



BOARD OF VARIANCE

NOTICE OF OPEN MEETING

DATE: THURSDAY, 2018 JANUARY 04

TIME: 6:00 PM

PLACE: COUNCIL CHAMBER, MAIN FLOOR, CITY HALL

A G E N D A

1. CALL TO ORDER

2. ELECTIONS

(a) Election of Chair

3. MINUTES

(a) Minutes of the Board of Variance Hearing held on 2017 December 07

4. APPEAL APPLICATIONS

(a) **APPEAL NUMBER:** B.V. 6312 **6:00 p.m.**

APPELLANT: Karamjit Singh

REGISTERED OWNER OF PROPERTY: Amrik Sandhu and Karamjit Singh

CIVIC ADDRESS OF PROPERTY: 3785 Warren Street

LEGAL DESCRIPTION OF PROPERTY: Lot E: DL 35: Plan: 16710

APPEAL: An appeal for the relaxation of Section 104.9 of the Burnaby Zoning Bylaw which, if permitted, would allow for construction of a new single family dwelling with a secondary suite and detached garage at 3785 Warren Street, with a front yard depth of 33.45 feet where a minimum depth of 37.45 feet is required based on front yard averaging. Zone R4

(b) APPEAL NUMBER: B.V. 6313 6:00 p.m.

APPELLANT: Gurmit Aujla

REGISTERED OWNER OF PROPERTY: Gurmit and Harstinder Aujla

CIVIC ADDRESS OF PROPERTY: 6157 Elgin Avenue

LEGAL DESCRIPTION OF PROPERTY: Lot 1; DL 94; Plan NWS1121

APPEAL: An appeal for the relaxation of Section 104.6(1)(b) of the Burnaby Zoning Bylaw which, if permitted, would allow for construction of a new single family dwelling with a secondary suite and a detached garage at 6157 Elgin Avenue. The following variances are requested:

a) a principal building height of 26.74 feet (flat roof) measured from the front average grade, where the maximum height of 24.30 feet is permitted; and,

b) a principal building height of 25.01 feet (flat roof) measured from the rear average grade, where the maximum height of 24.30 feet is permitted. Zone R4

(c) APPEAL NUMBER: B.V. 6314 6:15 p.m.

APPELLANT: Norman Zottenberg

REGISTERED OWNER OF PROPERTY: Melissa & Michael Fox; Sha & Bradley Snider

CIVIC ADDRESS OF PROPERTY: 3759/3761 Hurst Street

LEGAL DESCRIPTION OF PROPERTY: Lot B; DL 150; Plan NWP8581

APPEAL: An appeal for the relaxation of Sections 110.1(1) and 110.8 of the Burnaby Zoning Bylaw which, if permitted, would allow for interior alteration and an addition to an existing two family dwelling at 3759 and 3761 Hurst Street. The following variances are requested:

a) construction of an addition to an existing legal, non-conforming two family dwelling, where two family dwellings are not permitted in R10 zoning; and,

b) a front yard setback of 24.79 feet, where a minimum set back of 27.41 feet is required based on front yard averaging. Zone R10

(d) **APPEAL NUMBER:** B.V. 6315 **6:15 p.m.**

APPELLANT: Rebecca Verschoor, TQ Construction

REGISTERED OWNER OF PROPERTY: Frances, Colin and Peter Fong

CIVIC ADDRESS OF PROPERTY: 3957 Lozells Avenue

LEGAL DESCRIPTION OF PROPERTY: Lot 81; DL 43; Plan NWP28993

APPEAL: An appeal for the relaxation of Sections 6.6(2)(g)(i), 6.6(2)(g)(ii) and 101.8 of the Burnaby Zoning Bylaw which, if permitted, would allow for interior alteration, deck addition (already built), enclosed carport to a garage (already built), and a new accessory building (already built) to an existing single family dwelling at 3957 Lozells Avenue. The following variances are requested:

a) a side yard width of 6.0 feet for an Accessory Building, where a minimum side yard width of 29.50 feet is required;

b) a rear yard depth of .5 feet for an Accessory Building, where a minimum rear yard width of 3.94 feet is required; and,

c) a front yard depth of 30.50 feet, where a minimum depth of 34.73 feet is required based on front yard averaging. Zone R1

(e) **APPEAL NUMBER:** B.V. 6316 **6:30 p.m.**

APPELLANT: Mark Handford

REGISTERED OWNER OF PROPERTY: Rosanne Chow

CIVIC ADDRESS OF PROPERTY: 7091 Kitchener Street

LEGAL DESCRIPTION OF PROPERTY: Lot 1; DL 135; Plan NWP18498

APPEAL: An appeal for the relaxation of Section 104.9 of the Burnaby Zoning Bylaw which, if permitted, would allow for construction of a second floor addition to an existing single family dwelling at 7091 Kitchener Street, with a front yard setback of 29.6 feet where a minimum set back of 29.9 feet is required based on front yard averaging. Zone R4

5. **NEW BUSINESS**

6. **ADJOURNMENT**



BOARD OF VARIANCE

MINUTES

A Hearing of the Board of Variance was held in the Council Chamber, Burnaby City Hall, 4949 Canada Way, Burnaby, B.C., on Thursday, **2017 December 07** 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. Wayne Peppard, Citizen Representative
 Mr. Brian Pound, Citizen Representative

STAFF: Ms. Sharon Knapp, Planning Department Representative
 Ms. Monica Macdonald, Administrative Officer

The Chair called the meeting to order at 6:00 p.m.

2. MINUTES

(a) Minutes of the Board of Variance Hearing held on 2017 November 02

MOVED BY MR. POUND

SECONDED BY MR. NEMETH

THAT the minutes of the Burnaby Board of Variance Hearing held on 2017 November 02 be adopted.

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. 6309

APPELLANT: Bill Van Beek

REGISTERED OWNER OF PROPERTY: Suncor Energy Inc.

CIVIC ADDRESS OF PROPERTY: 9955 Barnet Road and 631 North Road

LEGAL DESCRIPTION OF PROPERTY: Lot D; DL 31; Plan NWP3859 and
Lot W; DL 26/31; Plan NWP23362

APPEAL: An appeal for the relaxation of Section 407.5(1) of the Burnaby Zoning Bylaw which, if permitted, would allow construction of a new utility bridge at 9955 Barnet Road and a covered catwalk platform structure at 631 North Road. The following variances are requested for the two properties:

9955 Barnet Road

a) A yard depth along the southeast property line of 9.84 feet where a minimum of 19.69 feet to the boundaries of the lot is required; and,

b) A yard depth along the northwest property line of nil feet where a minimum 9.84 feet is required where a lot abuts another lot.

631 North Road

c) A yard depth along the southeast property line of 4.77 feet where a minimum 9.84 feet is required where a lot abuts another lot; and,

d) A yard depth along the northwest property line of nil feet where a minimum 9.84 feet is required where a lot abuts another lot.

Zone Marine District 2 M7a.

APPELLANT'S SUBMISSION:

Bill Van Beek, Suncor Energy Inc., submitted an application for relaxation of the Burnaby Zoning Bylaw to construct a new utility bridge and covered catwalk.

Mr. Brendan McCarthy, representing Suncor Energy Inc., appeared before members of the Board at the Hearing.

BURNABY PLANNING AND BUILDING DEPARTMENT COMMENTS:

There are two sites that are the subject of this application, 9955 Barnet Road and 631 North Road, which are located in the M7a district, which regulates water oriented uses and related activities. Both sites are located in the northeast corner of the city, immediately west of the boundary between Burnaby and the City of Port Moody, and they extend eastwards into the City of Port Moody, where they are zoned M3 General Industrial. The two properties are separated from each other by the CPR rail corridor, which is a legal lot.

As noted above, this appeal concerns two sites which are not connected. However, this area has been historically under one operation as a Marine Terminal for over 60 years, despite the fact that it spans over the various pieces of land registered under different ownership (including Suncor Energy Inc., CPR and the Port of Vancouver), different levels of government (federal and municipal) and under different jurisdictions (City of Burnaby and City of Port Moody). This complicated ownership is reflected in the unusual lot configurations, which largely limit design options and as such, could be considered a contributing factor when assessing grounds for a hardship.

As a part of the Marine Terminal upgrade, the applicant proposes to construct a new utility bridge and covered catwalk structure. In order for the Preliminary Plan Approval (PPA16-00332), to proceed, the applicant requests that the following four variances will be granted.

Two variances are related to the utility bridge at 9955 Barnet Road, and two variances are related to the covered catwalk at 631 North Road. Each property will be discussed separately.

9955 Barnet Road

The southern property, 9955 Barnet Road is bounded by the Barnet Road Right-of-Way (R.O.W.) on the southeast, and the CPR rail corridor to the northwest. The terrain slopes steeply down in a southeast-northwest direction from above Barnet Road down to Burrard Inlet.

The subject site is an irregularly shaped lot, approximately 317.5 m. in length from its western boundary at the unopened Highland Avenue to the boundary between the City of Burnaby and Port Moody to the east. The lot varies in width from less than 1.0 m. wide to 64.0 m. wide, and the site is 10.28 m. wide where the variances have been requested. The proposed utility bridge would span over the CPR tracks, with the southern bridge structure located on 9955 Barnet Road and northern structure on the lands owned by the Port of Vancouver.

The first a) variance requested is to vary the Section 407.5(1) "Yards" requirement for the minimum yard depth to the boundaries of the lot, along the southeast property line from 6.0 m. (19.69 feet) to 3.0 m. (9.84 feet) in order to permit the construction of a new utility bridge.

The second b) variance requested would permit a yard depth along the northwest property line of nil feet where a minimum 3.0 m. (9.84 feet) is required when a lot abuts another lot.

The intent of the Bylaw in requiring yards is to mitigate the massing impacts of buildings or structures on neighbouring properties.

The first a) variance is measured from the southeastern edge of the bridge foundation to the property line bordering Barnet Road R.O.W. The proposed foundation is located in the center of this portion of the lot, which measures approximately 10.28 m. (33.75 feet) wide. The foundation is parallel to the property lines so that both yards measure 3.0 m. (9.84 feet)

The second b) variance is measured at the point where the horizontal bridge span adjoins (and crosses over) the property line it shares with the CPR parcel.

The narrow lot provides inadequate depth to build a foundation that observes the required 6.0 m. (19.69 feet) setback. The foundation has been centered between the two property lines, creating two side yards with the minimum 3.0 m. (9.84 feet) width. In this case, the proposed north yard meets the Bylaw requirement, but not the south.

The Barnet Road R.O.W. in this location is approximately 80.0 m. wide. Barnet Road is located in the southernmost portion, at a much higher elevation than the proposed structure. A private service road leads downhill from Barnet Road and runs parallel to the subject property, down to the Suncor entrance. The Trans Canada Trail, which is located on the south side of the service road, is the closest point from which the public would see the new structure. An existing buffer of trees and bushes on the north side of the service road screens the views. The bridge structure will be visible in the distance during the fall and winter months when the leaves have fallen.

Given the narrowness of the property in this location, this compromise attempts to conform to the Bylaw's minimum width requirements. Given that there are no residences or other buildings in the vicinity, this relaxation would not defeat the intent of the Bylaw, which is to mitigate the massing impacts of buildings or structures on neighbouring properties. As such, this Department does not object to the granting of this variance a).

The second variance for a nil side yard occurs where the bridge structure meets the property line with the CPR parcel. Observing a nil side yard is necessary for the bridge to carry the pipe across to the second property. At the grade level, the foundation meets the necessary yard requirements. This Department notes that the applicant is working with CPR to obtain the necessary permissions for this aerial trespass.

The proposed bridge is an isolated structure that will only be visible in the distance from the Trans Canada Trail. Given that the CPR has agreed in principle for the structure to cross over their tracks, the property owner who will be most affected by the new bridge has indicated their support.

As this variance does not defeat the intent of the Bylaw to mitigate the massing impacts of buildings or structures on neighbouring properties, this Department does not object to the granting of this variance b).

631 North Road

The northern property, 631 North Road is an irregularly shaped lot, extending westwards from the boundary line between Burnaby and Port Moody approximately 1000.0 m., and varying in width from 1.0 m. to 40.0 m. at its widest point. The lot also extends eastward into the City of Port Moody. It is bounded on the southeast by the CPR parcel.

631 North Road is relatively flat and has been developed with industrial port facilities. The proposed catwalk structure consists of a central raised platform, 2.3 m (7.5 feet) wide and 9.5 m. (31.0 feet) tall as measured from the finished grade to the roof ridge. The proposed catwalk, 13.6 m. (44.5 feet) wide as measured from the edges of the eaves, would run parallel to the property line for a distance of approximately 217.3 m. (713.0 feet), and approximately half of this distance would be on the Burnaby side of the boundary, with the setbacks from the property line varying from 0.25 m. (.83 feet) to 1.0 m. (3.33 feet).

The third c) variance requested would permit a yard depth along the southeast property line of 1.45 m. (4.77 feet) where a minimum of 3.0 m. (9.84 feet) is required where a lot abuts another lot; and,

The fourth d) variance requested would permit a yard depth along the northwest property line of nil feet where a minimum of 3.0 m. (9.84 feet) is required where a lot abuts another lot. The two variances are co-related and will be discussed together.

The third c) requested variance is measured from the edge of the shallow roof over the catwalk which measures 3.0 m. (4.77 feet) at the southeast property line where the roof borders the CPR. The roof is designed to cover the gangways that will be lowered from the central catwalk structure to access the roofs of the rail cars. The request for this variance is caused by the location of the existing railway tracks in relation to the property line.

The fourth d) requested variance is measured from the edge of the roof over the catwalk on the northwest property line where the lot abuts the CPR lot. The roof is designed to cover the gangways that will be lowered from the central catwalk structure in order to access the roofs of the rail cars. The request for this variance is caused by the location of the existing railway tracks, which are proposed to be extended further to the east and into the City of Port Moody portion of the subject lot, in relation to the property line. Like the utility bridge, the proposed catwalk structure will be visible only from a distance from the Trans Canada Trail in the fall and winter months when the trees are bare. Due to the major difference in grades between the trail and the catwalk structure, it will not be easily visible even in the winter months.

Both variances are requested in order to permit the catwalk structure to function properly. As the granting of these variances does not defeat the intent of the Bylaw, which is to mitigate the massing impacts of buildings or structures on neighbouring properties, this Department does not object to the granting of variances c) and d).

ADJACENT OWNER'S COMMENTS:

No submissions were received regarding this appeal.

MOVED BY MR. PEPPARD
SECONDED BY MR. DHATT

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

CARRIED

OPPOSED: C. RICHTER

MOVED BY MR. PEPPARD
SECONDED BY MR. POUND

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

CARRIED

OPPOSED: C. RICHTER

MOVED BY MR. PEPPARD
SECONDED BY MR. POUND

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

CARRIED

OPPOSED: C. RICHTER

MOVED BY MR. PEPPARD
SECONDED BY MR. POUND

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

CARRIED

OPPOSED: C. RICHTER

(b) APPEAL NUMBER: B.V. 6310

APPELLANT: Vikram Tiku

REGISTERED OWNER OF PROPERTY: Lei Duan

CIVIC ADDRESS OF PROPERTY: 6695 Eagles Drive

LEGAL DESCRIPTION OF PROPERTY: Lot 151; DL 85; Plan 36335

APPEAL: An appeal for the relaxation of Sections 101.6(1)(a) and 101.7(b) of the Burnaby Zoning Bylaw which, if permitted, would allow for construction of a new single family dwelling with an attached garage at 6695 Eagles Drive. The following variances are requested:

a) A principal building height of 33.71 feet measured from the rear average grade (sloping roof), where the maximum height of 29.50 feet is permitted. The principal building height measured from the front average grade will be 24.67 feet; and,

b) A principal building depth of 60.67 feet where the maximum depth of 60.0 feet is permitted. Zone R1.

APPELLANT'S SUBMISSION:

Vikram Tiku, Designer, submitted an application for relaxation of the Burnaby Zoning Bylaw to construct a new single family dwelling.

Mr. Vikram Tiku appeared before members of the Board at the Hearing.

BURNABY PLANNING AND BUILDING DEPARTMENT COMMENTS:

The subject site, zoned R1 Residential District, is located in the Morley-Buckingham neighbourhood, where the ages and conditions of the dwellings vary. The subject lot has an irregular shape; the side property lines are 165.3 feet (west) and 192.3 feet long (east) and the lot is approximately 79.5 feet wide. The lot fronts onto Eagles Drive to the south and it is flanked by the unconstructed Sperling Avenue right-of-way to the west. The subject site abuts a single family lot to the east, and single family dwellings are located across the street. Vehicular access to the subject site is provided via Eagles Drive. The Sperling Avenue right-of-way is closed to vehicular traffic, and no plans currently exist to construct a road in this location. The subject site slopes significantly downward (approximately 32.9 feet along the western property line) towards the north. A new single family dwelling with a double attached garage is proposed for the subject site, for which two variances are requested.

The new dwelling will have three levels; the main entry level (elevation 191.0 feet), the lower level where the bedrooms are located (elevation 181.0 feet) and a cellar with a recreation room (elevation 171.0 feet) that opens onto the back yard. The principal building height of 33.71 feet is measured from the rear average natural grade, where the maximum height of 29.50 feet is permitted for a sloping roof. The principal building height measured from the front average natural grade facing Eagles Drive will be 24.67 feet.

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

In this case, the height calculation is based on the existing natural grade at the rear elevation. The substantial grade difference from the front to the rear of the subject property contributes to the excess height. This is compounded by the additional fill and enclosed crawl space that would raise the main floor above the natural grade at the front of the property. The proposed 6.5 feet of filling (as measured at the front dwelling elevation) creates a new main floor level of 191.0 feet. The raising of the main floor of the house has implications for the height of the elevation as measured at the rear.

The proposed over height area is larger than the “bubbled” areas on the drawings. The over height portion of the roof is measured at the 203.35 foot level and extends across the width of the roof. When viewed from the west elevation, the proposed height encroachment spans across 35.0 feet, and varies from nil to 1.0 foot high for a distance of approximately 17.0 feet, and from 1.0 foot to the full height encroachment of 3.5 feet for a distance of 35.0 feet. When viewed from the rear (north) elevation, the over height condition extends distance of 44.0 feet, with the central 24.0 feet at the maximum over height condition.

The over height roof area may have overshadowing and privacy impacts on the property to the west, 6685 Eagles Drive. The adjacent dwelling's main floor elevation is 180.0 feet, and the proposed main floor elevation of the subject house will be 191.0 feet. There is an existing landscape buffer between the two properties which may screen the views from the new house. The additional height will create more overshadowing on the back yard of the adjacent property at 6685 Eagles Drive, although the landscape buffer is currently shading their rear yard.

On the east side of the subject property, the proposed variance will not adversely affect the views from 6705 Eagles Drive and 7399 Haszard Street. Due to the terrain and the siting of these properties, it is not anticipated that they will be affected by the additional roof height. Views of the new house from the walkway on the Sperling Avenue right-of-way will be buffered by tall hedging. Due to the extreme grade changes between the subject property and the back yard of 6690 Deer Lake Ave. to the north, it will not have an adverse effect on that property.

However, the proposed variance is a major one, and it is a design choice. The additional fill to raise the entry level of the house to provide a level access and to improve the views has created the request for the height variance. Opportunities exist to lessen the variance – the house could be placed on lesser fill. In addition, the dwelling contains three levels, with approximately 9.0 feet clear height on all three floors. If any or all of these levels were reduced, the request for the variance would be lessened.

As this is a major variance, and has the potential to create adverse effects on the property to the west, this Department cannot support the granting of the first a) variance.

The second variance would permit a principal building depth of 60.67 feet where the maximum building depth of 60.0 feet is permitted.

The intent of the Bylaw is to prevent the creation of overlong houses which present a long “wall” to their neighbours.

In this case, the excess building length is limited to a corner of the second master bedroom (lower floor) and the family room (main floor) at the northwest corner of the house. (The cantilevered balcony beyond the face of this wall is an allowable building projection and is not included in the measurement of the building depth.) The additional .67 foot length will not be discernable nor have a negative impact on the property to the west (6685 Eagles Drive). The additional length occurs approximately 66.0 feet from the rear property line at the north shared with 6690 Deer Lake Avenue. There is a major difference in elevation between the two back yards, so the lower property will not be affected by the proposed variance.

As the requested b) variance would not defeat the intent of the Bylaw, and would not have an adverse effect on the adjacent properties, this Department does not object to the granting of the second b) variance.

ADJACENT OWNER'S COMMENTS:

No submissions were received regarding this appeal.

MOVED BY MR. POUND

SECONDED BY MR. NEMETH

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

CARRIED

OPPOSED: R. DHATT

MOVED BY MR. POUND
SECONDED BY MR. NEMETH

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

CARRIED UNANIMOUSLY

(c) **APPEAL NUMBER:** B.V. 6311

APPELLANT: Tohmm Cobban Architect

REGISTERED OWNER OF PROPERTY: Andrea and Sarfraz Virani

CIVIC ADDRESS OF PROPERTY: 235 Liberty Place

LEGAL DESCRIPTION OF PROPERTY: Lot 74; DL 188; Plan 38681

APPEAL: An appeal for the relaxation of Sections 102.6(1)(b) and 102.8 of the Burnaby Zoning Bylaw which, if permitted, would allow for construction of a new two car attached garage, addition to the second floor, and interior alterations at 235 Liberty Place. The following variances are requested:

a) A principal building height of 27.12 feet measured from the rear average grade (flat roof), where the maximum height of 24.30 feet is permitted. The principal building height measured from the front average grade will be 12.52 feet; and,

b) A front yard depth of 19.17 feet facing North Beta Avenue where the minimum front yard depth of 24.6 feet is required based on minimum front yard depth. Zone R2.

APPELLANT'S SUBMISSION:

Tohmm Cobban, Architect, submitted an application for relaxation of the Burnaby Zoning Bylaw to renovate his clients' home and construct a new attached garage.

Mr. Tohmm Cobban appeared before members of the Board at the Hearing.

BURNABY PLANNING AND BUILDING DEPARTMENT COMMENTS:

The subject site is located in an R2 neighbourhood in Capital Hill, where the ages and conditions of the single family dwellings vary. The site is an irregularly shaped lot located on a cul-de-sac; one front yard faces Liberty Place (east) and the second front yard faces west onto North Beta Avenue. The site slopes downward in an east-

west direction from a high point of 283 feet at the southeast corner at Liberty Place down to 257.1 feet at the northwest corner at North Beta Avenue. Access for this lot and for the adjacent sites is taken from the North Beta Avenue, or Penzance Avenue. The site is currently improved with a single family home constructed in the early 1970s.

The first requested a) variance would permit the roof over the new kitchen addition to be 27.12 feet in height where the Bylaw permits a maximum height for a flat roof to be 24.3 feet.

The intent of the Bylaw in regulating height is to mitigate the effects of massing of new construction and their impacts on adjacent properties.

The shape of the lot and the substantial grade difference from the front to the rear of the property combine to create the over height condition at the rear. The lot is "pie-shaped," so the original house was sited 42.6 feet from the Liberty Place property line to achieve a 21 foot wide floor plate. From this front yard setback, the grade drops 21.45 feet downwards across the remainder of the lot (approximately 76.0 feet) to the property line at North Beta Avenue. While the house will measure 12.52 feet in height from Liberty Place, the rear height will be 27.12 feet.

The new roof is 10.5 inches lower than the existing roof, which is 28.0 feet high when measured from the existing natural grade at the rear, so the addition will not be visible from Liberty Place. In addition, the proposed extension will be screened from the adjacent properties (245 Liberty place to the north and 225 Liberty Place to the south) by trees and landscaping. Both of these properties are also sited so that views from rear windows and decks are oriented away from the subject site. No residential properties to the west will be adversely affected because Confederation Park lies on the other side of North Beta Avenue.

As this proposal would not add excessive height at the rear of the existing bungalow or have an adverse effect on the adjacent properties, this Department does not object to the granting of this a) variance.

The second requested b) variance would allow the construction of an addition, including a sundeck and garage that would observe a front yard setback of 19.7 feet where the Bylaw prescribes a front yard setback of 24.6 feet.

The intent of the Bylaw in requiring a minimum front yard setback is to create a cohesive streetscape.

The subject lot is a through lot; the front (east) façade faces onto Liberty Place, and the rear (west) yard faces onto North Beta Avenue. The proposed variance is measured from the property line at North Beta Avenue to the face of the attached garage at the rear of the house. The streetscape on Liberty Place is unified; these houses were all constructed in the early 1970s and the front yard setbacks observe a regular rhythm around the cul-de-sac. Most of the Liberty Place properties back onto a lane, except for

the subject site and the two properties to the north, and the property to the south, which have second front yards facing onto North Beta Avenue, (which turns into Penzance Drive), which function as rear yards.

The existing house and addition measure 55.73 feet in depth, which is within the allowable 60.0 foot building depth. The proposed variance, if granted, would place the face of the second floor of the new addition approximately 9.5 feet in front of the northwest corner on the main floor of the house at 225 Liberty Place. However, this house is 23.0 feet away and screened by landscaping on the subject site. Due to the configuration of the lots and the siting of the houses, the proposed addition will not be visible from the dwelling at 245 Liberty place; the new deck could be visible from their rear deck in winter, when the trees are bare, but it would be 71.0 feet distant. Due to the shape of the lots, both of the adjacent properties were sited so that views from their rear windows and decks are oriented away from the subject site.

As the requested variance b) would not defeat the intent of the bylaw to create a cohesive streetscape nor have an adverse effect on the adjacent properties, this Department does not object to the granting of this variance.

ADJACENT OWNER'S COMMENTS:

No submissions were received regarding this appeal.

MOVED BY MR. DHATT
SECONDED BY MR. NEMETH

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

CARRIED UNANIMOUSLY

MOVED BY MR. DHATT
SECONDED BY MR. POUND

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

CARRIED UNANIMOUSLY

4. NEW BUSINESS

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

5. ADJOURNMENTMOVED BY MR. POUNDSECONDED BY MR. NEMETH

THAT this Hearing do now adjourn.

CARRIED UNANIMOUSLY

The Hearing adjourned at 6:58 p.m.

Ms. C. Richter, CHAIR

Mr. R. Dhatt

Mr. S. Nemeth

Mr. W. Peppard

Ms. M. Macdonald
ADMINISTRATIVE OFFICER

Mr. B. Pound



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 KARAMJIT SINGH
 Mailing Address 4516 BARKER AVE.
 City/Town BURNABY Postal Code V5G 3C5
 Phone Number(s) (H) 604-339-4200 (C) _____
 Email exactbc@gmail.com

Property

Name of Owner KARAMJIT SINGH / AMRIK SANDHU
 Civic Address of Property 3785 WARREN ST, BURNABY BC

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.

DEC - 01 - 2017
 Date

[Signature]
 Applicant Signature

Office Use Only

Appeal Date 2018 JAN. 04

Appeal Number BV# 6312

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

Karamjit Singh & Amrik Sandhu
3785 Warren Street
Burnaby, BC V5G 2G6

November 30, 2017

To: Board of Variance
City of Burnaby
4949 Canada Way
Burnaby, BC

Re: 3785 Warren Street – Appeal for decreasing required front yard setback

Dear Board of Variance members:

Thank you for allowing us time to present our dilemma/situation.

We are the owners of the property at the above address and have been long time residents of this area of Burnaby, our children were raised here and it is where our family wants to stay. We have decided to build our family home on this property and intend to stay here for a long time.

This property is on a slightly sloping lot with the east side yard flanking the lane west of Smith Avenue.

While designing the house we ran into a issue with the front yard setback, the minimum required for this zone is 24.60' but because of the front yard averaging, it works out to be 37.85' as the required setback. This setback pushed the house back further into the property and made for a tight fit between the accessory building in the back yard.

We have discussed this predicament with all of our neighbours and they reassured us that they would be willing to support us if we were to approach the Board of Variance for a relaxation.


Our designer suggested we ask for a relaxation of 4.0' so that we would have a 33.85' front yard setback, it would allow us to have a more than adequate front yard without being too intrusive to the neighbour to the west, and also allow for proper spacing between the rear of the house and the accessory building in the back.

In addition, we have submitted signed support letters from the neighbours and hope that we can have this request granted.

Thank you for your time and consideration.

Regards,


Karamjit Singh


Amrik Sandhu



BOARD OF VARIANCE REFERRAL LETTER

DATE: November 29, 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: December 05, 2017 for the January 04, 2018 hearing.			
APPLICANT NAME: Karamjit Singh			
APPLICANT ADDRESS: 4516 Barker Avenue, Burnaby, BC, V5G 3C5			
TELEPHONE: 604-339-4200			
PROJECT			
DESCRIPTION: New single family dwelling with secondary suite and detached garage.			
ADDRESS: 3785 Warren Street			
LEGAL DESCRIPTION:	LOT: E	DL: 35	PLAN: 16710

Building Permit application BLD17-01129 will be denied by the Building Department because the design is not in compliance with Burnaby Zoning Bylaw No. 4742:

Zone R4 / Section 104.9

COMMENTS:

The applicant proposes to build a new single family dwelling with secondary suite 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 104.9 – “Front yard” of the Zoning Bylaw requirement for the minimum front yard depth from 37.45 feet (based on front yard averaging) to 33.45 feet.

Note: 1. The applicant recognizes that should the project contain additional characteristics in contravention of the Zoning By-law, a future appeal(s) may be required.

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

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

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

LM

Peter Kushnir
Deputy Chief Building Inspector





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 GURMIT AJSIA
 Mailing Address 6191 BUCKINGHAM DRIVE
 City/Town BURNABY Postal Code V5E 2A5
 Phone Number(s) (H) 604 719 1374 (C) _____
 Email GEORGE.AJSIA@GMAIL.COM

Property

Name of Owner GURMIT AJSIA
 Civic Address of Property 6157 ELGIN AVENUE, BURNABY, BC

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.

4/12/17
 Date

[Signature]
 Applicant Signature

Office Use Only

Appeal Date 2018 JANUARY 04 Appeal Number BV# 6313

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

6157 ELGIN AVE.

Yehia Madkour, Architect AIBC
STUDIO 315
742 E 3rd Street
North Vancouver, V7L 1G9

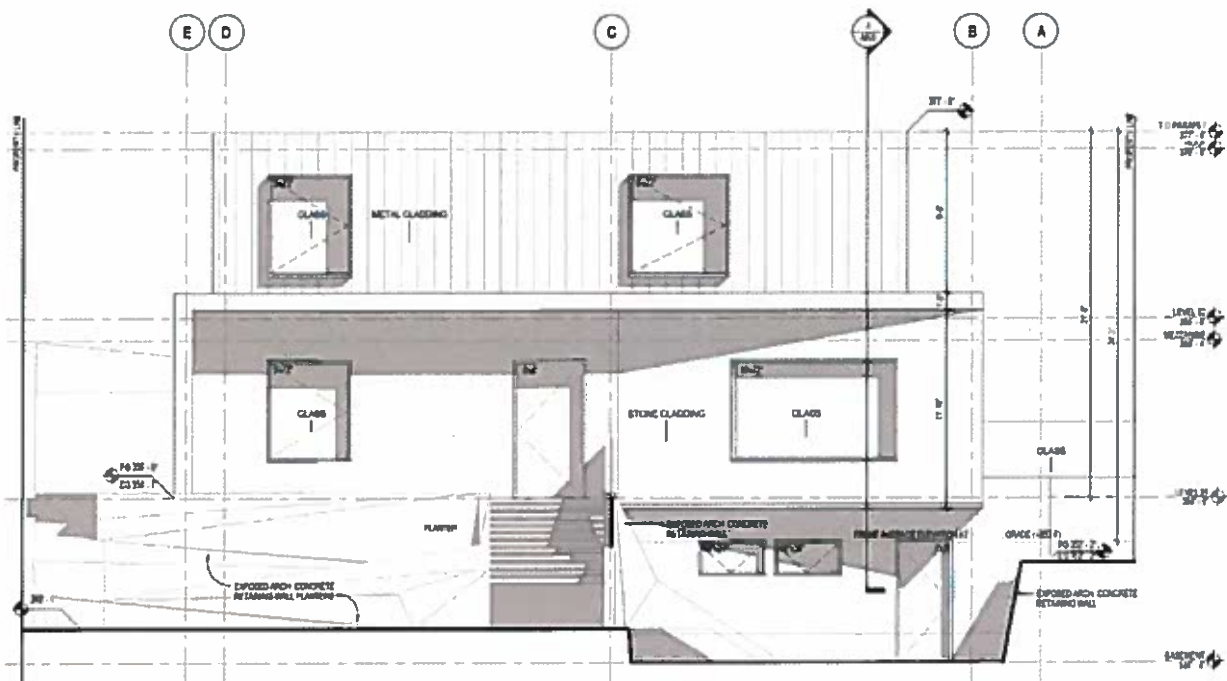
City of Burnaby
4949 Canada Way
Burnaby, BC, Canada
V5G 1M2

December 4th, 2017

PROPOSAL FOR BURNABY BOARD OF VARIANCE

Dear members of the Board of Variance,

This proposal letter is to request and substantiate the grant of a Variance for a new single-family dwelling at 6157 Elgin Ave in Burnaby, BC. The Variance requested is relatively minor and is more of interpretation related to the calculation method to determine the front average elevation, from which the height of the house is measured. As shown in the body of the letter, the request follows the parameters set forth in the 'Residential District R4 Zoning bylaw' and 'Building Height and Cellars, Basement and Crawl Spaces' brochure.



EAST BUILDING ELEVATION (FRONT)

The site topography at 6157 Elgin Ave dictates that the front average elevation on Elgin Ave is lower than the rear average elevation at the lane, and thus for the building permit application and as outlined in the R4 Zoning Bylaws, the front of the building is used to determine the building height.

The proposed height of the house is 24.3 ft. measured from the average natural grade (lowest), in compliance with R4 Zoning permitted height for the principal building of 7.4 m (24.3 ft.) for a building with a flat roof.

As outlined in the 'Building Height and Cellars, Basement and Crawl Spaces' brochure, if there are changes to the natural grade, then the building height is measured from the lower of the natural grade or the finished grade.'

ASK:

We request that the average finished grade is measured as the result of averaging the two front building corners, using the lowest of the existing natural grades or the proposed finished grades - similar to the method outlined in page two of the 'Residential District R4 Zoning bylaw' and 'Building Height and Cellars, Basement and Crawl Spaces' brochure. This is the method used in our building permit application, which determined the existing natural grade to be lower, thus used as the base to measure the building height from.

See East Building Elevation (Front) in page 1 and calculations outlined in points 1 and 2 below:

1. AVERAGE NATURAL GRADE (Existing undisturbed ground)

$$= (354' - 7" + 352' - 2") / 2 = 353' - 4"$$

2. AVERAGE FINISHED GRADE (Measured by averaging the two front corners - proposed):

$$= (356' - 0" + 352' - 2") / 2 = 354' - 1"$$

Below is an excerpt from City of burnaby's 'Building Height and Cellars, Basement and Crawl Spaces' Zoning Information brochure:

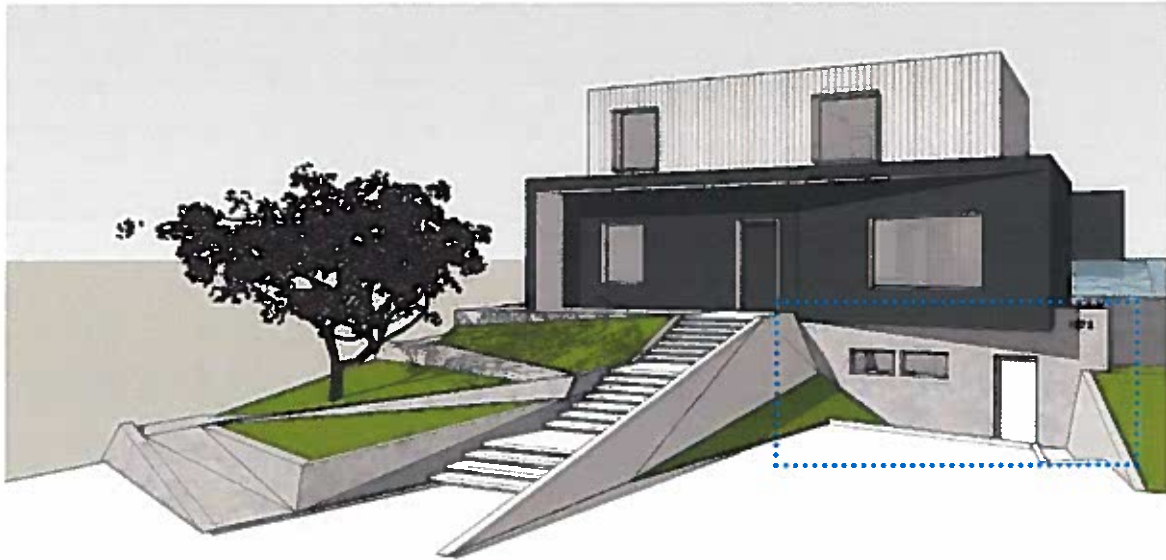
Determining the front and rear average elevation

Calculate the average natural grade across the front and across the rear of the building. In most instances, the grade elevations at the two front building corners and two rear building corners are measured and averaged, respectively.

The natural grade level is defined as the existing undisturbed ground level. However, if there are changes to the natural grade, then the building height is measured from the lower of the natural grade level or the finished grade level. On site, any adjustment to the approved grade must be authorized by the Building Inspector who takes into consideration the elevation of adjacent properties, the street and the lane.

HARDSHIP:

The design of the house includes a 612 square foot that is accessed from the front of the house (east elevation). In order to access the suite, a grade recess has been made in the immediate ground area in front of the secondary suite door. See the dotted rectangle in the front perspective below showing the secondary suite:



It has been proposed by the planning and building department that the front average grade be measured by accounting the exact changes in elevation and measuring the elevation of every segment where the finished grade meets the building - not from the two corners. Due to the recessed portion of grade to allow entry to the secondary suite, this results in a finished grade elevation around three ft. lower than calculated from the corners in number 2, and around two ft. lower than average natural grade.

3. AVERAGE FINISHED GRADE

(Measured by calculating a weighted average of all different level segments at grade, with the overall building width being 52 feet, note that sloped planters have been calculated at their lowest bed elevation for simplicity):

$$= 356' \times 26/52 + 346' \times 24/52 + 352.1' \times 2/52 = 351.1'$$

- If the calculation outlined in number 3 above is used, access to the secondary suite will have to be removed from the front (East) elevation, as there will not be enough head height to accommodate the entrance door if the recessed area is raised to 351' to reach the same average elevation of natural grade. It is our view that providing a access to the secondary suite from the front of the property promotes better livability and access to natural daylight for the suite inhabitants.
- Due to the Spatial Separation requirements and the limitation of opening sizes, it would not be possible to locate the secondary suite entrance at the side of the house to the north.
- The designed recess is in a limited area immediately in front of the second suite entrance (the elevation shown in page 1 is cut right in front of the house). A few feet away and closer to Elgin Ave, the grade elevation is around 2 feet higher. The recess would not be visible from the street at eye-level, thus, removal of the recessed ground would not affect the perception of the house at Elgin Avenue.
- We see little value gained by the public if the calculation in no.3 is adopted, since a deletion of the

secondary suite entry and a re-grading to raise the average front finished grade (calculated per no.3) to an equivalent of the average natural finished grade at 353' - 4", would effectively result in no change to the true height of the house as submitted in the building permit. The top most height of the house would remain at the same elevation relative to Elgin Avenue.

- The proposed calculation method follows the guiding information as outlined the brochure, and does not deviate from the agreed principles of calculating grade averages. Beyond this request for interpretation, the proposed dwelling meets every aspect of the Burnaby Zoning bylaws.

SUMMARY:

The Variance/ approval of interpretation request relates to the calculation method to determine the front average elevation. We propose that the average finished grade is measured as the result of averaging the two front building corners, to the lowest of the existing natural grades or the proposed finished grades - per the method outlined in page two of the 'Residential District R4 Zoning bylaw' and 'Building Height and Cellars, Basement and Crawl Spaces' brochure.

Respectfully submitted,



Yehia Madkour

Architect AIBC, MRAIC, LEED AP BD+C

604.561.452

ymadkour@outlook.com



BOARD OF VARIANCE REFERRAL LETTER

DATE: December 05, 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: December 05, 2017 for the January 04, 2018 hearing.			
APPLICANT NAME: Gurmit Aujla			
APPLICANT ADDRESS: 6191 Buckingham Drive, Burnaby, BC, V5E 2A5			
TELEPHONE: 604-719-1374			
PROJECT			
DESCRIPTION: New single family dwelling with secondary suite and detached garage.			
ADDRESS: 6157 Elgin Avenue			
LEGAL DESCRIPTION:	LOT: 1	DL: 94	PLAN: NWS1121

Building Permit application BLD17-00914 will be denied by the Building Department because the design is not in compliance with Burnaby Zoning Bylaw No. 4742:

Zone R4 / Section 104.6(1)(b)

COMMENTS:

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

- 1) To vary section 104.6(1)(b) – "Height of Principal Building" of the Zoning Bylaw requirement for the maximum building height from 24.3 feet to 26.74 feet measured from the front average grade for the proposed single family dwelling with a flat roof.
- 2) To vary section 104.6(1)(b) – "Height of Principal Building" of the Zoning Bylaw requirement for the maximum building height from 24.3 feet to 25.01 feet measured from the rear average grade for the proposed single family dwelling with a flat roof.

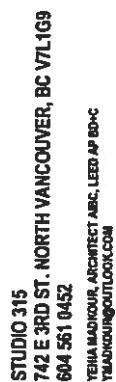
Note:

1. The applicant recognizes that should the project contain additional characteristics in contravention of the Zoning By-law, a future appeal(s) may be required.
2. The applicability of this variance, if granted, is limited to the scope of the proposal shown on the attached plans.
3. All principal building projections into the resulting front yard will conform to the requirements of Section 6.12.
4. Fences and retaining walls will conform to the requirements of Section 6.14.

LM

Kushnir

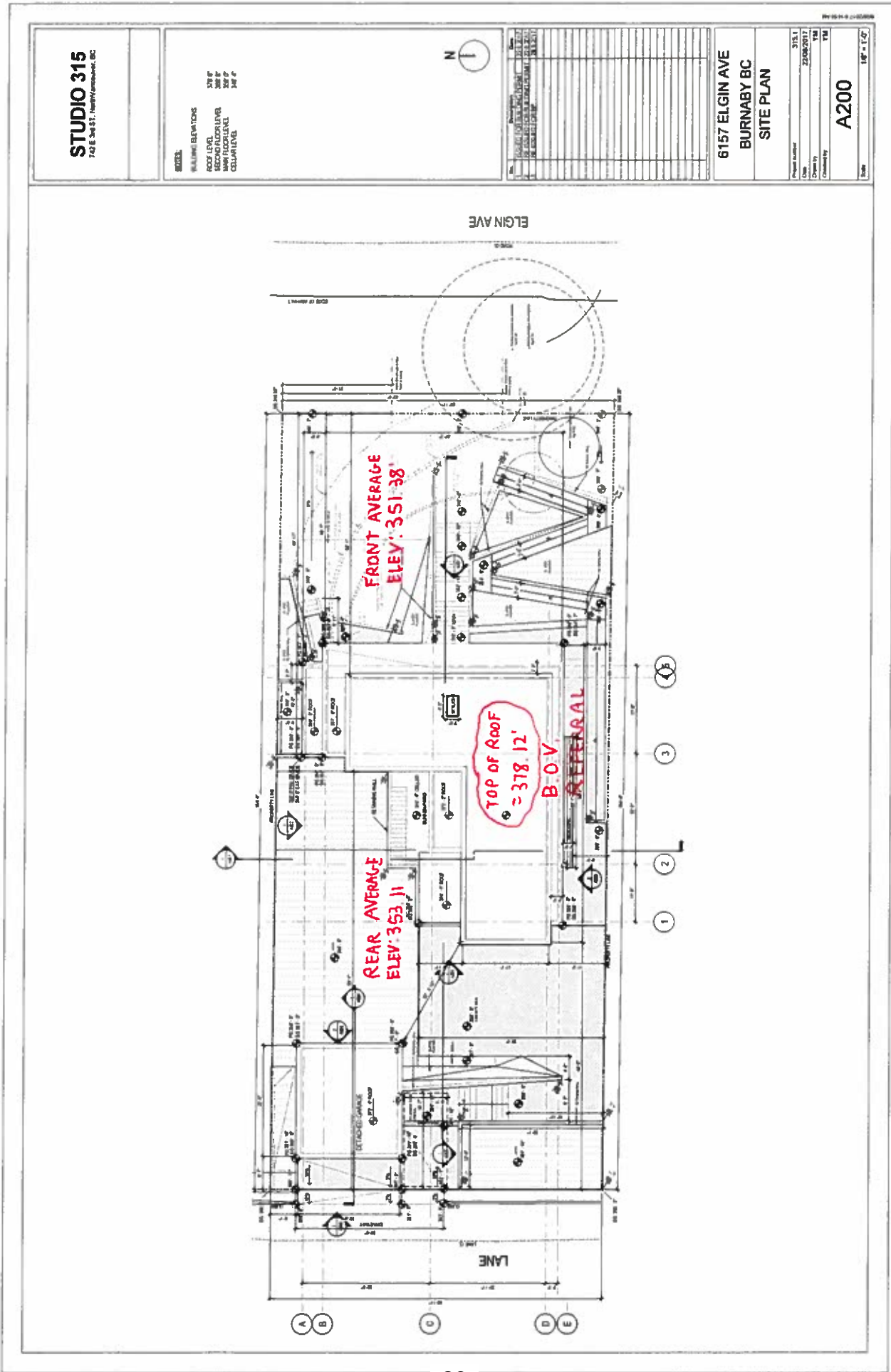
Peter Kushnir
Deputy Chief Building Inspector

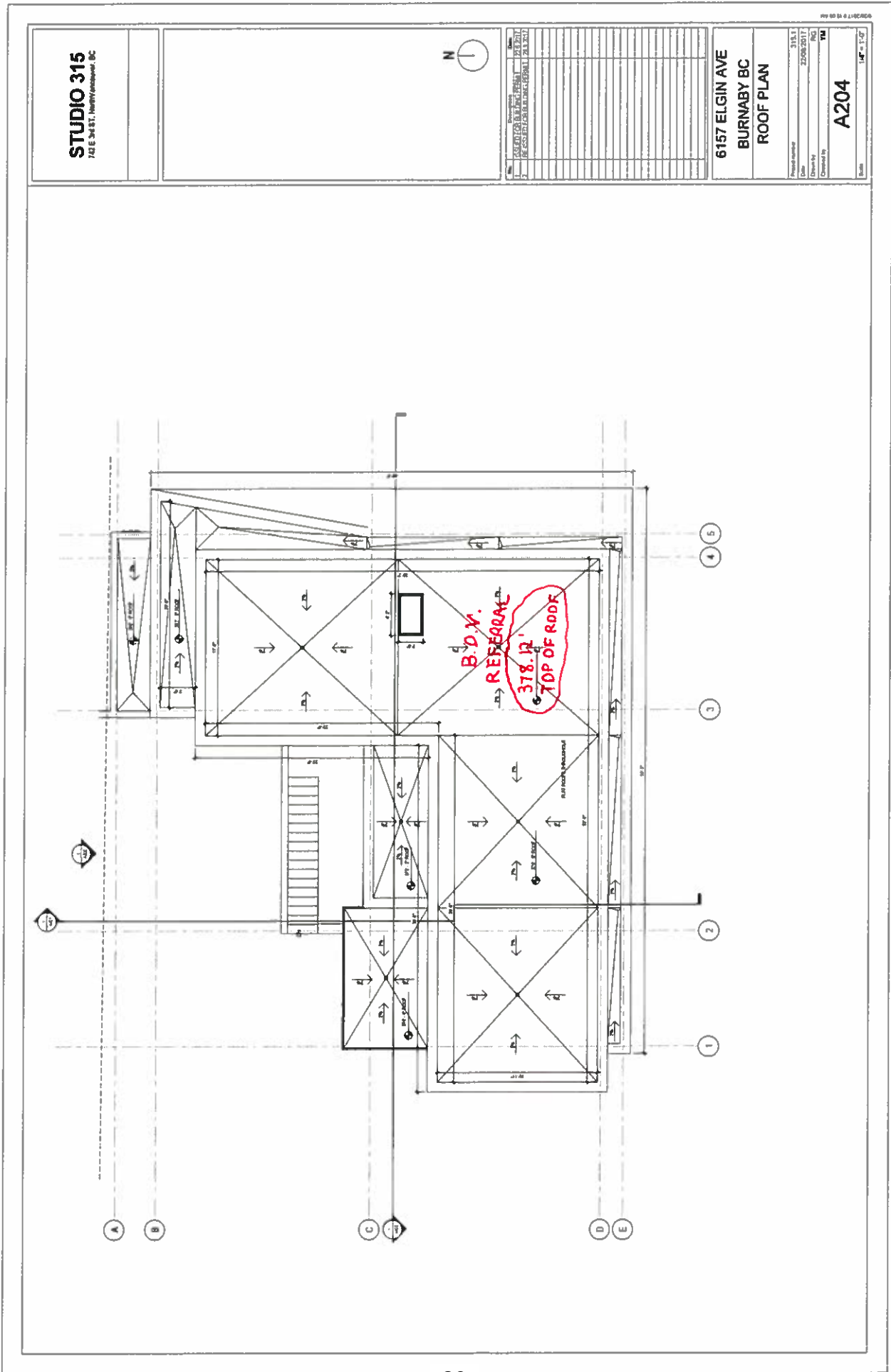


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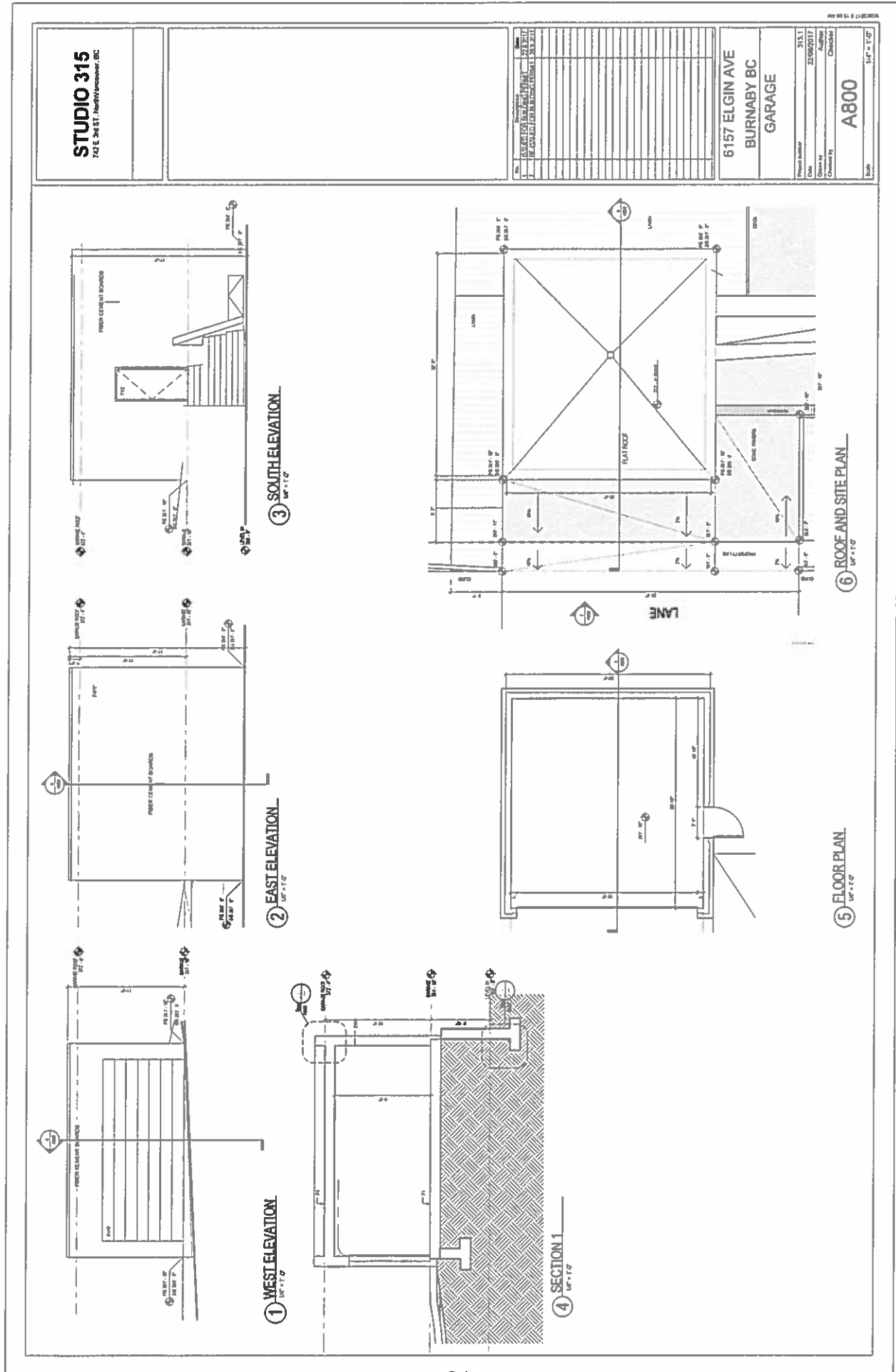
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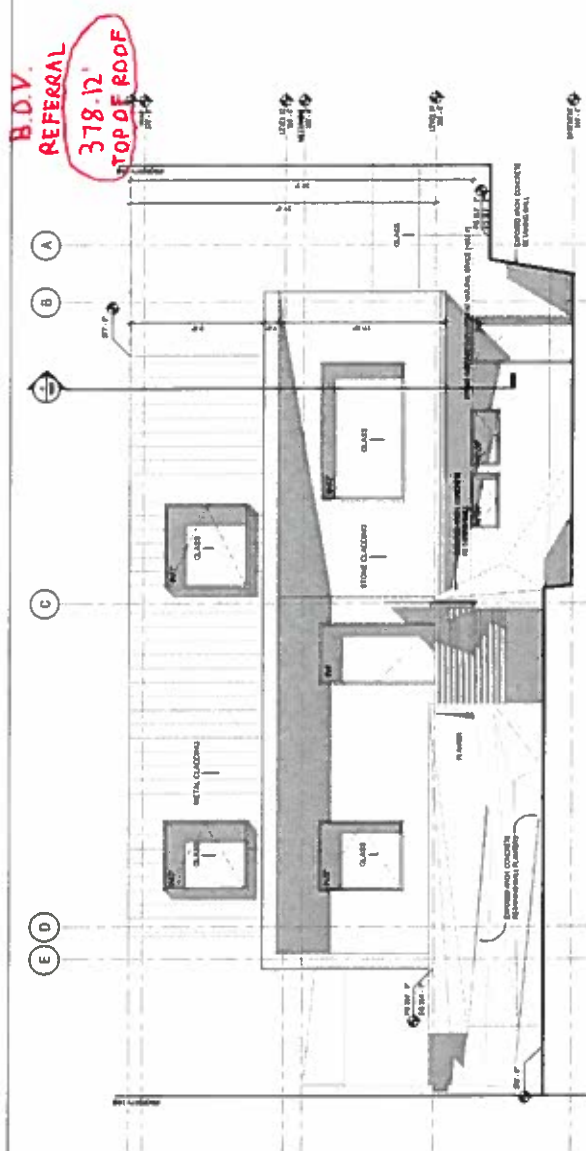




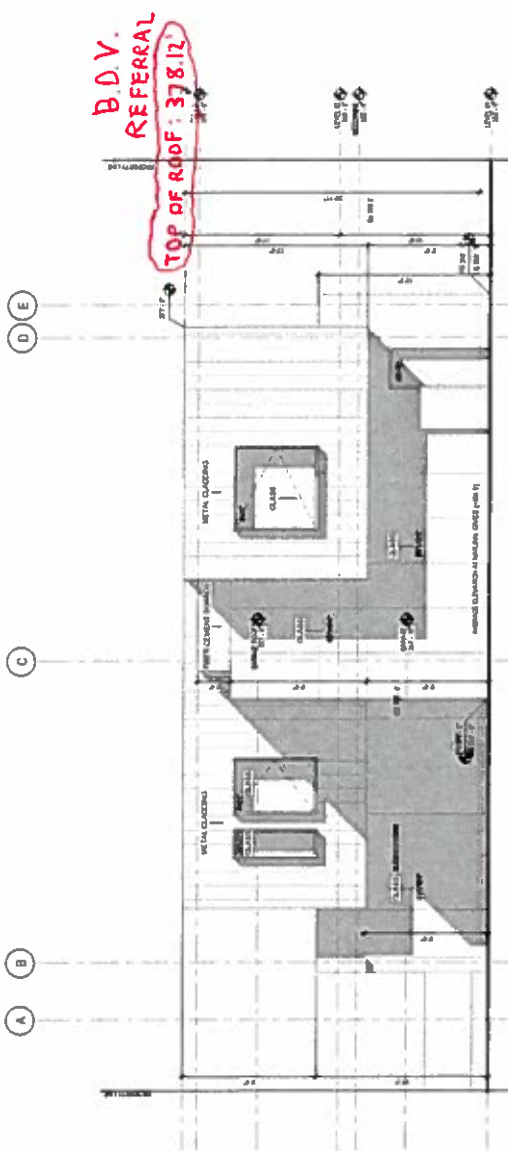
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741 E 3rd St, North Vancouver, BC

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201	Final Completion	2026-09-01
202	Final Handover	2026-10-01
203	Final Closeout	2026-11-01
204	Final Review	2026-12-01
205	Final Approval	2027-01-01
206	Final Construction	2027-02-01
207	Final Completion	2027-03-01
208	Final Handover	2027-04-01
209	Final Closeout	2027-05-01
210	Final Review	2027-06-01
211	Final Approval	2027-07-01
212	Final Construction	2027-08-01
213	Final Completion	2027-09-01
214	Final Handover	2027-10-01
215	Final Closeout	2027-11-01
216	Final Review	2027-12-01
217	Final Approval	2028-01-01
218	Final Construction	2028-02-01
219	Final Completion	2028-03-01
220	Final Handover	2028-04-01
221	Final Closeout	2028-05-01
222	Final Review	2028-06-01
223	Final Approval	2028-07-01
224	Final Construction	2028-08-01
225	Final Completion	2028-09-01
226	Final Handover	2028-10-01
227	Final Closeout	2028-11-01
228	Final Review	2028-12-01
229	Final Approval	2029-01-01
230	Final Construction	2029-02-01
231	Final Completion	2029-03-01
232	Final Handover	2029-04-01
233	Final Closeout	2029-05-01
234	Final Review	2029-06-01
235	Final Approval	2029-07-01
236	Final Construction	2029-08-01
237	Final Completion	2029-09-01
238	Final Handover	2029-10-01
239	Final Closeout	2029-11-01
240	Final Review	2029-12-01
241	Final Approval	2030-01-01
242	Final Construction	2030-02-01
243	Final Completion	2030-03-01
244	Final Handover	2030-04-01
245	Final Closeout	2030-05-01
246	Final Review	2030-06-01
247	Final Approval	2030-07-01
248	Final Construction	2030-08-01
249	Final Completion	2030-09-01
250	Final Handover	2030-10-01
251	Final Closeout	2030-11-01
252	Final Review	2030-12-01
253	Final Approval	2031-01-01
254	Final Construction	2031-02-01
255	Final Completion	2031-03-01
256	Final Handover	2031-04-01
257	Final Closeout	2031-05-01
258	Final Review	2031-06-01
259	Final Approval	2031-07-01
260	Final Construction	2031-08-01
261	Final Completion	2031-09-01
262	Final Handover	2031-10-01
263	Final Closeout	2031-11-01
264	Final Review	2031-12-01
265	Final Approval	2032-01-01
266	Final Construction	2032-02-01
267	Final Completion	2032-03-01
268	Final Handover	2032-04-01
269	Final Closeout	2032-05-01
270	Final Review	2032-06-01
271	Final Approval	2032-07-01
272	Final Construction	2032-08-01
273	Final Completion	2032-09-01
274	Final Handover	2032-10-01
275	Final Closeout	2032-11-01
276	Final Review	2032-12-01
277	Final Approval	2033-01-01
278	Final Construction	2033-02-01
279	Final Completion	2033-03-01
280	Final Handover	2033-04-01
281	Final Closeout	2033-05-01
282	Final Review	2033-06-01
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284	Final Construction	2033-08-01
285	Final Completion	2033-09-01
286	Final Handover	2033-10-01
287	Final Closeout	2033-11-01
288	Final Review	2033-12-01
289	Final Approval	2034-01-01
290	Final Construction	2034-02-01
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292	Final Handover	2034-04-01
293	Final Closeout	2034-05-01
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315	Final Completion	2036-03-01
316	Final Handover	2036-04-01
317	Final Closeout	2036-05-01
318	Final Review	2036-06-01
319	Final Approval	2036-07-01
320	Final Construction	2036-08-01
321	Final Completion	2036-09-01
322	Final Handover	2036-10-01
323	Final Closeout	2036-11-01
324	Final Review	2036-12-01
325	Final Approval	2037-01-01
326	Final Construction	2037-02-01
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329	Final Closeout	2037-05-01
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331	Final Approval	2037-07-01
332	Final Construction	2037-08-01
333	Final Completion	2037-09-01
334	Final Handover	2037-10-01
335	Final Closeout	2037-11-01
336	Final Review	2037-12-01
337	Final Approval	2038-01-01
338	Final Construction	2038-02-01
339	Final Completion	2038-03-01
340	Final Handover	2038-04-01
341	Final Closeout	2038-05-01
342	Final Review	2038-06-01
343	Final Approval	2038-07-01
344	Final Construction	2038-08-01
345	Final Completion	2038-09-01
346	Final Handover	2038-10-01
347	Final Closeout	2038-11-01
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350	Final Construction	2039-02-01
351	Final Completion	2039-03-01
352	Final Handover	2039-04-01
353	Final Closeout	2039-05-01
354	Final Review	2039-06-01
355	Final Approval	2039-07-01
356	Final Construction	2039-08-01
357	Final Completion	2039-09-01
358	Final Handover	2039-10-01
359	Final Closeout	2039-11-01
360	Final Review	2039-1



[illegible]

① EAST ELEVATION
1/8" = 1'-0"



② WEST ELEVATION
14' x 10'

-33-





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 Norman Zottenberg
 Mailing Address 1415 West 64 Ave.
 City/Town Vancouver Postal Code V6P 2N5
 Phone Number(s) (H) _____ (C) 604 961 5780
 Email nzottarch@telus.net

Property

Name of Owner B. Snider, S. Snider, M. Fox, M. Fox
 Civic Address of Property 3759- 3761 Hurst

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

Date

Dec 04/17

Applicant Signature

[Signature]

Office Use Only

Appeal Date 2018 January 04 Appeal Number BV# 6314

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 m-35- available to the Public

The Fox and Snider Families

3759 and 3761 Hurst St
Burnaby, BC
V5J 1M3

November 25, 2017

To: Members of the Board of Variance
City of Burnaby

Dear Members,

My name is Brad Snider and I am writing to you on behalf of myself, my wife Sha Lun (Sharon), and my sister Melissa and her husband Michael. As the owners of 3759 and 3761 Hurst Street, we have collectively made this application to the Board of Variance. Through this letter we hope to provide some information about us and our home as you consider your decision.

The four of us purchased this property approximately six years ago. My sister and I grew up one block over where my parents still reside, and the four of us hoped to settle in this area and raise our families here.

In anticipation of our growing families, our common goal was to upgrade from condos to bigger homes with outdoor space for the children. Due to the price of housing in Metro Vancouver, we felt our only hope to achieve this goal was to purchase a property that the two families could share.

Since purchasing our home Sharon and I have had two biological children, Karsten and A.J., ages 5 and 2, and are in the process of an international adoption. Mike and Mel's family has now grown to include a son and a daughter, Levi and Taylor, ages 7 and 5. With growing children sharing bedrooms and one small, usable bathroom per family, our space is becoming increasingly crowded. Our proposed plans for the property are a reflection of our growing families.

This location has become crucial to our daily routines. Mike and I work early, needing to be at work by 5:30 a.m. Sharon drops off A.J. at Mike and Mel's house as she heads off to work and school with Karsten. Shortly after, our Mom (who is our daycare provider) walks down the street from their house one block over to pick up A.J. and walk Levi and Taylor down to the neighbourhood school as Mel heads off to work. Our Mom spends the day with A.J. at her house, sometimes attending the local Strong Start preschool. They will visit "Aunty Janet" next door and have lunch with Papa. They are sometimes able to visit Daddy at work on my lunch break. This is likely the arrangement for our future child as well. In the afternoon, Mike and I return from work to pick up kids from school or after naps at Gramma and Papa's house. Monday night consists of family dinners at our parents' house down the street. The neighbourhood kids and school friends often jump on the trampoline in the back yard. We are also close to the

practice facilities for the local soccer teams that Levi and Taylor play for and which Mike and Mel coach.

Over the last six years we have made friends with our neighbours between barbecues, baby-sitting, kids' birthday parties, Halloween events, Christmas open houses, popcorn & movie parties for our kids, and gardening in the front yards. We have become very attached to the community. We often comment that "it takes a village" to raise a child, and because of the placement of our home this has become a reality.

With these things in mind, through this application we are asking that the Board allow us to provide a reasonable living situation for all members of our family.

We appreciate and support the restrictions that the R10 Zoning places on the neighbourhood aesthetic and we believe our plans are in harmony with the neighbourhood's look and feel. Our plans maintain the historical and current use and density of the property; it has been utilized just as our plans propose for over 60 years, and we wish to continue that tradition.

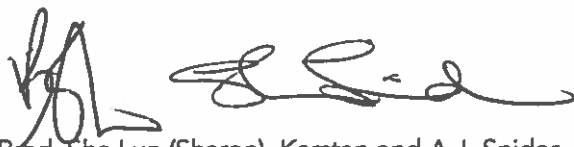
We believe the proposed 2.49' variance for the front setback still provides a uniform view from the street. Our plans propose a front setback that is slightly in front of the adjacent home to the west, and slightly behind the front setback of the adjacent home to the east. The plans propose an addition that accounts for the minimum 24.9' front setback and allows for a respectable sized living room and master ensuite.

Given the current housing costs in Metro Vancouver, we do not believe we have an alternate option that provides a comparable community environment. The planned changes to the property reflect the needs of our growing families. Finding an alternative comparable option would require relocating to another city that would cause significant disruption to our lives - and more importantly our children's lives - or manipulating the current layout in a way that would not provide the optimal usage of real estate proposed in our plans.

In summary, we humbly submit that our plans are in the best interest of our neighbourhood, our property, and our families and that the proposed addition abides within the intent of the R-10 Zoning. We trust that the included letters of support from our neighbours communicate the same message, and demonstrate our deep roots in this community. We desire to stay in the neighbourhood that has become our village. Our kids feel the same way.

Thank you in advance for your time and consideration.

Hoping for a favourable outcome,



Brad, Sha Lun (Sharon), Karsten and A.J. Snider.

Mike, Melissa, Levi and Taylor Fox.





Norman I.
Zottenberg
Architecture

1415 west 64th ave.
vancouver, b.c. v6p 2n5
tel: 604-961-5780 email-nzottarch@telus.net

November 26, 2017

**To: Members of the Board of Variance
Burnaby, B.C.**

**Re: Additions and Alterations to
3759 and 3761 Hurst Street**

I am writing on behalf of the owners, the Fox and the Snider families that live at 3759 and 3761 Hurst Street.
Some of what I have to say is duplicated in the owner's letter to you but I feel it is important to emphasize a number of the items that are salient to this project.

As you are by now well aware the existing property is an existing non-conforming duplex in the R-10 zone. At some point in the past the area zoning was changed from duplex to the R-10 designation. I believe there is at least one other duplex still remaining in the immediate area.

I feel it important to point out that the R-10 zone allows for secondary suites. Therefore, in the R-10 zone there can be two families living in the same structure. What this means to this property is that this non-conformity is not really so outside what is actually possible and what is now in actuality being done.

Another important element of this proposal is that the addition and renovation intended to the existing structure meets all the zoning requirements of the R-10 zone as noted in the following. The addition is within the allowable FSR, the allowable height, the allowable site coverage, the allowable building depth, and the allowable setbacks of the rear and side yards. The front yard setback is proposed as it is stated in the R-10 zone (7.6m). The 2.49' variance requested of the front yard comes about because there is also a part of the R-10 zoning that states that the front yard setback must take into account the front yards of the adjoining two homes on each side of the project. As you can see from the survey provided the front setbacks of the existing homes are not consistent. By following the zoning bylaw, we believe we create an appropriate transition between the home to the west and the home to the east.

This addition is discreet both in size and in look and fits in very well with the R-10 zone and with its neighboring properties.

Both families are very much committed to the neighborhood. They have roots in this neighborhood and community and genuinely wish to stay and have their families flourish and thrive here. They truly need this very modest additional space to reduce their crowded conditions so that all members of both families can have a bit more room to live and grow up in.

I thank you for your time in this.

Sincerely,

norman zottenberg – architect aibc


BOARD OF VARIANCE REFERRAL LETTER

DATE: November 27, 2017		<i>This is not an application. Please submit this letter to the Clerk's office (ground floor) when you make your Board of Variance application.</i>
DEADLINE: December 5, 2017 for the January 4, 2018 hearing.		
APPLICANT NAME: Norman Zottenberg		
APPLICANT ADDRESS: 1415 West 64 Avenue, Vancouver B.C., V6P 2N5		
TELEPHONE: 604-961-5780		
PROJECT		
DESCRIPTION: Interior alteration and addition to an existing two family dwelling		
ADDRESS: 3759 and 3761 Hurst Street		
LEGAL DESCRIPTION:	LOT: B	DL: 150
		PLAN: NWP8581

Building Permit application BLD17-00950 will be denied by the Building Department because the design is not in compliance with Burnaby Zoning Bylaw No. 4742:

Zone R10 / Sections 110.1(1), and 110.8

COMMENTS:

The applicant proposes to build an interior alteration and addition to an existing two family dwelling. In order to allow the Building Permit application to proceed, the applicant requests that the following variances be granted:

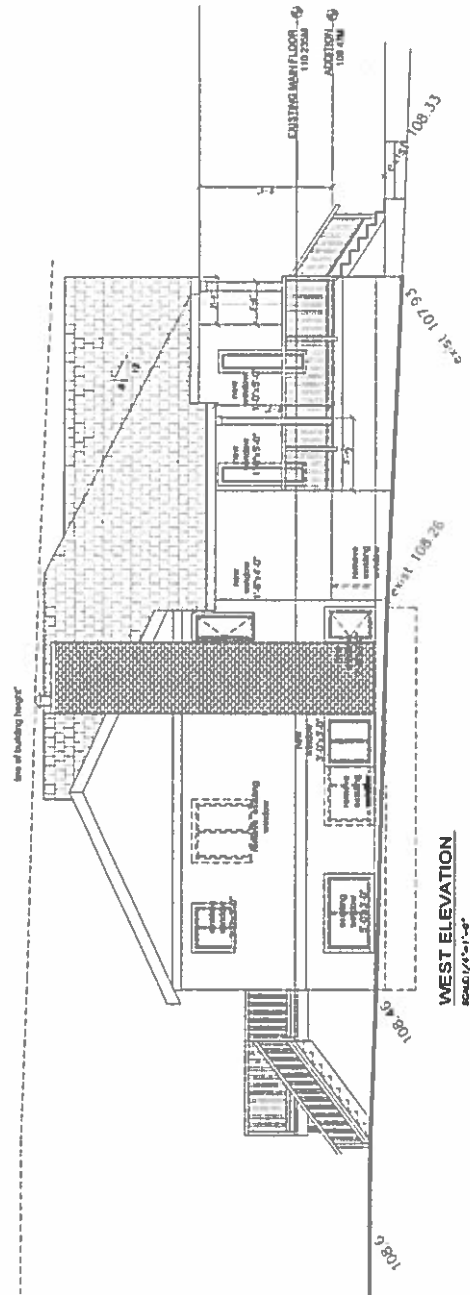
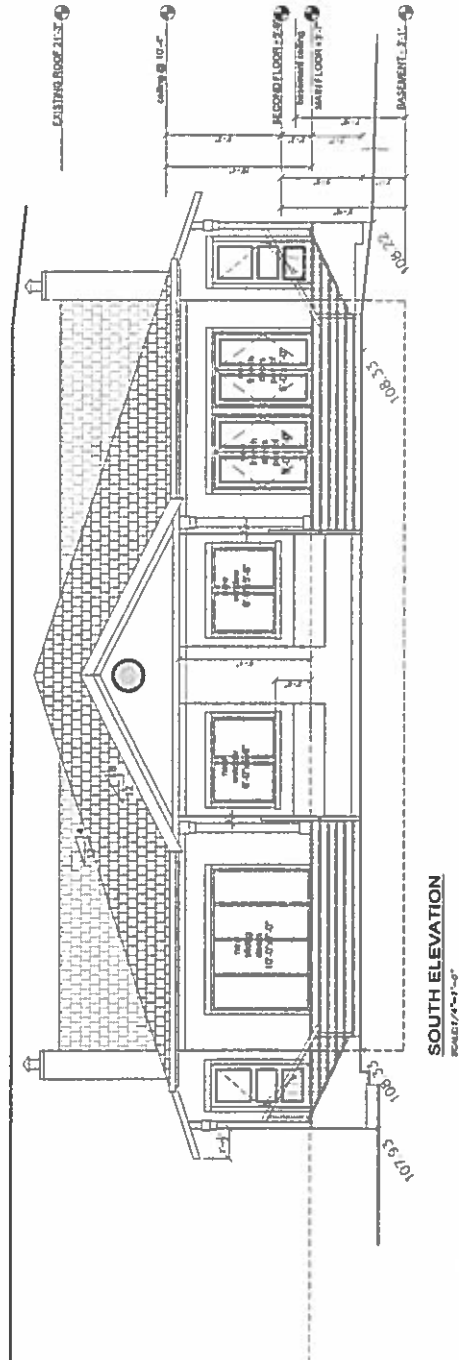
- 1) To vary Section 110.1(1) – “Uses Permitted” of the Zoning Bylaw requirement to allow an addition to an existing legal non-conforming two family dwelling.
- 2) To vary Section 110.8 – “Front Yard” of the Zoning Bylaw requirement for the minimum front yard depth from 27.41 feet (based on front yard averaging) to 24.79 feet.

Notes:

1. The applicant recognizes that should the project contain additional characteristics in contravention of the Zoning By-law, a future appeal(s) may be required.
2. The applicability of this variance, if granted, is limited to the scope of the proposal shown on the attached plans.
3. All new principal building projections into the resulting required yards will conform to the requirements of Section 6.12.
4. Fences and retaining walls will conform to the requirements of Section 6.14.

JQ

Peter Kushnir
Deputy Chief Building Inspector

[illegible]

FOX SNIDER HOUSE
 ADDITION
 PROJECT REPORT
 PROJECT ADDRESS
 1328 S 37TH PL STREET
 BURBANK BC
 ELEVATIONS
 DRAWING #14
 SHEET NO. 14-1
 DATE 11-1-79
 DRAWN BY
 CHECKED BY
 DATE 11-1-79
 14-1

PROPOGRAPHIC PLAN OF THE EAST 85 FEET LOT "B" DISTRICT LOT 150, GROUP 1, NWD, PLAN 8581

MC ADDRESS: 3753 Hurst Street, Burnaby, B.C.

SCALE: 1 INCH = 20 FEET

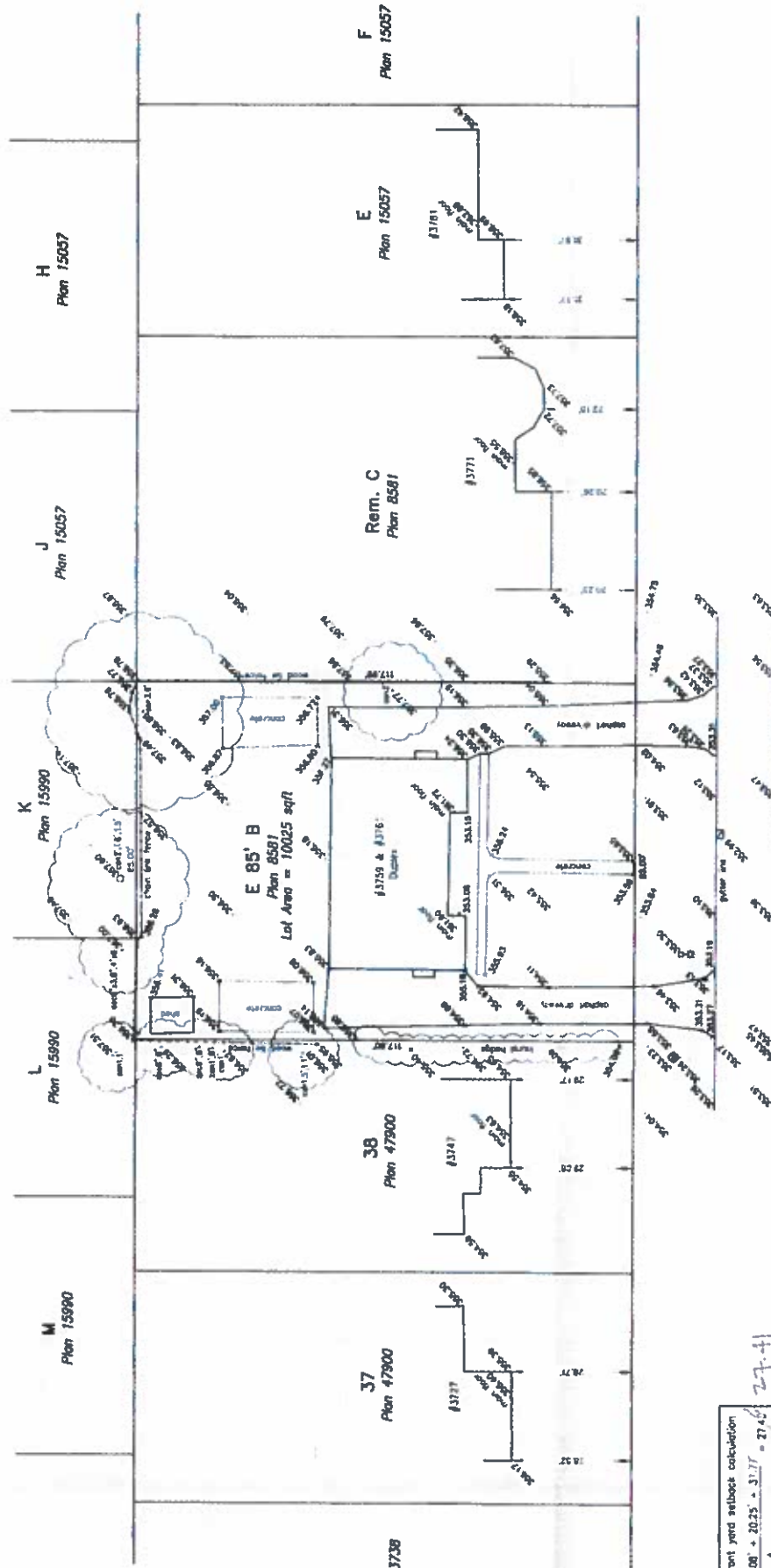
PROPERTY LEGEND

- Catch basin
- Water valve
- Storm manhole
- Fire hydrant

1" 3.0" dia. Coniferous tree
1" 12" 8" dia. Deciduous trees

NOTES

- 1) Elevations are in feet and are geoidal.
- 2) Elevations are derived from Control Monument No. 8741285 located in the northwest corner of Hurst Street & west edge of John Avenue. Elevation = 354.83' (102.091' meters).
- 3) This Plan was prepared for architectural design and is not to be used for any other purpose. It is not to be used for any other purpose, and is for the exclusive use of the City of Burnaby. It is not to be used for any other purpose, and is for the exclusive use of the City of Burnaby.
- 4) Prior to any construction, underground services are to be confirmed by the City of Burnaby Engineering Dept.
- 5) If there is any conflict in information between this Plan and any other information, the information on this Plan shall prevail.
- 6) Property lines derived from Plan D7971093.



Average front yard setback calculation:

$$\frac{28.5' + 29.0' + 20.25' + 31.7' + 27.4'}{5} = 27.4'$$

Merion Land Surveying Ltd.
 Land Surveyors
 206 - 16055 Fraser Highway
 Burnaby, B.C. V4N 0G2
 Tel: 604-597-3771
 Fax: 604-597-3783

This plan has been prepared in accordance with the Professional Reference Manual with additional specifications from our client and is certified correct this 1st day of June 2013.

Carl P. Smith
 P. Eng.

4.(c)



December 4, 2017

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



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 TQ CONSTRUCTION (REBECCA VERHOOR)
 Mailing Address 106-8988 FRASEKTON COURT
 City/Town BURNABY Postal Code V5S 5H8
 Phone Number(s) (H) 604-430-9900 (C) 778-883-9497
 Email rebecca@tgconstruction.ca

Property

Name of Owner Peter + Colin Fong
 Civic Address of Property 3957 LOZELLS 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.

DEC 4th, 2017
 Date

[Signature]
 Applicant Signature

Office Use Only

Appeal Date 2018 January 04 Appeal Number BV# 6315

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



TQ construction

Envision | Design | Build

November 6, 2017

Burnaby City Hall
City Clerk's Office
4949 Canada Way,
Burnaby, B.C.
V5G 1M2

Attn: Ms. Eva Prior Administrative Officer

Re: 3957 Lozells Avenue – application for Variance.

Dear Ms. Prior,

We have been asked to apply for a Building permit for the project at the address noted above. The Clients had recently purchased the two storey home and wish to update the interior to better suit their needs as new homeowners. The scope of work for this project encompasses interior renovations only. At the time of submission, however, we were informed that there had been work done on the property without permit. It should be noted that this work was done by previous owners and our Clients were unaware of these conditions. The work related to these charges were a non-conforming garage in the rear yard, a non conforming green house in rear yard and finally a non-conforming infill to previously existing carport.

In the case of the garage the issue is the side yard. The hardship presents itself when we try to comply with the need for a garage that has to have access along the west side of the lot as there is no lane. It's current location is due to its direct alignment with the only available access off the access from the street and along the west side of the property. While we don't comply with the side yard setback for its present location, the mitigating features have no impact to the neighboring property as this is a corner flanking lot and there is a 6' high concrete fence (built by the municipality) between our property and the adjacent public traffic through fare (Winston Street). In fact there is no direct vehicular access to this street from the property in question.

After discussion with the client regarding the green house it was agreed that this structure shall be removed.

With respect of the non-conforming infill, the current infill is apparently 2' beyond the front-yard setback based on front yard averaging. At this time the infill aligns with the upper floor. Under the R1 zoning bylaw the present infill almost complies the usual front yard setback of 29.5. To this end, we are asking for a decreased front yard setback from 34.5' (front yard average) to 30.5'.

After discussions with the Burnaby Building Department, we are seeking these relaxations due to the hardships encountered on site and for reasons referred to above. We ask for your support and in recognition of the ongoing involvement and co-operation with the Building Department.

Please feel free to contact me should you have any questions or comments.

Yours truly,

Henri Belisle



BOARD OF VARIANCE REFERRAL LETTER

DATE: November 29, 2017		<i>This is not an application. Please submit this letter to the Clerk's office (ground floor) when you make your Board of Variance application.</i>
DEADLINE: December 5, 2017 for the January 4, 2018 hearing.		
APPLICANT NAME: Rebecca Verschoor		
APPLICANT ADDRESS: 106 – 8988 Fraserton Court, Burnaby B.C., V5J 5H8		
TELEPHONE: 604-430-9900		
PROJECT		
DESCRIPTION: Interior alteration, new deck addition at rear (built w/o permit), enclosed carport to a garage (built w/o permit) and a new accessory building (built w/o permit), to an existing single family dwelling.		
ADDRESS: 3957 Lozells Ave		
LEGAL DESCRIPTION:	LOT: 81	DL: 43
PLAN: NWP28993		

Building Permit application BLD17-00889 will be denied by the Building Department because the design is not in compliance with Burnaby Zoning Bylaw No. 4742:

Zone R1 / Sections 6.6(2)(g)(i), 6.6(2)(g)(ii), and 101.8

COMMENTS:

The applicant proposes to build an interior alteration and has constructed a new deck addition at rear, enclosed carport to a garage, and a new accessory building to an existing single family dwelling. In order to allow the Building Permit application to proceed, the applicant requests that the following variances be granted:

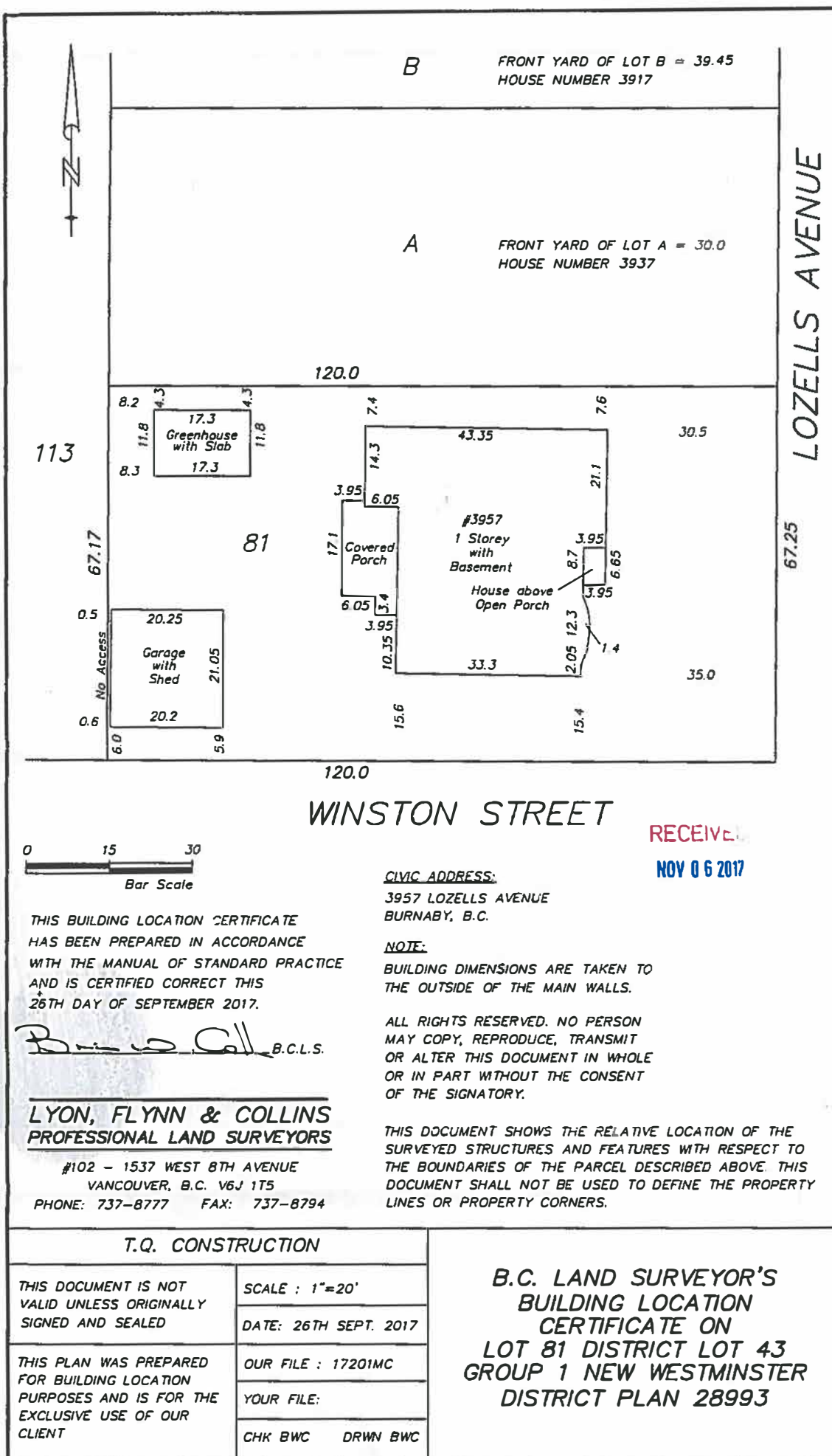
- 1) To vary Section 6.6(2)(g)(i) – “Accessory Buildings and Uses” of the Zoning Bylaw requirement for the minimum side yard width from 29.50 feet to 6.00 feet.
- 2) To vary Section 6.6(2)(g)(ii) – “Accessory Buildings and Uses” of the Zoning Bylaw requirement for the minimum rear yard depth from 3.94 feet to 0.5 feet.
- 3) To vary Section 101.8 – “Front Yard” of the Zoning Bylaw requirement for the minimum front yard depth from 34.73 feet (based on front yard averaging) to 30.50 feet.

Notes:

1. The applicant recognizes that should the project contain additional characteristics in contravention of the Zoning By-law, a future appeal(s) may be required.
2. The applicability of this variance, if granted, is limited to the scope of the proposal shown on the attached plans.
3. All new principal building projections into the resulting required yards will conform to the requirements of Section 6.12.
4. Fences and retaining walls will conform to the requirements of Section 6.14.

JQ

Peter Kushnir
Deputy Chief Building Inspector



This drawing and all P.L. contents are provided for informational purposes only. It is not to be used for construction or other purposes without the written consent of the architect. The architect is not responsible for any errors or omissions in this drawing or for any consequences arising from its use. The architect is not responsible for any construction or other work done in reliance on this drawing. The architect is not responsible for any construction or other work done in reliance on this drawing. The architect is not responsible for any construction or other work done in reliance on this drawing.



T.O. Construction
 Envision Design Build
 106-8988 FLETCHER COURT
 BURNABY, B.C. V5J 5H9
 604.435.1100
 WWW.TOCONSTRUCTION.CA

NO.	DATE	DESCRIPTION
001		
002		
003		
004		
005		

DRAWING LIST
 48 COVER PAGE - NORTH
 49 WEST ELEVATION - EXISTING
 50 WEST ELEVATION - PROPOSED
 51 NORTH ELEVATION - EXISTING
 52 NORTH ELEVATION - PROPOSED
 53 DETAIL - ROOF - 1/4" = 1'-0"

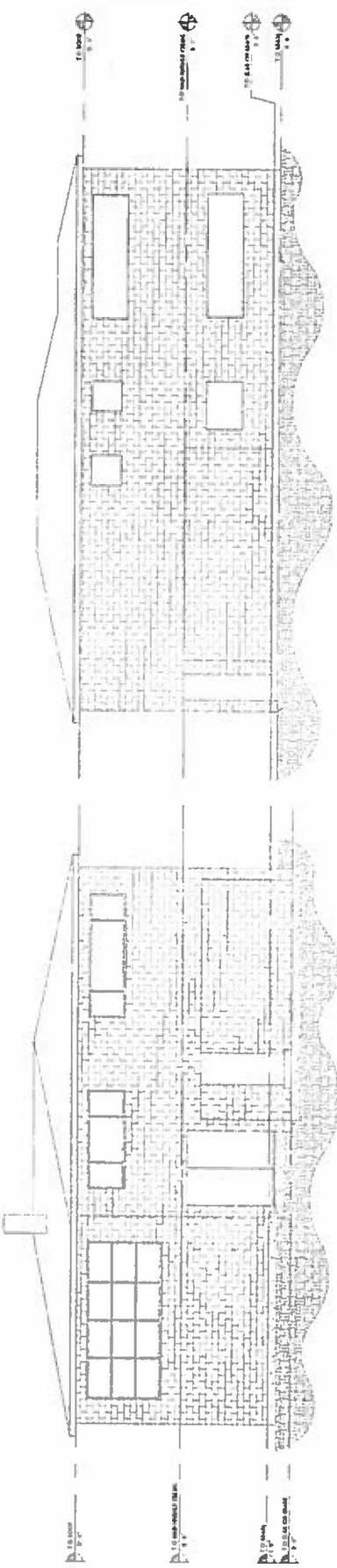
FONG RESIDENCE
 3957 LOZELL AVENUE
 BURNABY, BC V5A 2Z3

DRAWING TITLE
 WEST + NORTH
 ELEVATIONS

DRAWN BY:	AM
SCALE:	AS NOTED
DATE:	05.13.2017
SHEET:	

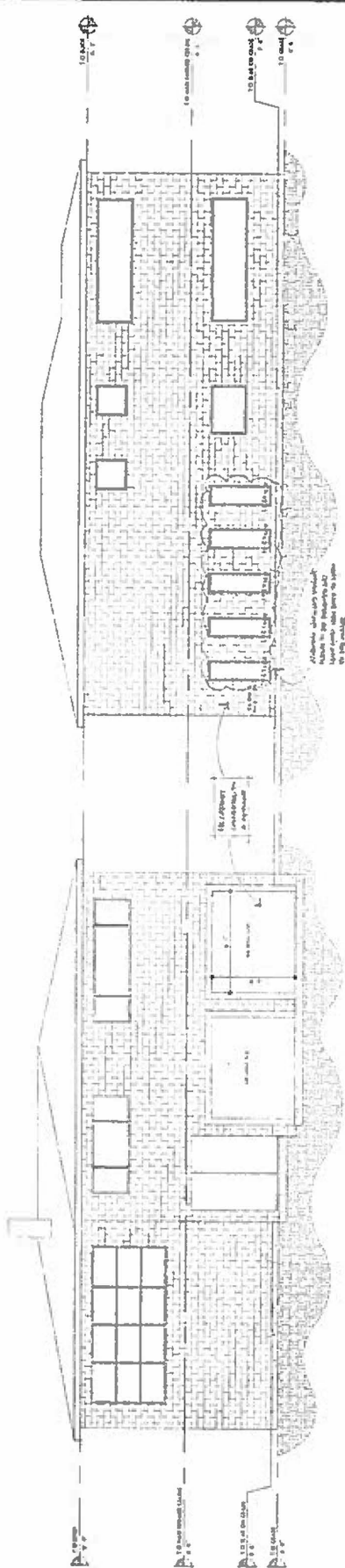
A.3

4.(b)



WEST ELEVATION - EXISTING
 SCALE: 1/8" = 1'-0"

NORTH ELEVATION - EXISTING
 SCALE: 1/8" = 1'-0"



WEST ELEVATION - PROPOSED
 SCALE: 1/8" = 1'-0"

NORTH ELEVATION - PROPOSED
 SCALE: 1/8" = 1'-0"

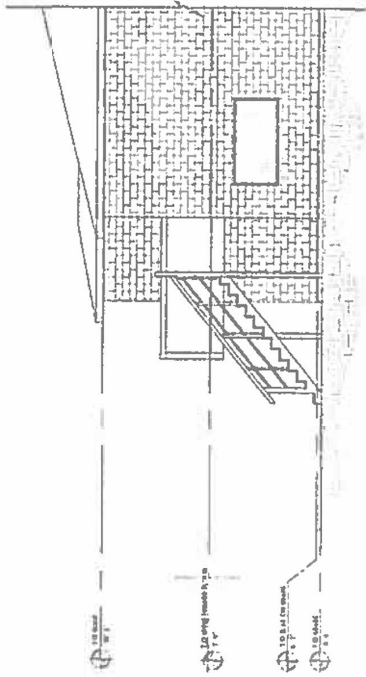
These drawings and all the contents are prepared by the architect, and shall not be used, reproduced, or altered in any way without the written consent of the architect. The architect is not responsible for any errors or omissions in these drawings, and shall not be held liable for any damages, including but not limited to, consequential damages, arising from the use of these drawings. The architect's liability is limited to the professional fee and shall not exceed the amount of the fee.



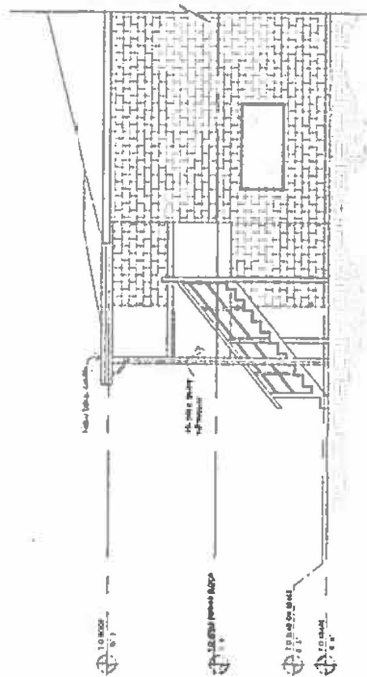
TQ construction
 Envision | Design | Build
 104-8988 PRASERTON COURT
 BURNABY, B.C. V5J 5M8
 604.436.9900
 WWW.TQCONSTRUCTION.CA

NO.	DATE	DESCRIPTION
001		
002		
003		
004		
005		

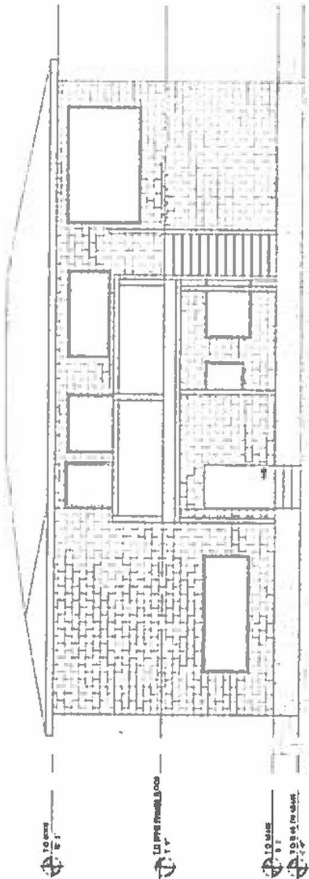
DRAWING LIST
 AS - EXISTING
 P - PROPOSED
 A - PROPOSED CONSTRUCTION



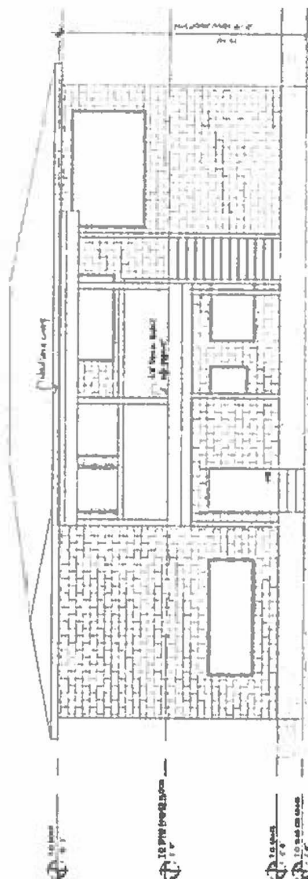
SOUTH ELEVATION - EXISTING
 SCALE: 1/4" = 1'-0"



SOUTH ELEVATION - PROPOSED
 SCALE: 1/4" = 1'-0"



EAST ELEVATION - EXISTING
 SCALE: 1/4" = 1'-0"



EAST ELEVATION - PROPOSED
 SCALE: 1/4" = 1'-0"

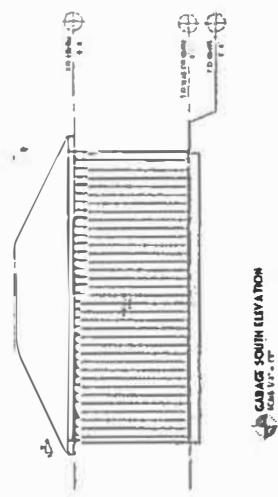
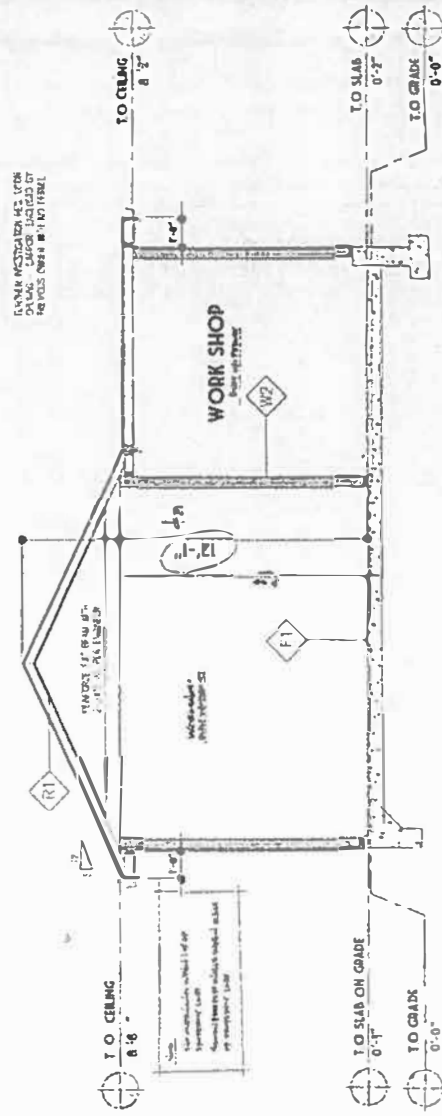
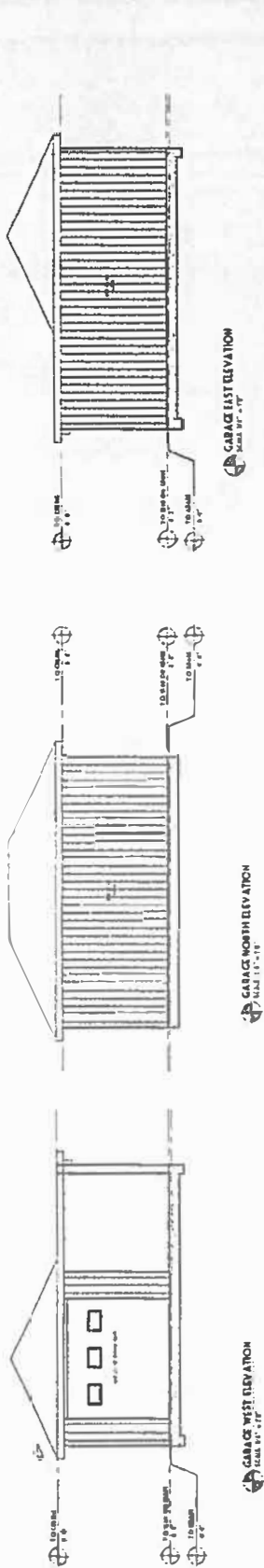
FONG RESIDENCE
 3957 LOZELS AVENUE
 BURNABY, BC V5A 2Z3

DRAWING TITLE:
WEST + NORTH
ELEVATIONS

DESIGNED BY:	JM
SCALE:	AS NOTED
DATE:	05.11.2017
SHEET:	

A.4

4.(p)



- [illegible]

GARAGE SECTION
SCALE 1" = 1'-0"



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 Mark Handford
 Mailing Address 7091 Kitchener St
 City/Town Burnaby Postal Code V5A 1K8
 Phone Number(s) (H) 604-737-0833 (C) 604-741-8535
 Email mark@handford.com

Property

Name of Owner Rosanne Chow
 Civic Address of Property 7091 Kitchener St
Burnaby, BC V5A 1K8

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.

Dec 6, 2017
 Date

[Signature]
 Applicant Signature

Office Use Only

Appeal Date 2018 January Appeal Number BV# 6316

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

Dec 4, 2017

TO: City of Burnaby Board of Variance

My wife, Rosanne Chow, and I are applying for a variance for our renovation at 7091 Kitchener St in Burnaby. It was brought to our attention during the permitting process that our existing house was encroaching slightly on the Front Yard Set back.

In order to obtain the permit city planning required the plans to show that the second floor addition would need to be stepped back 0.3ft (or 3.6in) in order to comply with the Front Yard Average rule. We feel this will lead to excessive work to finish and make look good (requiring either an extended roofline to cover the set back or an unsightly and wide wall flashing along the entire side of the building.

Further, we are not requesting to build further forward than our existing house. We are well outside the Burnaby minimum Front Yard set back and only slightly outside the Average. As we are a corner lot we have only the two houses to the north of our property to obtain the average, and we just happen to be slightly ahead of those two houses. That said, the 3rd house down from us is significantly further forward than we are; if our next door neighbor decided to build a new house they would be able to include that house in their average and would be able to build farther forward than our house as it currently stands. With this in mind, we feel our proposed addition (building straight up from the existing structure) complies with the spirit of the front yard average set back rule if not the exact wording, and is the most economical for us to achieve an asthetically pleasing finish.

Thank you for your consideration,



Mark Handford
7091 Kitchener St
BLD17-00884



BOARD OF VARIANCE REFERRAL LETTER

DATE: November 23, 2017		<i>This is not an application. Please submit this letter to the Clerk's office (ground floor) when you make your Board of Variance application.</i>	
DEADLINE: December 5, 2017 for the January 4, 2017 hearing.			
APPLICANT NAME: Mark Handford			
APPLICANT ADDRESS: 7091 Kitchener St., Burnaby, B.C V5A 1K8			
TELEPHONE: 604-341-8535			
PROJECT			
DESCRIPTION: Second floor addition only to existing single family dwelling			
ADDRESS: 7091 Kitchener Street			
LEGAL DESCRIPTION:	LOT: 1	DL: 135	PLAN: NWP18498

Building Permit application BLD17-00884 will be denied by the Building Department because the design is not in compliance with Burnaby Zoning Bylaw No. 4742:

Zone R4 / Sections 104.9

COMMENTS:

The applicant has constructed a second floor 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 104.9 – “Front Yard” of the Zoning Bylaw requirement for the minimum front yard depth from 29.9 feet (based on front yard averaging) to 29.6 feet.

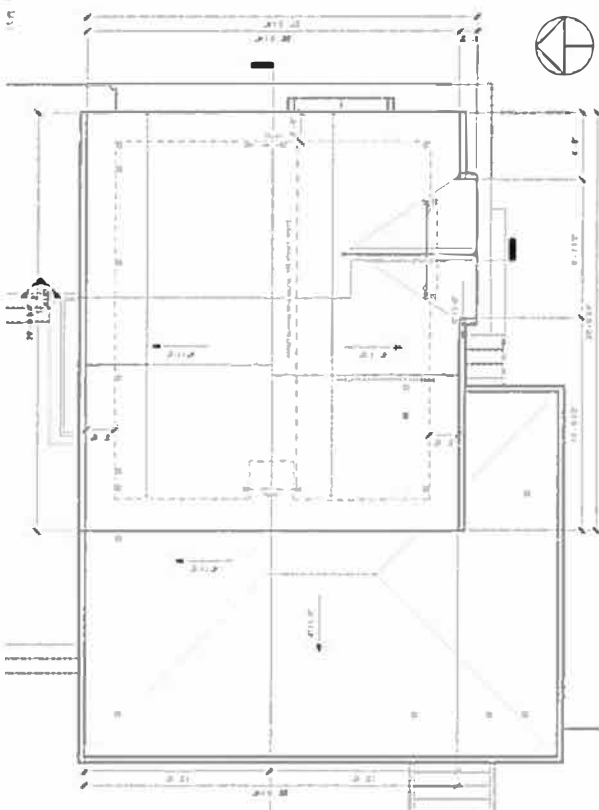
Notes:

1. The applicant recognizes that should the project contain additional characteristics in contravention of the Zoning By-law, a future appeal(s) may be required.
2. The applicability of this variance, if granted, is limited to the scope of the proposal shown on the attached plans.
3. All new principal building projections into the resulting required yards will conform to the requirements of Section 6.12.
4. Fences and retaining walls will conform to the requirements of Section 6.14.

AB

Peter Kushnir
Deputy Chief Building Inspector

LOWER ROOF RIDGE EXTENTION



4. PROPOSED UPPER ROOM FLAM

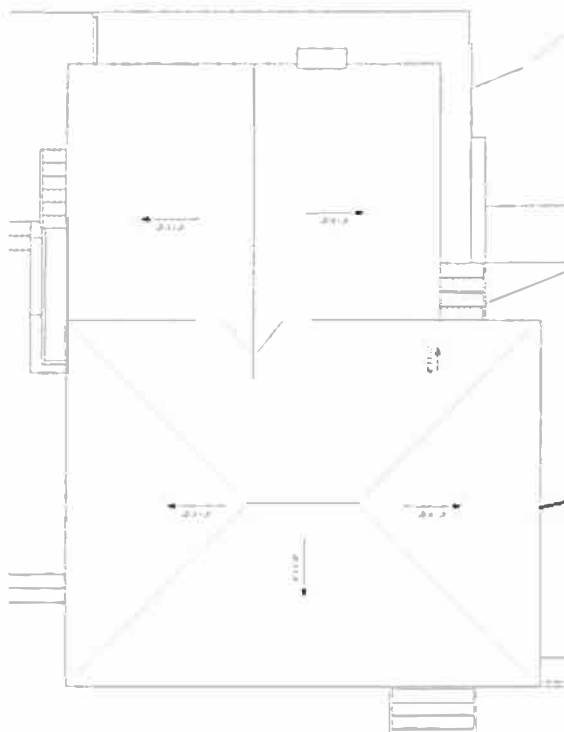
TYPICAL ROOF NOTES:

[illegible]

• **DRUGS AND FOOD INTERACTIONS**

IMPORTANT NOTE:

117777 • 1997 • *Journal of Interpersonal Violence* 12(1)

[illegible]

3. EXISTING ROOF PLAN

MARK A. ROSAMNE HANFORD

Abstract is a journal of the

ROOF PLAN

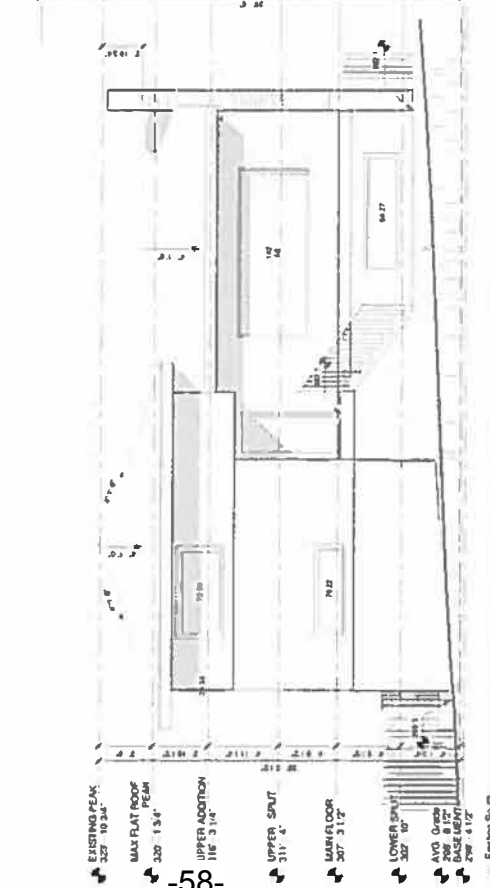
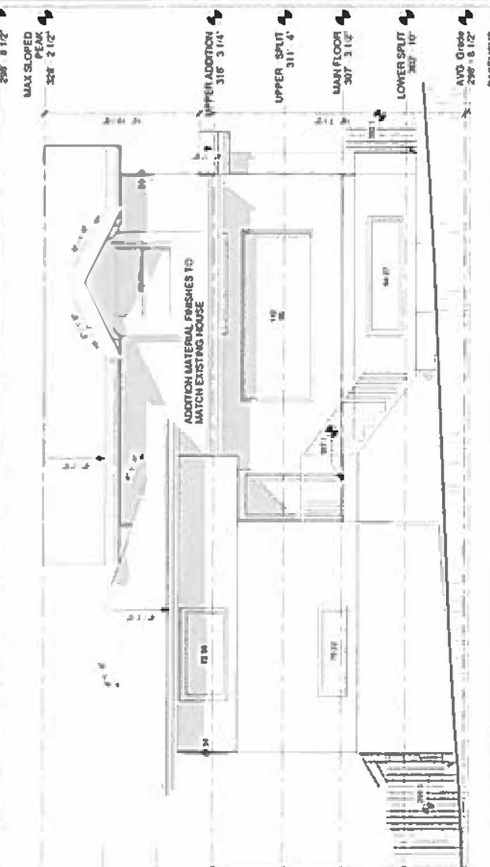
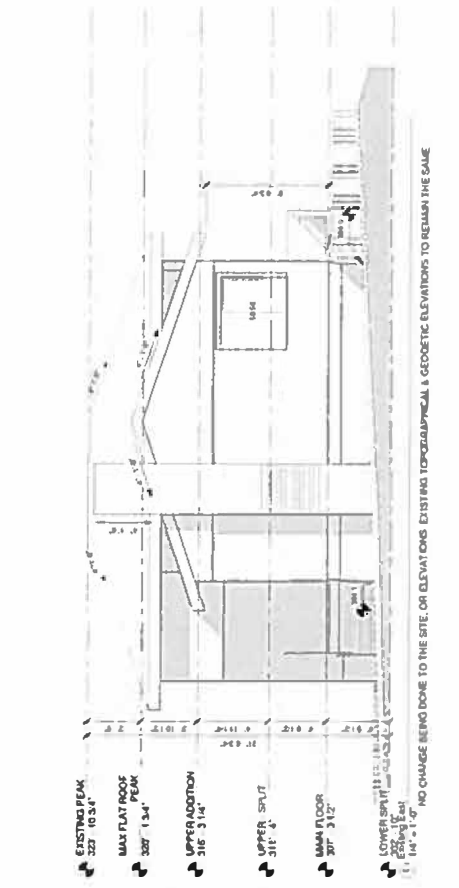
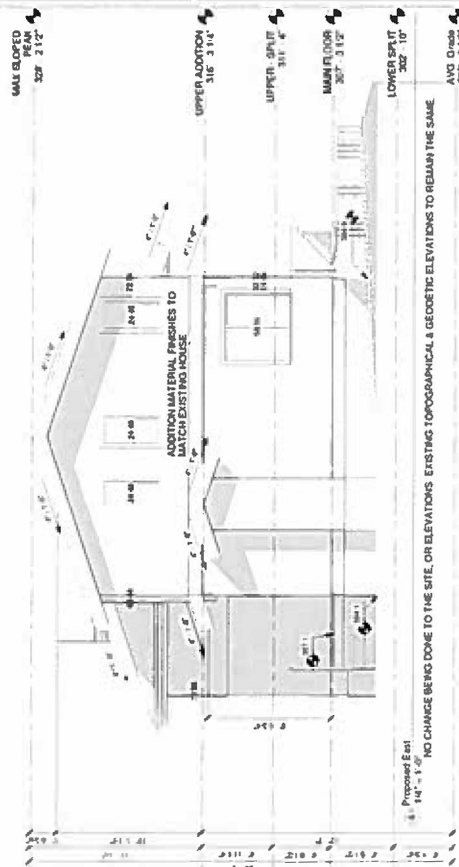
1003

APR 12 2016

Created by	KARSTEN SUTTON
Created on	11/27/2013 11:58:00 AM

A103

A1500



NO CHANGE BEING DONE TO THE SITE OR ELEVATIONS EXISTING TOPOGRAPHICAL & GEODETIC ELEVATIONS TO REMAIN THE SAME.

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