNABY, B.C.

ZONING: R2

BUILDING ENVELOPE REVISED.
DATED THIS 5TH DAY OF JAN., 2017
CERTIFIED CORRECT.
DATED THIS 12TH DAY OF MAY, 2018

LOUIS NGAN

3.(c)

PID: 003-072-045
FILE: 16887TP2

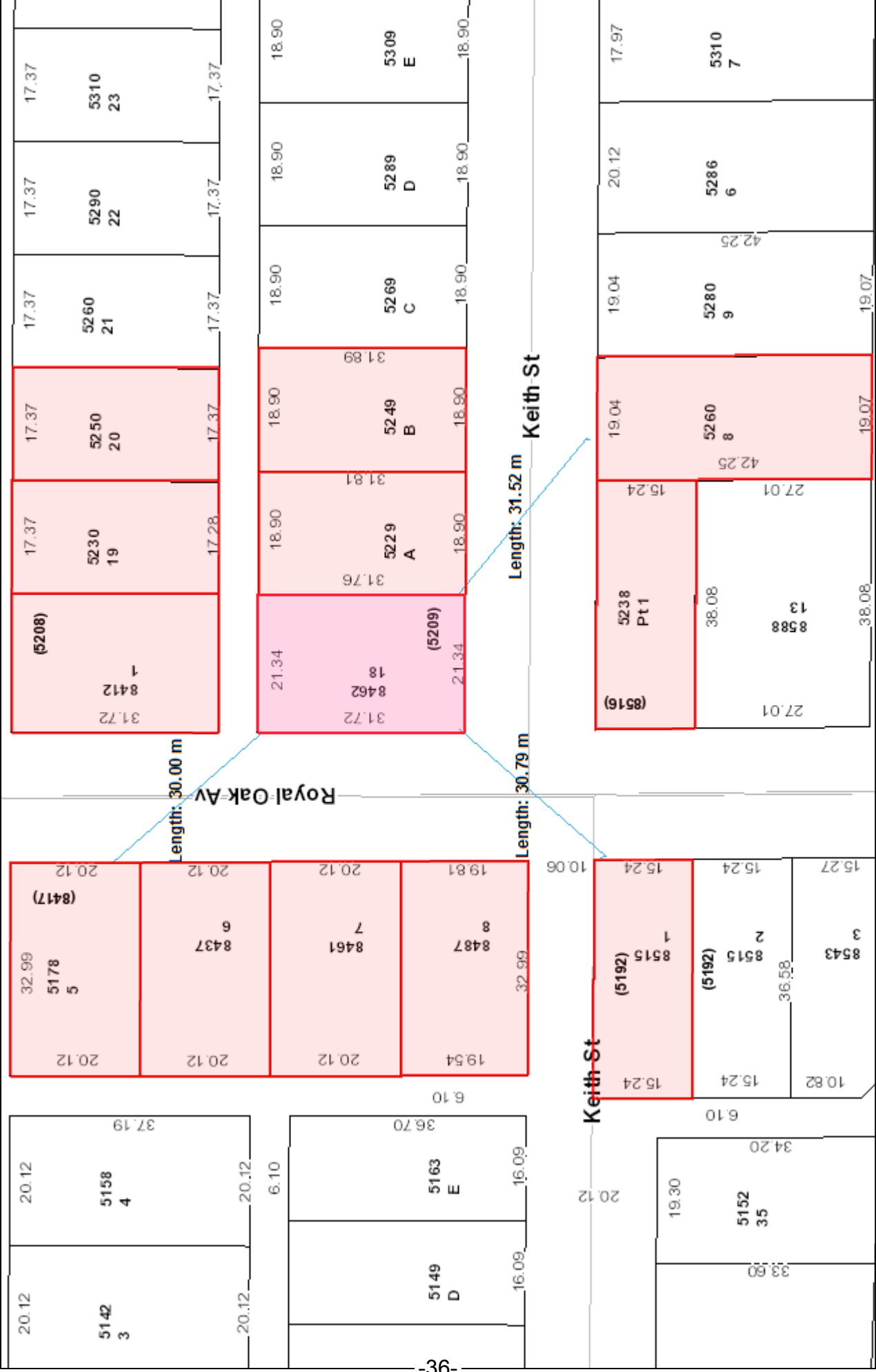
© LOUIS NGAN LAND SURVEYING INC., 2017



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 number of sources with varying levels of accuracy. The City of Burnaby disclaims all responsibility for the accuracy or completeness of information contained herein.

3.(c)



2017 Board of Variance Notice of Appeal 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 NICK JANIC
 Mailing Address P.O. Box 44098
 City/Town BURNABY, BC Postal Code V5B 4Y2
 Phone Number(s) (H) _____ (C) 604-341-9945
 Email BELMAR@TELUS.NET

Property

Name of Owner FRANK AND MARIA CORTESE
 Civic Address of Property 4589 VENABLES 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.

JAN 10, 2017
 Date

[Signature]
 Applicant Signature

Office Use Only

Appeal Date 2017 Feb 02 Appeal Number BV# _____

Required Documents:

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

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

January 5, 2017

Maria and Frank Cortese
4589 Venables Street
Burnaby, BC, Canada

Burnaby Board of Variance
Burnaby City Hall
4949 Canada
Burnaby, BC, Canada

Re: 4589 Venables Street, Burnaby, BC

We are asking for a small variance in the required front yard.

Our family has lived at this address for over 26 years. We have raised our children in this house and dreamed of one day building a new house in Burnaby.

Building a house with a backyard deck has always been our dream. As we began planning and designing the new house, we learned of Burnaby Zoning Bylaws that could possibly impede our dream house and the chance to finally have a back deck.

Our house is located on a corner property (Venables Street and Alpha Avenue), the increased required side yard setback (minimum 9.84') has forced us to design a home that is longer than we would have to on an interior lot.

In order to maintain the minimum required distance (14.79') from the detached garage, we have to encroach into the required front yard.

To limit the impact of our home's location on the neighbour to the west, we have set back the upper floor from the main floor below.

We have been long time residents of this location and hope to live here for many more years.

We appreciate your consideration,

The block contains two handwritten signatures in black ink. The signature on the left is 'Frank Cortese' and the signature on the right is 'Maria Cortese'.

January 5, 2017

Carson and Nina Koo
4575 Venables Street
Burnaby, BC, Canada

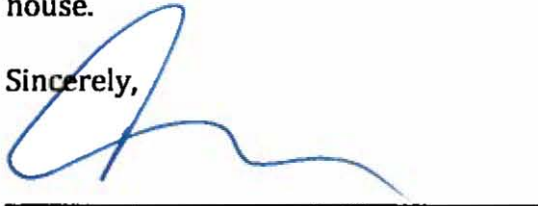
Burnaby Board of Variance
Burnaby City Hall
4949 Canada
Burnaby, BC, Canada

Re: 4589 Venables Street, Burnaby, BC

Carson and I have lived at this address for over 10 years. The Cortese family at 4589 Venables Street is our next-door neighbor to the immediate East of our house. We have seen the plans for their new house and are aware that they will be asking for a small variance to their front yard. This small variance does not impact our view or our house. We understand that this small variance will allow the Cortese family to build a backyard deck. Carson and I approve this variance of their front yard.

We are happy that they will be staying in the neighborhood and building a new house.

Sincerely,



Carson and Nina Koo



BOARD OF VARIANCE REFERRAL LETTER

DATE: December 8, 2016		DEADLINE: January 10, 2017 for the February 2, 2017 hearing		<i>This is <u>not</u> an application. Please submit this letter to the Clerk's office (ground floor) when you make your Board of Variance application.</i>
NAME OF APPLICANT: Nick Zanic				
ADDRESS OF APPLICANT: P.O. Box 44098, V5B 4Y2				
TELEPHONE: 604-341-9945				
PROJECT				
DESCRIPTION: New single family dwelling with secondary suite and detached garage				
ADDRESS: 4589 Venables Street				
LEGAL:	LOT: H	DL: 122	PLAN: 13058	

Building Permit application BLD16-01426 will be denied by the Building Department because the design is not in compliance with Burnaby Zoning Bylaw No. 4742:

Zone R5 / Section 105.9

COMMENTS:

The applicant proposes to build a new single family dwelling with a secondary suite and a detached garage. In order to allow the Building Permit application to proceed, the applicant requests that the following variance be granted:

- 1) To vary Section 105.9 – "Front yard" of the Zoning Bylaw requirement for the minimum front yard depth from 35.1 feet (based on front yard averaging) to 29.95 feet.

All principle building projections into the resulting front yard will conform to the requirements of Section 6.12.

Fences and retaining walls will conform to the requirements of Section 6.14.

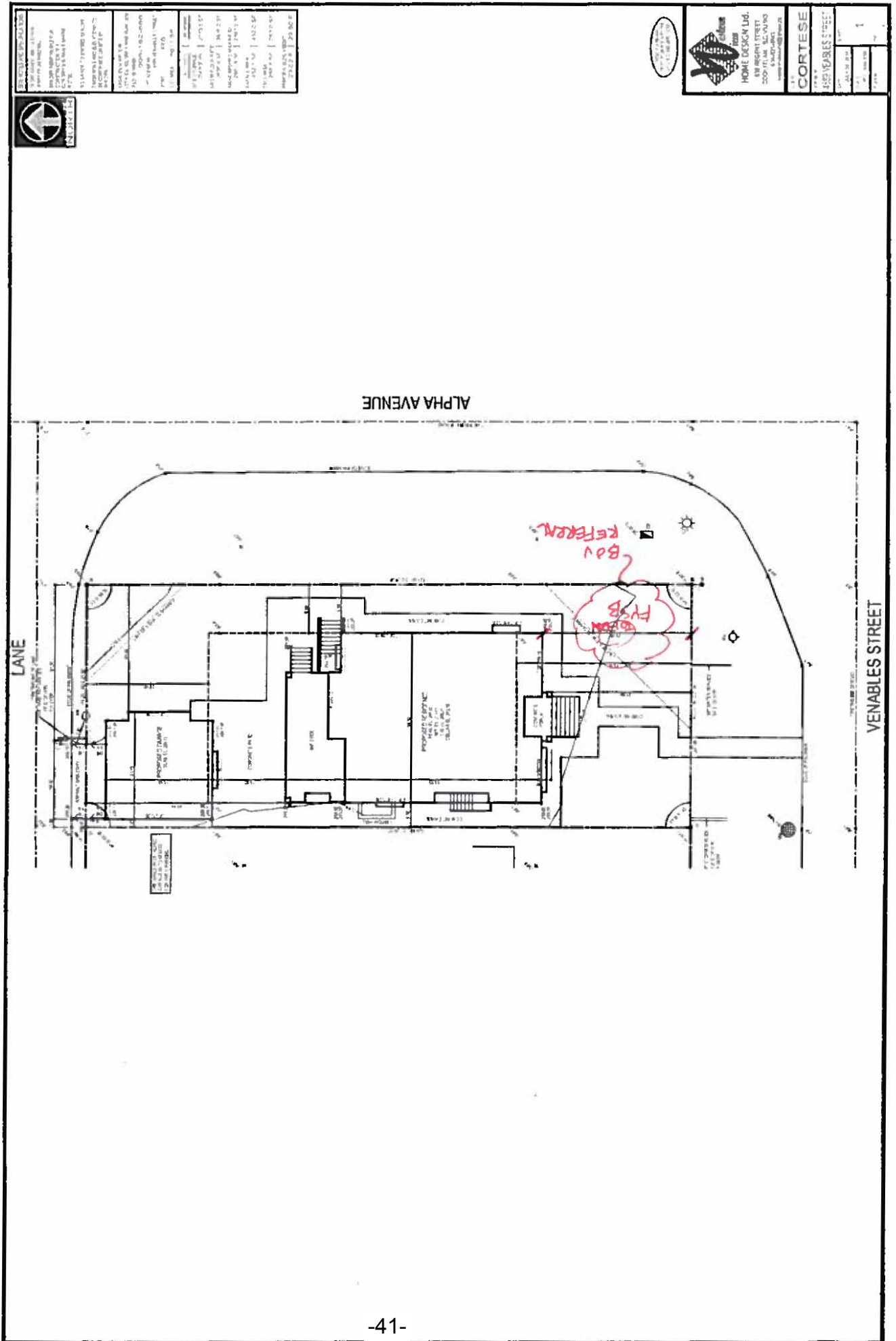
The applicability of this variance, if granted, is limited to the scope of the proposal shown on the attached plans.

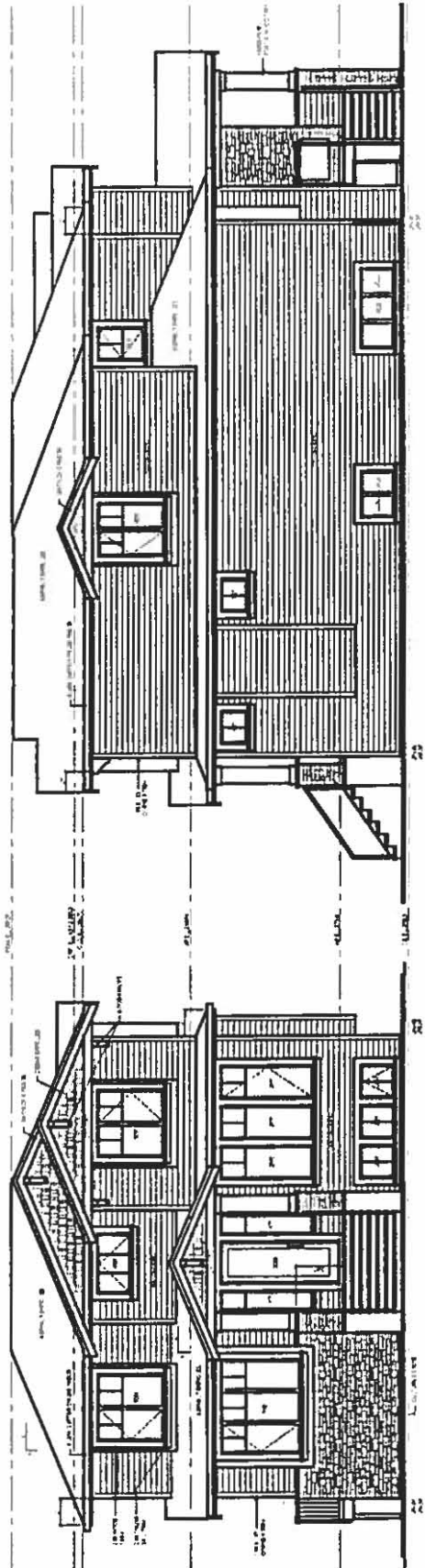
CN

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.

Kushnir

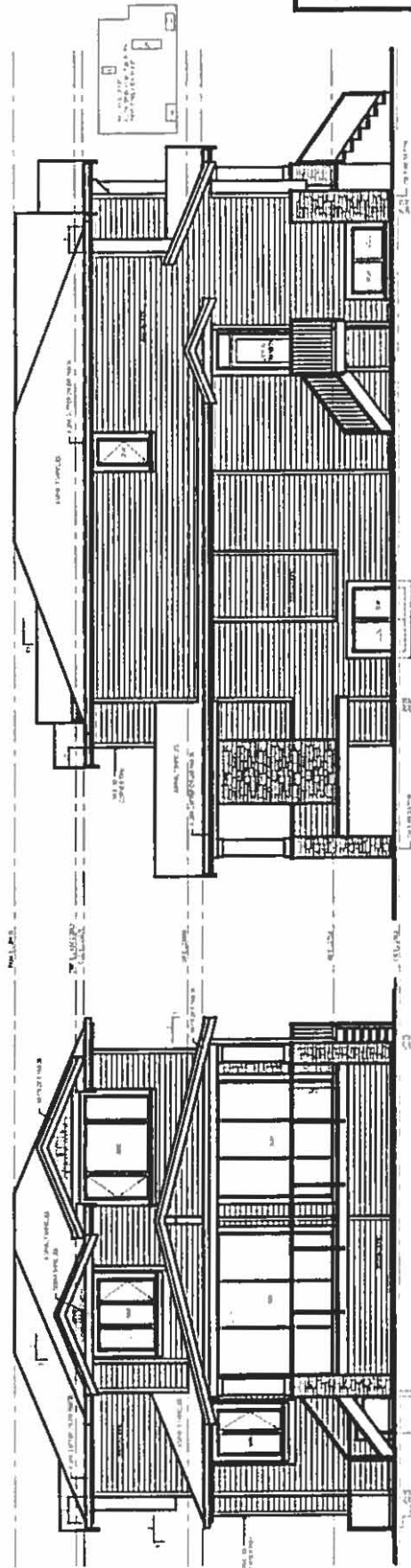
Peter Kushnir
Deputy Chief Building Inspector





RIGHT (EAST) ELEVATION

FRONT (SOUTH) ELEVATION



LEFT (WEST) ELEVATION

REAR (NORTH) ELEVATION



Cortese
HOME DESIGN, INC.
1000 E. 10TH AVE., SUITE 100
DENVER, CO 80202
303.733.1111
www.cortesehome.com

CORTESI		480 YEARS STREET	
DATE	10/1/11	DATE	10/1/11
BY	J.A. P. 11/11	BY	J.A. P. 11/11
CHK	J.A. P. 11/11	CHK	J.A. P. 11/11
APP	J.A. P. 11/11	APP	J.A. P. 11/11

TOPOGRAPHIC PLAN OF LOT "H"
DISTRICT LOT 122, GROUP 1
NEW WESTMINSTER DISTRICT
PLAN 1305B

4589 Venables Street
 Burnaby, B.C.

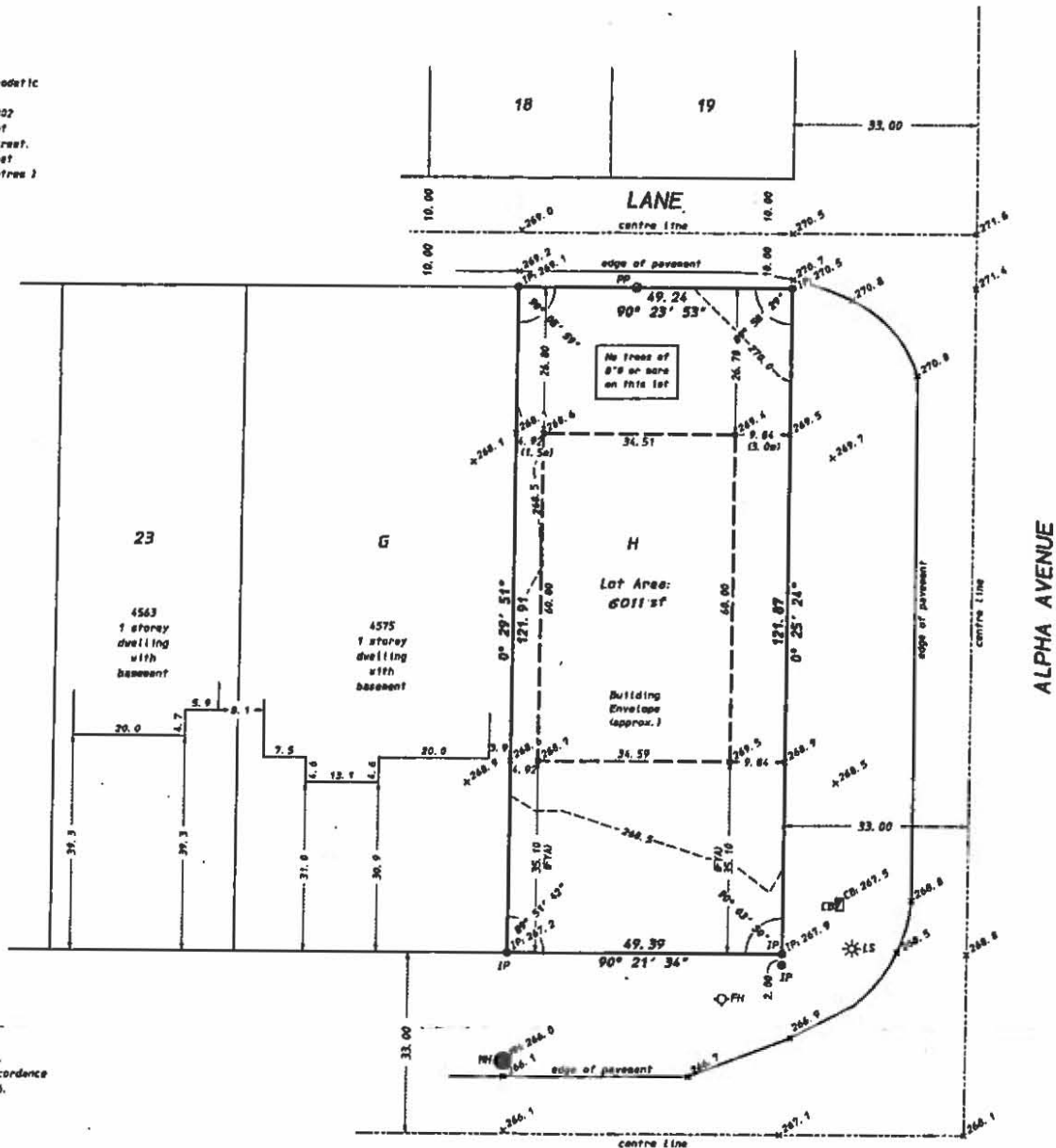
ZONING: R5

NOTE:
 Elevations are based on geodetic datum.
 Bench Mark: Monument 7716802 located at the SE corner of Alpha Avenue and Parker Street.
 B.M. Elevation = 255.55 feet
 (77.892 metres)

SCALE: 1 INCH = 16 FEET
 0 5 10 20 30 50
 All dimensions are in feet and decimals thereof unless otherwise indicated
 Contour Interval: 1.5' feet.

RECEIVED
 DEC 05 2015

BUILDING DEPARTMENT



VENABLES STREET

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 This document is not valid unless originally signed and sealed.

CERTIFIED CORRECT:
 March 31, 2016

[Signature]
 DEFS

FILE: TF-4956

PID: 008-152-888

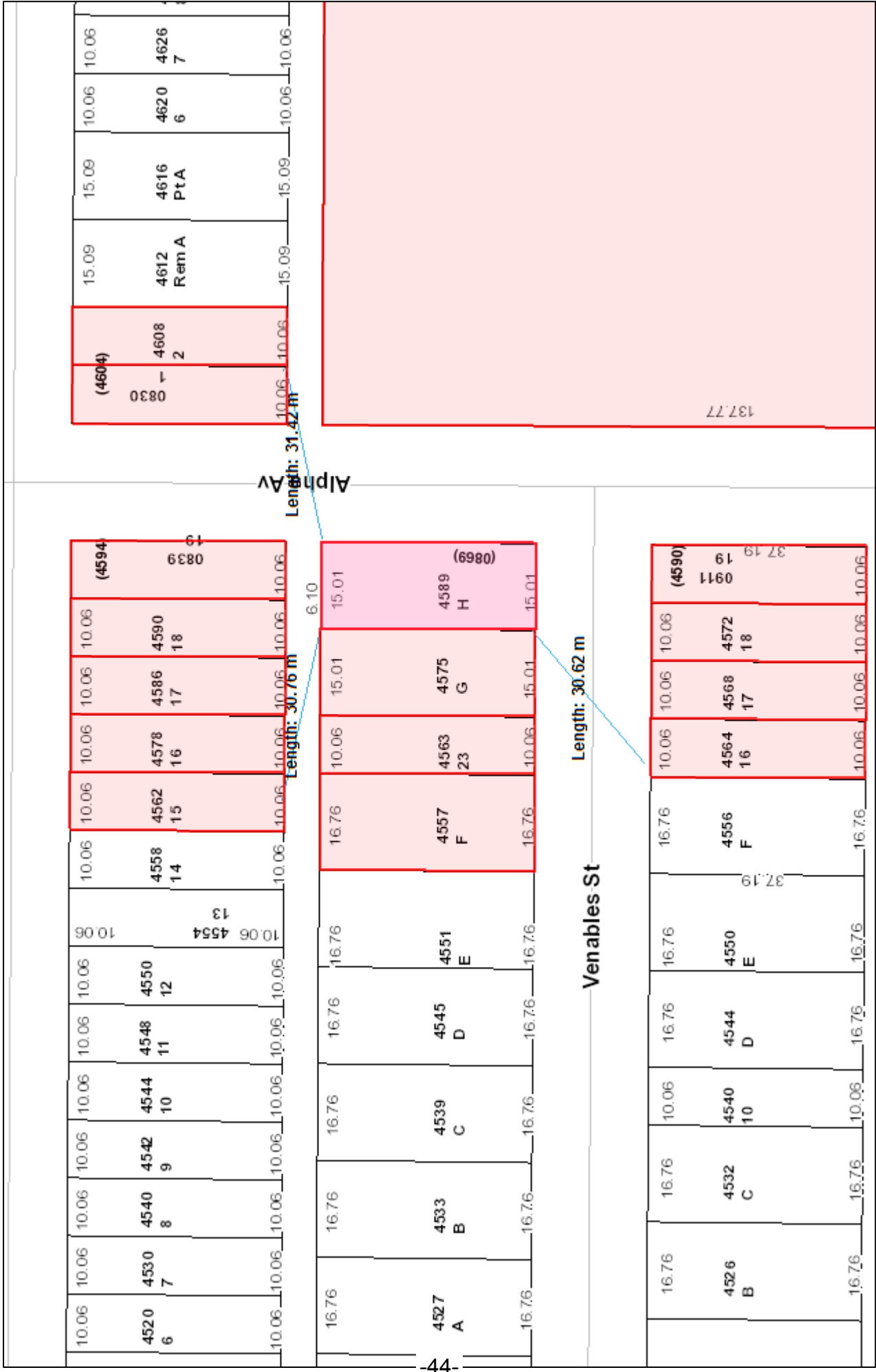
Ken K. Wong and Associates
 Canada and B.C. Land Surveyors
 5624 E. Hastings Street
 Burnaby, B.C. V5B 1R4
 Telephone: (604) 294-8881
 Fax: (604) 294-0625
 160198 P0934 P52-53
 R-10260 R-179 R-454
 Drawn by: TB SZ-4744



4589 Venables Street

January 10, 2017

1:900



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

3.(d)