



BOARD OF VARIANCE

MINUTES

A Hearing of the Board of Variance was held in the Council Chamber, City Hall, 4949 Canada Way, Burnaby, B.C., on Thursday, **2018 April 05** at 6:00 p.m.

1. CALL TO ORDER

PRESENT: Mr. Stephen Nemeth, Chair
Mr. Rana Dhatt, Citizen Representative
Ms. Brenda Felker, Citizen Representative
Mr. Wayne Peppard, Citizen Representative
Mr. Brian Pound, Citizen Representative

STAFF: Ms. Margaret Malysz, Development Plan Approvals Supervisor
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 2018 March 01

MOVED BY MR. POUND
SECONDED BY MR. PEPPARD

THAT the minutes of the Burnaby Board of Variance Hearing held on 2018 March 01 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. 6326

APPELLANT: Chris Williams, Basil Restoration Ltd.

REGISTERED OWNER OF PROPERTY: James Fitzgerald & Cori Gabana

CIVIC ADDRESS OF PROPERTY: 7853 Goodlad Street

LEGAL DESCRIPTION OF PROPERTY: Lot 4; DL 90; Plan 21440

APPEAL: An appeal for the relaxation of Section 102.7(b) of the Burnaby Zoning Bylaw to allow for addition to the main floor and interior alteration to an existing single family dwelling at 7853 Goodlad Street. The applicant requests a variance to allow a principal building depth of 66.25 feet, where a maximum depth of 60.00 feet is permitted.

A previous Board of Variance (BOV 6322, 2018 March 01) decision allowed a side yard setback of 4.36 feet, where a minimum set back of 5.20 feet is required.

APPELLANT'S SUBMISSION:

Mr. Chris Williams, Project Manager, Basil Restoration Ltd., submitted an application to allow for an addition to the main floor and interior alteration to his clients' home.

Mr. Mark Wittig, owner, Basil Restoration Ltd., and Ms. Cori Gabana, homeowner, appeared before members of the Board of Variance.

BURNABY PLANNING AND BUILDING DEPARTMENT COMMENTS:

This property was the subject of an appeal before the Board on 2018 March 01. A variance was sought to allow for the construction of an addition to the existing single family dwelling, observing the site yard setback of 4.36 ft. where a minimum side yard setback of 5.20 ft. is required. The appeal, while not supported by this Department, was allowed by the Board.

The subject site, which is zoned R2 Residential District, is located in the Lakeview-Mayfield neighbourhood, where the age and condition of the single dwellings vary. This interior lot, approximately 52.00 ft. wide and 207.00 ft. deep, fronts onto Goodlad Street to the southeast. The subject site abuts single family lots to the southwest and northeast. Vehicular access to the subject site is provided via the rear lane to the northwest. The site observes a downward slope of approximately 16.40 ft. in the south-north direction.

The subject site contains a two storey single family dwelling, which was originally built in 1993. The applicant proposes various additions and alterations to the dwelling, including the addition of a floor to ceiling “bump-out” in the family room on the upper level, which was a subject of the 2018 March 01 appeal, and including an addition of a covered rear deck on the upper level, which is the subject of this appeal.

The appeal is to vary Section 102.7(b) – Depth of Principal Building of the Zoning Bylaw from 60.00 ft. to 66.25 ft. to allow construction of an addition of a covered rear deck to the existing single family dwelling.

The intent of the principal building depth requirements of the Zoning Bylaw is to prevent construction of dwellings that present long imposing walls, where the massing of the building impacts the neighbouring properties.

According to the Building Permit B77215 (issued in 1993), the existing dwelling observes a building depth of 60.0 ft. (which meets the building depth requirement), as measured from the front face to the posts supporting an open deck at the rear of the dwelling. The main body of the dwelling contributes approximately 56.00 ft. to the overall building depth, with approximately 4.00 ft. contributed by the existing rear deck. This rear deck overhangs further into the rear yard, by approximately 3.67 ft., which is the permitted exclusion from building depth calculations.

This appeal proposes to replace the existing rear deck with a new slightly larger deck: in the same location, but extending further into the rear yard. This increase in the deck’s depth creates the excess building depth of 6.25 ft., as measured to the outer face of the deck /roof overhang. Otherwise; the length of the main body of the dwelling remains unchanged.

The new deck, approximately 30.00 ft. wide, would be partly covered with a flat roof, over its central area approximately 11.00 ft. deep by 18.50 ft. wide in size.

Considering the relatively small massing of the portion of the deck and roof structure that would exceed the permitted building depth, small impacts are expected on the neighbouring properties. The proposed re-directing of the stair down towards the northeast deck edge, as opposed to remain in at its current configuration would also help to lessen the visual impacts on the neighbouring property to the northeast.

In addition, the plentiful rear yard setback of over 114.00 ft. and the generous side yard setbacks of approximately 17.00 ft. (southwest) and 19.00 ft. (northeast), as measured to the covered portion of the deck, will further help mitigate massing impacts of the additional building depth.

In conclusion, the excess 6.25 ft. depth of the proposed deck/roof structure, although the result of a design choice would not create an appearance of a long imposing wall when viewed from neighbouring sites, and as such would not contravene the intent of the Bylaw.

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

ADJACENT OWNER'S COMMENTS:

Letters of support were received from the owners of 7845 and 7863 Goodlad Street.

MOVED BY MR. POUND
SECONDED BY MR. DHATT

THAT based on the plans submitted, this appeal be ALLOWED.

CARRIED UNANIMOUSLY

4. NEW BUSINESS

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

5. ADJOURNMENT

MOVED BY MR. POUND
SECONDED BY MR. DHATT

THAT this Hearing do now adjourn.

CARRIED UNANIMOUSLY

The Hearing adjourned at 6:05 p.m.

Mr. S. Nemeth, CHAIR

Mr. R. Dhatt

Ms. B. Felker

Mr. W. Peppard

Ms. M. Macdonald
ADMINISTRATIVE OFFICER

Mr. B. Pound