



BOARD OF VARIANCE

NOTICE OF OPEN MEETING

DATE: THURSDAY, 2018 NOVEMBER 01

TIME: 6:00 P.M.

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 2018 October 04

3. **APPEAL APPLICATIONS**

(a) **APPEAL NUMBER:** B.V. 6339 **6:00 p.m.**

APPELLANT: Tim Tse

REGISTERED OWNER OF PROPERTY: Darryl and Tia Ho

CIVIC ADDRESS OF PROPERTY: 5490 Monarch Street

LEGAL DESCRIPTION OF PROPERTY: Lot: 17 DL: 80 Plan: NWP20936

APPEAL: An appeal for the relaxation of Section 102.6(1)(a) 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 5490 Monarch Street, with a principal building height of 32.94 feet (sloped roof) measured from the rear average grade, where the maximum height of 29.50 feet is permitted. Zone R2.

(b) **APPEAL NUMBER:** B.V. 6340 **6:00 p.m.**

APPELLANT: Xu (Patrick) Yang, Pacific West Architecture

REGISTERED OWNER OF PROPERTY: Helena Chen and Daniel Yang

CIVIC ADDRESS OF PROPERTY: 4636 Northview Court

LEGAL DESCRIPTION OF PROPERTY: Lot: 36 DL: 33 Plan: NWP15118

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 and detached garage at 4636 Northview Court, with a front yard depth of 25.67 feet, where a minimum front yard depth of 38.26 feet is required based on front yard averaging.

(c) **APPEAL NUMBER:** B.V. 6341 **6:15 p.m.**

APPELLANT: William (Bill) Steemson

REGISTERED OWNER OF PROPERTY: William (Bill) Steemson

CIVIC ADDRESS OF PROPERTY: 205 Hythe Avenue

LEGAL DESCRIPTION OF PROPERTY: Lot: B DL: 127 Plan: NWP21395

APPEAL: An appeal for the relaxation of Section 102.10 of the Burnaby Zoning Bylaw which, if permitted, would allow for a rear addition and a new accessory building to an existing single family dwelling at 205 Hythe Avenue, with a rear yard depth of 23.6 feet, where a minimum rear yard depth of 29.5 feet is required. Zone R2.

(d) **APPEAL NUMBER:** B.V. 6342 **6:15 p.m.**

APPELLANT: David Wong, WHG Design Ltd.

REGISTERED OWNER OF PROPERTY: Cynthia and Gordon Wong

CIVIC ADDRESS OF PROPERTY: 6328 Caulwynd Place

LEGAL DESCRIPTION OF PROPERTY: Lot: B DL: 160 Plan: LMP8902

APPEAL: An appeal for the relaxation of Sections 102.7(a) and 102.8(1) of the Burnaby Zoning Bylaw which, if permitted, would allow for an addition to the cellar floor only to an existing single family dwelling at 6328 Caulwynd Place.

The following variances are requested:

a) A principal building depth of 72.80 feet, where the maximum building depth of 57.91 feet is permitted; and,

b) A front yard depth of 14.21 feet, where a minimum front yard depth of 24.60 feet is required. Zone R2.

(e) APPEAL NUMBER: B.V. 6343 6:30 p.m.

APPELLANT: Grace Yuen

REGISTERED OWNER OF PROPERTY: Grace and Hoi Yuen

CIVIC ADDRESS OF PROPERTY: 290 Howard Avenue North

LEGAL DESCRIPTION OF PROPERTY: Lot: 37146 DL: 189 Plan: 4953

APPEAL: An appeal for the relaxation of Sections 102.8(1) and 102.10 of the Burnaby Zoning Bylaw which, if permitted, would allow for an interior alteration and new secondary suite to the basement only to an existing single family dwelling at 290 Howard Avenue North. The following variances are requested:

a) A front yard depth of 18.25 feet, where a minimum front yard depth of 24.6 feet is required based on front yard averaging; and,

b) A rear yard depth of 15.83 feet, where a minimum rear yard depth of 29.5 feet is required. Zone R2.

(f) APPEAL NUMBER: B.V. 6344 6:30 p.m.

APPELLANT: Frederico Maddalozzo

REGISTERED OWNER OF PROPERTY: Biagio Pepe and Carmina Tavares-Pepe

CIVIC ADDRESS OF PROPERTY: 2111 Jordan Drive

LEGAL DESCRIPTION OF PROPERTY: Lot: 52 DL: 131 Plan: NWP26174

APPEAL: An appeal for the relaxation of Sections 6.6(2)(g)(i), 102.8(1) and 102.9(1) of the Burnaby Zoning Bylaw which, if permitted, would allow for interior alterations, addition, new secondary suite and new detached garage to an existing single family dwelling at 2111 Jordan Drive. The following variances are requested:

a) A side yard setback of 11.72 feet adjoining the flanking street, where a minimum side yard setback of 24.60 feet is required;

b) A front yard depth of 27.70 feet, where a minimum front yard depth of 29.9 feet is required based on front yard averaging; and,

c) A side yard setback of 4.00 feet, where a minimum side yard setback of 4.90 feet is required. Zone R2.

4. NEW BUSINESS

5. ADJOURNMENT



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 October 04** 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. Joy Adam, Development Plan Technician
Ms. Lauren Cichon, Administrative Officer

The Chair called the meeting to order at 6:09 p.m.

2. MINUTES

(a) Minutes of the Board of Variance Hearing held on 2018 September 06

MOVED BY MR. PEPPARD
SECONDED BY MR. DHATT

THAT the minutes of the Burnaby Board of Variance Hearing held on 2018 September 06 be adopted.

CARRIED UNANIMOUSLY

3. APPEAL APPLICATION

The following person filed an application form 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. 6338

APPELLANT: Vikram Tiku, T D Studio Inc.

REGISTERED OWNER OF PROPERTY: Francesco, Giovanna and
Lisa Perizzolo

CIVIC ADDRESS OF PROPERTY: 6279 Service Street

LEGAL DESCRIPTION OF PROPERTY: Lot: 132 DL: 93 Plan: 30133

APPEAL: An appeal for the relaxation of Sections 6.6(2)(d), 6.3.1, 104.8(1) and 104.9 of the Burnaby Zoning Bylaw which, if permitted, would allow for new interior alterations, exterior alterations, addition at rear and new accessory building to an existing single family dwelling at 6279 Service Street.

The following variances were requested:

- a) A side yard setback of 1.97 feet, where a minimum side yard setback of 3.94 feet is required;
- b) A distance between the buildings on the same lot of 7.84 feet, where a minimum distance of 14.8 feet is required;
- c) A principal building depth of 62.43 feet, where the maximum building depth of 60.0 feet is permitted; and,
- d) A front yard depth of 26.38 feet, where a minimum depth of 31.25 feet is required based on front yard averaging. Zone R4.

APPELLANT'S SUBMISSION:

Mr. Vikram Tiku, T D Studio Inc., on behalf of the property owner, submitted an application to allow for interior alterations, exterior alterations, addition at rear and new accessory building to an existing single family dwelling at 6279 Service Street.

Mr. Tiku and Ms. Lisa Perizzolo, owner, appeared before members of the Board of Variance.

BURNABY PLANNING AND BUILDING DEPARTMENT COMMENTS:

The subject site, zoned R4 Residential District, is located in the Windsor neighbourhood in which the age and condition of single and two family dwellings vary. This interior lot, approximately 135.33 feet long by 57.37 feet wide, fronts onto Service Street to the south and borders a green buffer across the lane to the north. To the west

and east of the subject site are single family dwellings. Vehicular access is provided via Service Street (there is no lane access). The subject site observes a downward slope of approximately 12.8 feet in the north-south (rear to front) direction.

The site has a 10.0 feet wide Statutory Right-of-Way (SROW) along the north property line for a future lane expansion.

The subject lot is improved with a single family dwelling, including an attached carport, originally built in 1968, and an accessory building. In July of 2017, the City received a building permit application (BLD 17-01016) for interior alterations and an addition to the rear of the dwelling. Through the review process City staff determined that various alterations, including the enclosure of the existing carport, rebuilding of the existing solarium and a new accessory building, had been constructed without the benefit of a building permit. As a result, the applicant is requesting four variances in an attempt to legalize the unauthorized construction. The first two variances are related to the new accessory building and the two other variances are related to the existing dwelling.

The first a) appeal is to vary Section 6.6(2)(d) "Accessory Buildings and Uses" of the Zoning Bylaw requirement for the minimum side yard setback from 3.94 feet to 1.97 feet. The intent of the Zoning Bylaw in limiting side yard setbacks is to mitigate the impact of an accessory building massing on neighbouring properties.

The already constructed accessory building (shed) is located directly north of the north-west corner of the existing dwelling. (The distance between the accessory building and the dwelling is the subject of the second b) appeal). The City's 2010 aerial indicates that a much smaller accessory building existed in a similar location and origins of which could be linked to the building permit B63302 records from 1987: a small accessory building was indicated on the site plan, siting of which appears to be in compliance with the Zoning Bylaw. The current accessory building appears on the City's 2012 aerial.

The accessory building is approximately 12.28 feet long by 8.84 feet wide and 9.0 feet high. The side yard encroachment of 1.97 feet, as measured to the foundations, occurs over the entire building length.

The accessory building is partly screened by an approximately 4.0 feet high fence (chain link fence with plastic slats) which runs along the west side property line. However, more than half of the accessory building elevation is fully visible from the rear yard of the western neighbour and as such, creates a negative massing impact on the neighbouring property to the west.

In consideration of the above, and since there is a larger area on site to locate an accessory building outside of the required side yards, this Department cannot support the granting of the first a) appeal.

The second b) appeal is to vary Section 6.3.1 "Distance between Buildings on the same Lot" of the Zoning Bylaw requirement for the minimum distance from 14.8 feet to 7.84 feet.

The intent of the Zoning Bylaw in limiting the distance between buildings on the same lot is to minimize effects of building massing on neighbouring properties as well as to provide sufficient outdoor living space for residents.

In this case, the dwelling features a window at the lower level which partly overlaps the accessory building. Considering that the required separation between two structures is reduced almost by a half, there is a concern that day lighting of the lower north-west portion of the dwelling is affected by this variance. (No plans of the lower level were submitted.)

Further, there is approximately 32.0 feet of the rear yard available to the north of the accessory building, excluding the rear SROW. Therefore, there is sufficient outdoor living space for residents. The sizable rear yard setback would allow for other design options to be explored in order to accommodate an accessory building in compliance with the Zoning Bylaw and with no impacts on the dwelling residents.

In consideration of the above, and since the placement of the accessory building is driven by a design choice rather than a hardship, this Department cannot support the granting of the second b) appeal.

The third c) appeal is to vary Section 104.8(1) "Depth of Principal Building" of the Zoning Bylaw requirement for the maximum building depth from 60.0 feet to 62.43 feet.

The intent of the Zoning Bylaw in limiting the principal building depth is to prevent construction of dwellings that present long imposing walls, such that the massing of the building impacts neighbouring properties. The building depth is calculated as a horizontal distance between the point of the building nearest the front lot line and the point of the building nearest the rear lot line.

In this case, the existing dwelling resembles a rough "Z" in shape, with the attached carport (already enclosed) projecting 12.63 feet from the front face at the south-west corner of the dwelling and with the solarium (already rebuilt) projecting 15.5 feet from the rear face at the north-east corner.

According to the building permit B63302 records (from 1987), the existing dwelling observes a depth of 62.43 feet, which is legal non-conforming with respect to the current Zoning Bylaw requirements. The Zoning Bylaw at the time of construction did not regulate a maximum principal building depth.

This proposal does not increase the existing building depth; the subject renovations: enclosing of the carport and rebuilding the existing solarium, are within the existing footprint of the dwelling.

Further, the staggered design of the subject dwelling effectively eliminates the appearance of a unbroken long wall; the portions of the dwelling immediately adjacent to the west and east side property lines are 46.51 feet and 44.15 feet long, respectively, which is substantially less than the maximum permitted depth (60.0 feet).

In summary, considering the existing conditions and that this variance creates little impacts on the neighbouring properties, this Department does not object to the granting of the third c) variance.

The fourth d) appeal is to vary Section 104.9 "Front Yard" of the Zoning Bylaw requirement for a front yard depth, based on front yard averaging, from 31.25 feet to 26.38 feet.

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

In this case the front yard averaging calculations are based on the front yard setbacks of the two dwellings immediately to the west (6237 and 6251 Service Street) and on the front yard setback of the dwelling to the east (6061 Gilley Ave). The front yard setbacks for these properties are 35.05 feet, 33.15 feet, and 25.55 feet, respectively.

In this case, the front yard setback is measured to the existing foundation of the carport. As mentioned above, the carport projects 12.63 feet from the south-west corner of the existing dwelling. The remaining body of the dwelling observes a distance of 39.01 feet to the front property line.

According to the building permit B21369 records (from 1968) a front yard setback of 25.0 feet was permitted. The existing dwelling actually observes a slightly larger front yard setback of 26.38 feet. Therefore, the existing dwelling is legal non-conforming with respect to the current Zoning Bylaw requirements. The Zoning Bylaw at that time did not contain a requirement for front yard averaging.

The request for this variance is a result of enclosing the existing 25.6 feet wide by 12.63 feet deep carport with walls; the southern portion of the wall enclosure now encroaches into the required front yard (based on front yard averaging) by 4.87 feet. However, since there is no change to the existing carport roof lines and the new wall enclosure remains within the existing footprint, the additional massing impacts on the neighbouring residence to the west of the subject site is minimal.

With regard to the broader neighbourhood context, the additional massing created by the carport wall enclosure is not impactful when viewed from the Service Street side.

In summary, considering the existing conditions and that this variance creates little impacts on the neighbouring properties and the existing streetscape, this Department does not object to the granting of the fourth d) variance.

ADJACENT OWNER'S COMMENTS:

No submissions were received regarding this appeal.

MOVED BY MR. DHATT
SECONDED BY MR. POUND

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

MOVED BY MR. DHATT
SECONDED BY MR. POUND

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

CARRIED UNANIMOUSLY

MOVED BY MR. DHATT
SECONDED BY MS. FELKER

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

CARRIED UNANIMOUSLY

4. NEW BUSINESS

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

5. ADJOURNMENT

MOVED BY MR. POUND
SECONDED BY MR. DHATT

THAT this Hearing do now adjourn.

CARRIED UNANIMOUSLY

The Hearing adjourned at 6:33 p.m.

Mr. S. Nemeth, CHAIR

Mr. R. Dhatt

Ms. B. Felker

Mr. W. Peppard

Ms. L. Cichon
ADMINISTRATIVE OFFICER

Mr. B. Pound



2018 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 Tim Tse
 Mailing Address 180 East 50th Avenue
 City/Town Vancouver Postal Code V5X 1A3
 Phone Number(s) (H) _____ (C) 604-716-5688
 Email tim.tse99@gmail.com

Property

Name of Owner Darryl Ho
 Civic Address of Property 5490 Monarch Street

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.

October 04, 2018
 Date

[Signature]
 Applicant Signature

Office Use Only

Appeal Date Nov 15 2018 Appeal Number BV# 6339

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

Tim Tse

180 East 50th Avenue

Vancouver, BC V5X 1A3

October 4, 2018

Board of Variance

City of Burnaby

4949 Canada Way

Burnaby, BC V5G 1M2

Dear: Board of Variance Members

I want to thank you for hearing my hardship in this matter. We planned to build a 3 level house and swimming pool at 5490 Monarch Street. By the end of March 2018, we demolished the old house and excavated the site. Excavating the site was extremely difficult due to the big grade difference from the front to the back. Once the digging for the foundation was completed, there was slope of about 20 feet difference from the front of the house to the rear of the house. The back of the house was level to the existing yard.

I ordered the forms to build the foundation. We formed the foundation and had it inspected. Inspection passed and we poured the concrete. We continued with the construction of the house. In early August, the pool plans were reviewed and the deficiency list sent to us. The plan checker wanted us to revise the site plan for the house to match the site plan for the pool and to ensure that all retaining walls for the pool do not exceed 5.91 feet. We made the changes for the pool and also updated the house plans.

During the revision with the plan checker, we realized that the rear of the house is higher than the maximum height for a 3 Storey House by a few feet. Because the foundation and frame are built, we cannot raise the grade at the rear. Our rear doors are currently at the current grade. Increasing the grade is going to be above the slab height at the rear. The retaining walls at the current grade for the pool are at 5.90 feet. If we raise the grade then we will not be able to build the pool. Most of the west side neighbour's rear yard is the same grade that we currently have. The grade on the east property is

more varied where the grade drops more dramatic. Both the neighbours properties and yards will not be impacted by our proposed variance.

Our proposed variance will not impair any supply of light and air to the adjacent properties. It will likely improve them. There's not increase of hazard from fire or other dangers to our property or the adjacent properties. It does not diminish or impair property values within the neighbourhood, does not increase traffic congestion, does not increase any public expenditure, does not create any nuisances, and does not affect public health, safety, comfort, morals or general welfare of the people in Burnaby.

Should the City of Burnaby carry out the strict letter of the zoning regulation regarding this matter then it will create great hardship on the owner. They will not be able to build the pool and they will have to incur great expense to remedy the deficiency with the grade. I hope you will grant this variance that will impact the owners immensely but does not impact the neighbourhood or the city.

Sincerely,



Tim Tse



BOARD OF VARIANCE REFERRAL LETTER

DATE: October 2, 2018		<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: October 9, 2018 for the November 01, 2018 hearing.			
APPLICANT NAME: Tim Tse			
APPLICANT ADDRESS: 180 East 50th Avenue, Vancouver, B.C., V5X 1A3			
TELEPHONE: 604-716-5688			
PROJECT			
DESCRIPTION: New Single Family Dwelling with Secondary Suite and Detached Garage			
ADDRESS: 5490 Monarch Street			
LEGAL DESCRIPTION:	LOT: 17	DL: 80	PLAN: NWP20936

Building Permit BLD18-00545 has been issued but will require a revision that 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)

COMMENTS:

The applicant currently has a building permit for a new single family dwelling with secondary suite and detached garage. In order to allow the permit to proceed, the applicant requests that the following variance be granted:

- 1) To vary section 102.6(1)(a) – "Height of Principal Building" of the Zoning Bylaw requirement for the maximum building height from 29.50 feet to 32.94 feet measured from the rear average grade for the proposed single family dwelling with a sloping roof.

- 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.

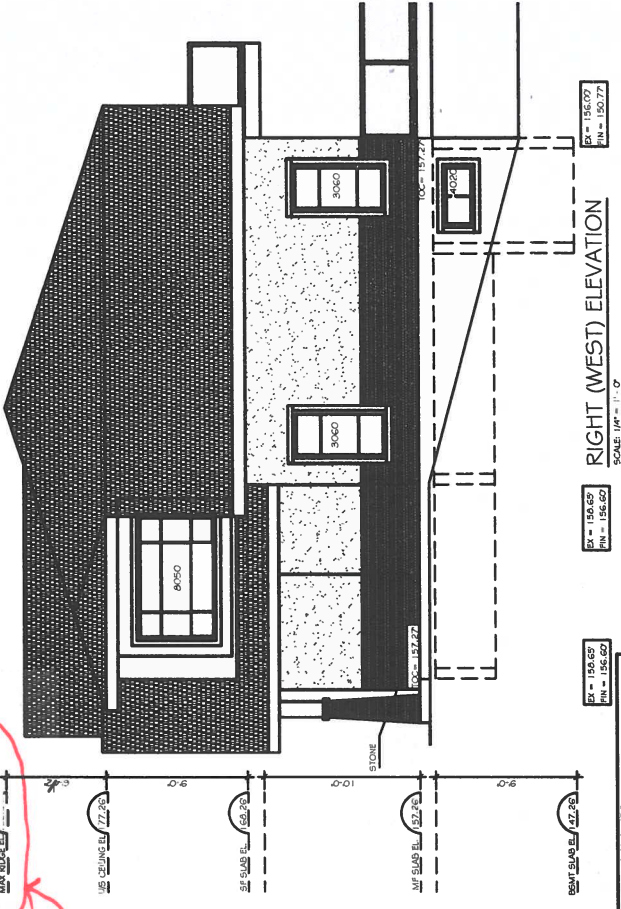
MS

Peter Kushnir
Deputy Chief Building Inspector

3.(a)
OCT 02 2018
BUILDING DEPARTMENT

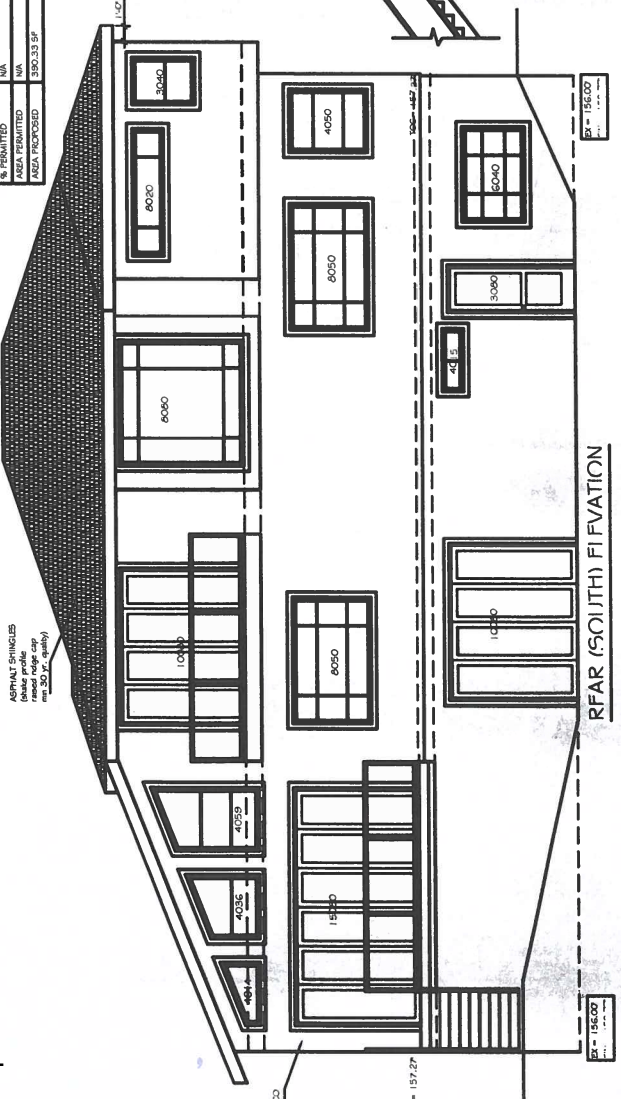
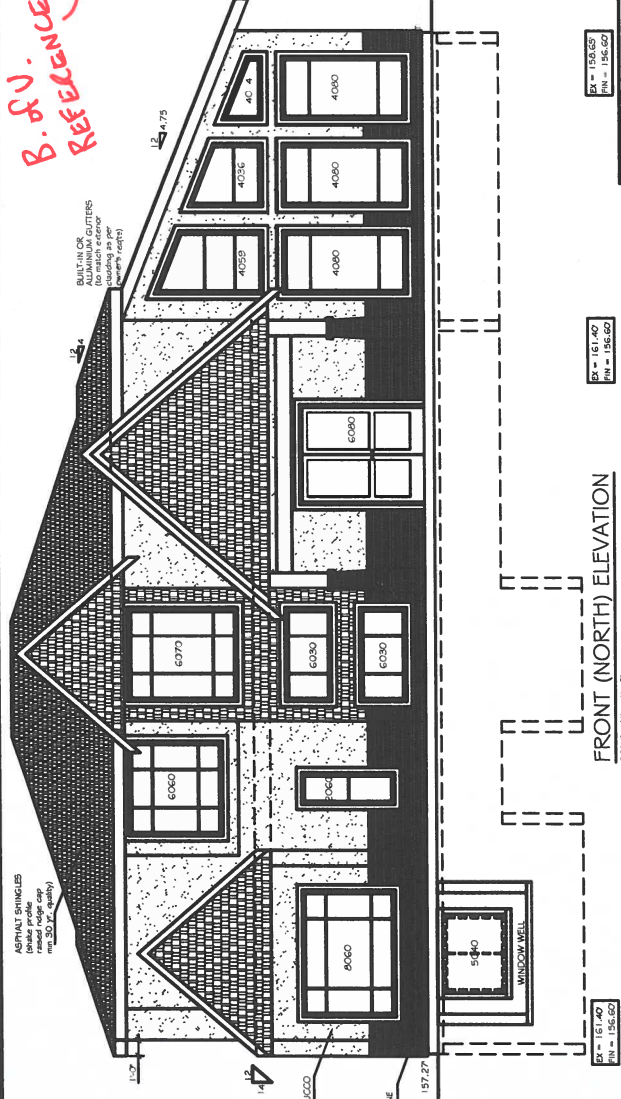
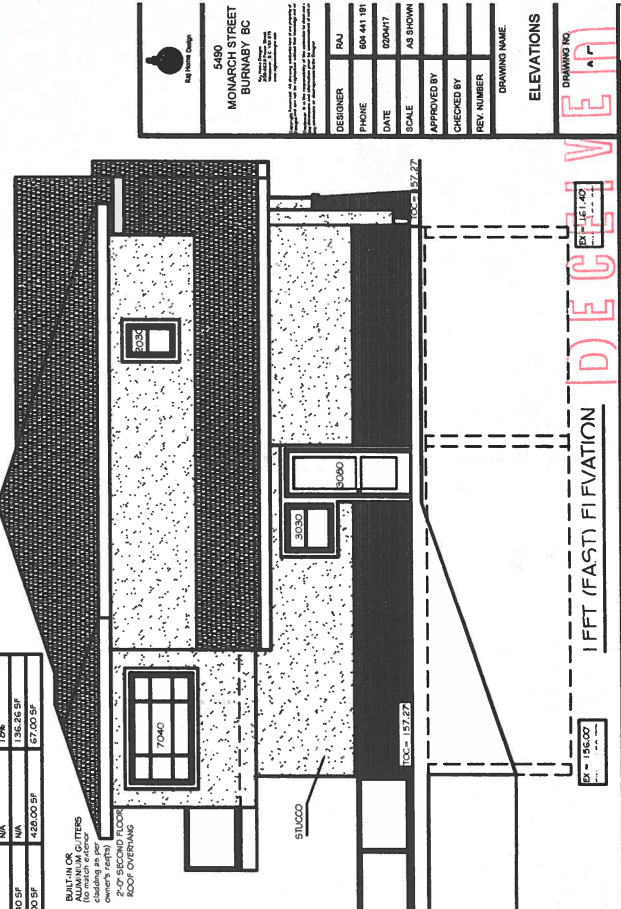
RECEIVED
IN

4480 MONARCH STREET BURNABY BC
 Designer: RAJ
 Phone: 604 441 181
 Date: 02/04/17
 Scale: AS SHOWN
 Checked By: [Signature]
 Rev Number: [Signature]
 Drawing Name: ELEVATIONS
 Drawing No: [Signature]



UNRESTRICTED OPENINGS CALCULATION

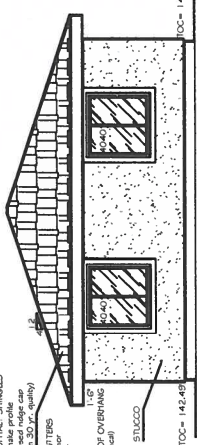
FRONT	REAR	LEFT	RIGHT
1370.00 SF	1370.00 SF	757.00 SF	757.00 SF
540.00 SF	540.00 SF	10.00 (3.00M)	10.00 (3.00M)
4.92 (1.50M)	4.92 (1.50M)	1.0%	1.0%
% PERMITTED	% PERMITTED	% PERMITTED	% PERMITTED
102.40 SF	102.40 SF	156.86 SF	156.86 SF
AREA PROPOSED	AREA PROPOSED	AREA PROPOSED	AREA PROPOSED
330.33 SF	330.33 SF	67.00 SF	67.00 SF



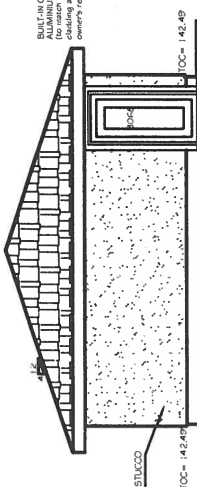
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42.33M

US CEILING EL. 42.42
41.72M

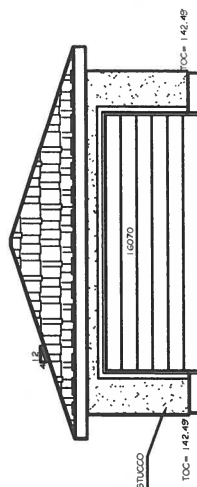
REAR EL. 41.22
43.23M



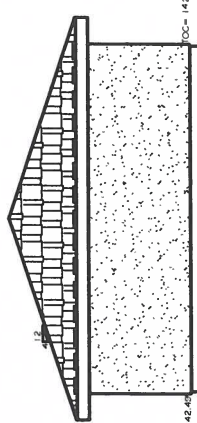
REAR (NORTH) ELEVATION
SCALE: 1/4" = 1'-0"



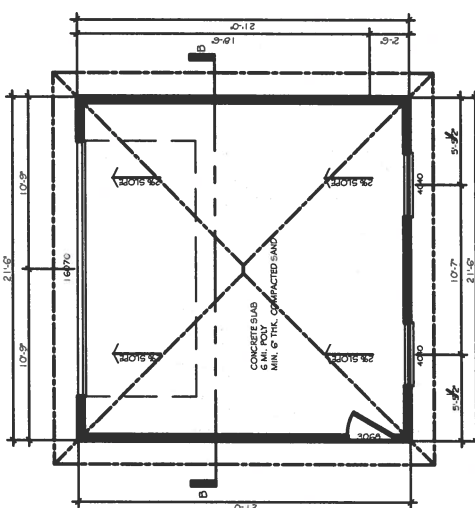
RIGHT (EAST) ELEVATION
SCALE: 1/4" = 1'-0"



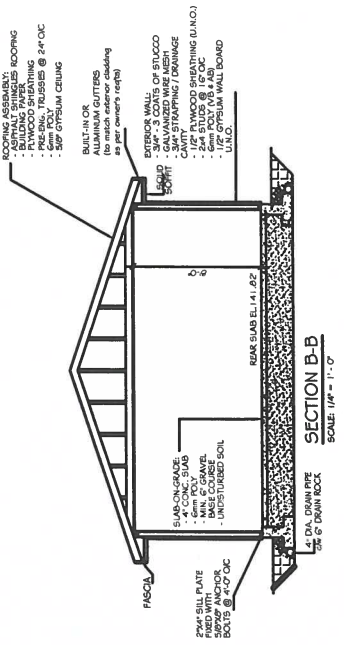
FRONT (SOUTH) ELEVATION
SCALE: 1/4" = 1'-0"



LEFT (WEST) ELEVATION
SCALE: 1/4" = 1'-0"



2 CAR GARAGE PLAN



5480 MONARCH STREET BURNABY BC	
DESIGNER	RAJ
PHONE	504 441 19
DATE	02/04/17
SCALE	AS SHOWN
APPROVED BY	
CHECKED BY	
REV. NUMBER	
DRAWING NAME	GARAGE
DRAWING NO.	

RECEIVED
OCT 02 2018

BUILDING DEPARTMENT

3.(a)

**SURVEY PLAN OF LOT 17
DISTRICT LOT 80, GROUP 1
NEW WESTMINSTER DISTRICT, PLAN 20936**

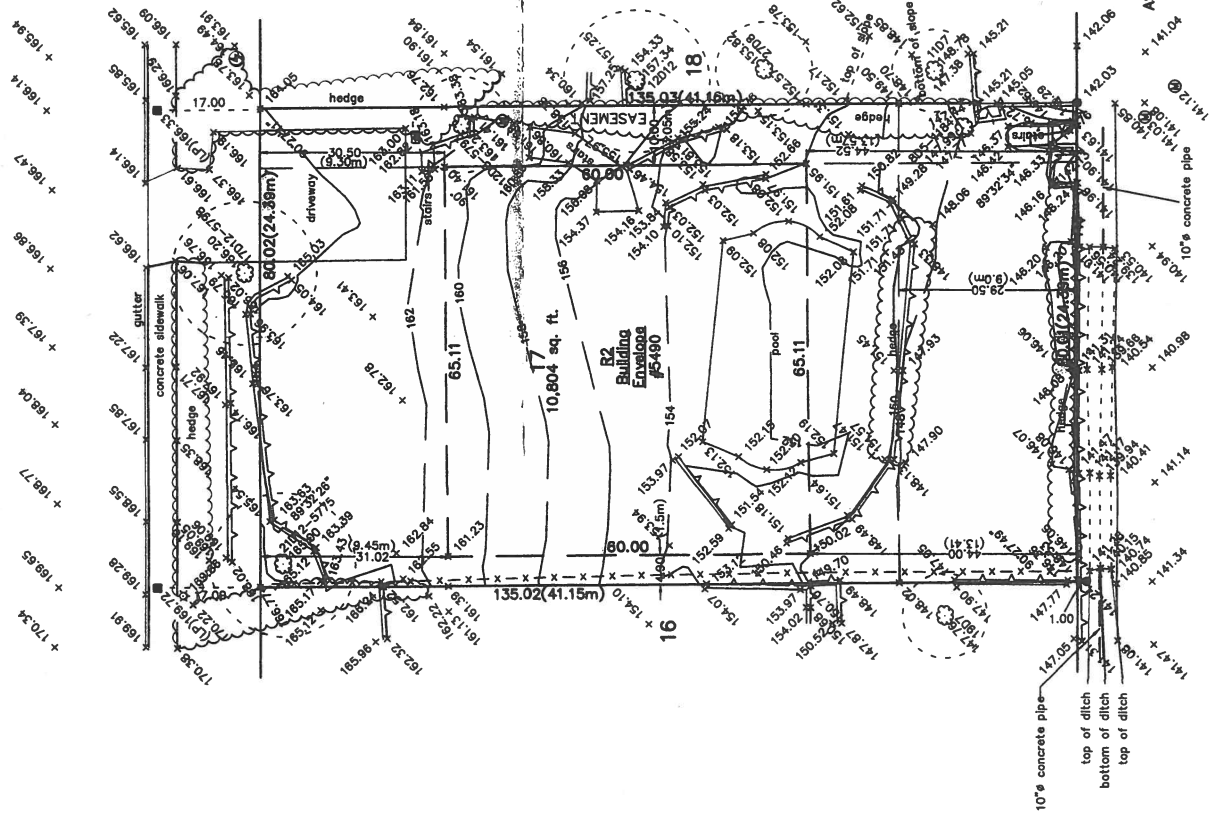
SCALE 1" = 16'
All distances are in feet.

Applicable Adjacent House	Depth of Front Yard
5470 Monarch Street	32.41 ft
5480 Monarch Street	30.19 ft
5510 Monarch Street	30.17 ft
5530 Monarch Street	29.21 ft
Total	121.98 ft
Average	30.50 ft

RECEIVED
OCT 03 2018

BUILDING DEPARTMENT

MONARCH STREET



CIVIC ADDRESS
5490 MONARCH STREET
BURNABY, B.C.

ZONING: R2

CERTIFIED CORRECT
DATED THIS 12TH DAY OF FEB., 2017

IVAN NGAN B.C.L.S.

L N L S METRO VANCOUVER
LAND SURVEYORS
4932 VICTORIA DRIVE, VANCOUVER, BC, V5P 3T6
T 604.327.1535 WEB WWW.LNLS.CA

PID: 010-093-290
FILE: 17576_03TP

- NOTES:**
- Lot dimensions are derived from field survey.
 - Elevations are based on the CVD285VDR Datum and are derived from control monument 51H4603 situated on the North Side of Monarch Street in pathway 78.20 feet wide.
 - For elevation control, use control monument or lead plugs in concrete sidewalk only. Elevation control must be checked against second source. Contractor assumes all responsibilities and risk when carrying out work using elevation control.
 - Building envelope shown is just an approximate interpretation of City Zoning Bylaws. Consult Planning Department for final building envelope prior to design.
 - All trees and stumps shown are required by municipal bylaws.
 - Symbols plotted are for illustrative purposes and are not representative of their true size.
 - denotes standard top post (IP).
 - denotes lead plug (LP).
 - denotes hydro pole.
 - denotes lamp standard.
 - denotes top of wall.
 - denotes bottom of wall.
 - denotes catch basin.
 - denotes manhole.
 - denotes tree.
 - denotes drip line radius (feet).
 - denotes C-contourous diameter (inches).



2018 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 Chen Fan
 Mailing Address #1100 - 1200 West 73rd Ave.
 City/Town Vancouver Postal Code ~~V6G 6P5~~ V6P 6G5
 Phone Number(s) (H) _____ (C) 778-829-5717
 Email office @ pwa architecture . com

Property

Name of Owner Daniel Yang & Helena Chen
 Civic Address of Property 4636 Northview Court. 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.

Oct 4, 2018

Date

Chen Fan

Applicant Signature

Office Use Only

Appeal Date Nov 1st 2018 Appeal Number BV# 6340

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



Pacific West Architecture
Inc.

1200 West 73rd Ave
(Airport Square)
Suite 1120
Vancouver B.C. V6P 6G5

www.pwaarchitecture.com

Office: 604 267 7072
Cell: 604 616 7892
Fax: 604 267 7056
Email:
info@pwaarchitecture.com

Planning and Building Department

City of Burnaby

October 2, 2018

Hardship Letter

To whom it may concern,

We apply for the variance for relaxation of Burnaby Zoning Bylaw #4742 in regards to the following sections.

A. Section 104.9. In regards to the front yard setback

“A front yard shall be provided of not less than 7.5 m (24.6 ft.) in depth, except that on a lot where the average front yard depth of the two adjacent lots on each side is more than the required front yard by at least 1.5 m (4.9 ft.), then the front yard shall be not less than that average, subject to section 6.12 (2.1)”

In calculating the average yard depth required to be aligned with the above mentioned section, the following measurements were taken into consideration:

Adjacent House	Depth of Front
4622	44.82'
4628	41.75'
4642	26.78'
4650	39.67'
Average:	38.26'

Proposed front yard setback: 25'-8" > 7.5m (24.6 ft)

B. Section 104.8. (1) Depth of principal building

“(1) The depth of a principal building, other than a two-family dwelling with an attached garage, shall not exceed the lesser of 50 percent of the lot depth or 18.3 m (60 ft.).

Proposed building depth: 38'-0" < 50 percent of the lot (46'-4") depth or 18.3 m (60 ft.).

If we use average front yard setback 38.26', then our building depth will be only 38' - (38'3"-25'8") = 38'-12'7" = 25'-5". Then the building footprint and total



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Email:
info@pwaarchitecture.com

floor area will be dramatically reduced, which does not match the conditions of the neighbourhood context.

With the understanding and respect to the whole context and streetscape, we would like to apply the variance above. Please consider relaxing the front yard setback from average setback 38.26' to 25'8" (7.5m) and building depths from 25'5" to 38' 0".

Best Regards,

Patrick Yang

Architect.AIBC LEED®AP

Principal Architect



BOARD OF VARIANCE REFERRAL LETTER

DATE: October 02, 2018			<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: October 09, 2018 for the November 01, 2018 hearing.			
APPLICANT NAME: Xu Yang			
APPLICANT ADDRESS: Unit 1120 – 1200 West 73 rd Avenue, Vancouver, B.C., V6P 6G5			
TELEPHONE: 604-267-7072			
PROJECT			
DESCRIPTION: New single family dwelling and detached garage			
ADDRESS: 4636 Northview Court			
LEGAL DESCRIPTION:	LOT: 36	DL: 33	PLAN: NWP15118

Building Permit application BLD18-00581 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 and detached garage. In order to allow the Building Permit application to proceed, the applicant requests that the following variance be granted:

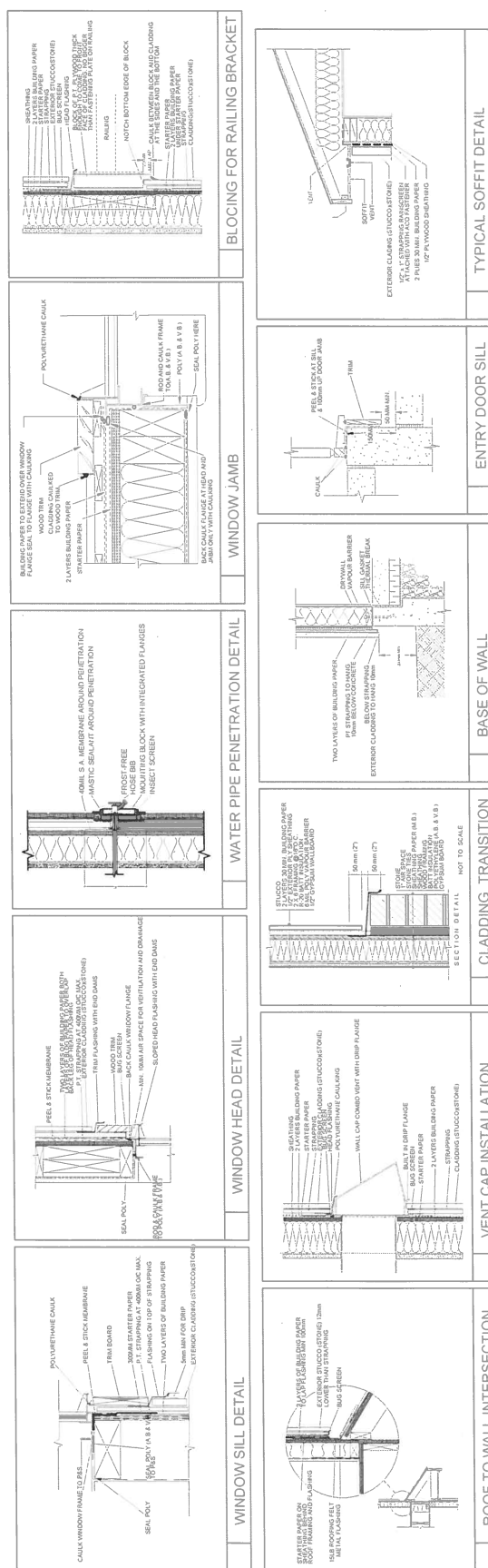
- 1) To vary Section 104.9 – “Front Yard” of the Zoning Bylaw requirement for the minimum front yard depth from 38.26 feet (based on front yard averaging) to 25.67 feet.

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, are 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.

LM

Peter Kushnir
Deputy Chief Building Inspector







2018 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 W. (Bill) STEEMSON
 Mailing Address 205 South Hythe Ave.
 City/Town BURNABY, B.C. Postal Code V5B 3J1
 Phone Number(s) (H) 604-298-9801 (C) 604-250-4248
 Email N/A

Property

Name of Owner WILLIAM (BILL) STEEMSON
 Civic Address of Property 205 South Hythe Ave.
BURNABY, B.C.

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.

9 Oct. 2018
 Date

W. Steemson
 Applicant Signature

Office Use Only

Appeal Date Nov 1st 2018 Appeal Number BV# 6341

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 **1-24-h** available to the Public

205 SOUTH HYTHE AVE.
BURNABY, B.C. V5B 3J1

TO THE BOARD OF VARIANCE :

THIS LETTER IS TO ADVISE THAT MY PARENTS
BOUGHT 205 SOUTH HYTHE AVENUE IN 1978 AND THIS STRUCTURE
HAS BEEN THERE AT LEAST SINCE THEN. I AM JUST UPDATING IT.

IF I WERE TO LOSE THIS SUNDECK AND THE STRUCTURE BELOW
WOULD CAUSE ME CONSIDERABLE FINANCIAL HARDSHIP. THEREFORE,
I REQUEST THAT YOU ALLOW THIS VARIANCE.

THANKING YOU IN ADVANCE FOR YOUR
CONSIDERATION, I AM

YOURS TRULY,

W. Steenson

WILLIAM (BILL) STEENSON



BOARD OF VARIANCE REFERRAL LETTER

DATE: October 4, 2018		<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: October 9, 2018 for the November 1, 2018 hearing.			
APPLICANT NAME: William Steemson			
APPLICANT ADDRESS: 205 Hythe Avenue, Burnaby, BC, V5B 3J1			
TELEPHONE: 604-250-4248			
PROJECT			
DESCRIPTION: Rear addition and a new accessory building to an existing single family dwelling			
ADDRESS: 205 Hythe Avenue			
LEGAL DESCRIPTION:	LOT: B	DL: 127	PLAN: NWP21395

Building Permit application BLD18-00904 will be denied by the Building Department because the design is not in compliance with Burnaby Zoning Bylaw No. 4742:

Zone R2 / Section 102.10

COMMENTS:

The applicant proposes to build a rear addition 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 variance be granted:

- 1) To vary Section 102.10 – “Rear Yard” of the Zoning Bylaw requirement for the minimum rear yard depth from 29.5 feet to 23.6 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 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

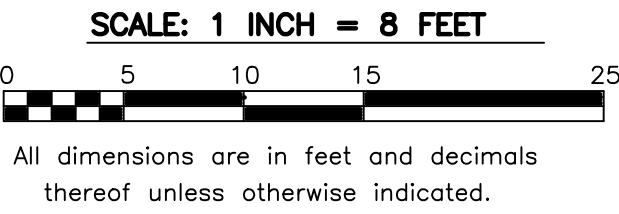
Peter Kushnir
Deputy Chief Building Inspector

PLAN OF SURVEY OF LOT B,
DISTRICT LOT 127, GROUP 1,
NEW WESTMINSTER DISTRICT,
PLAN 21395

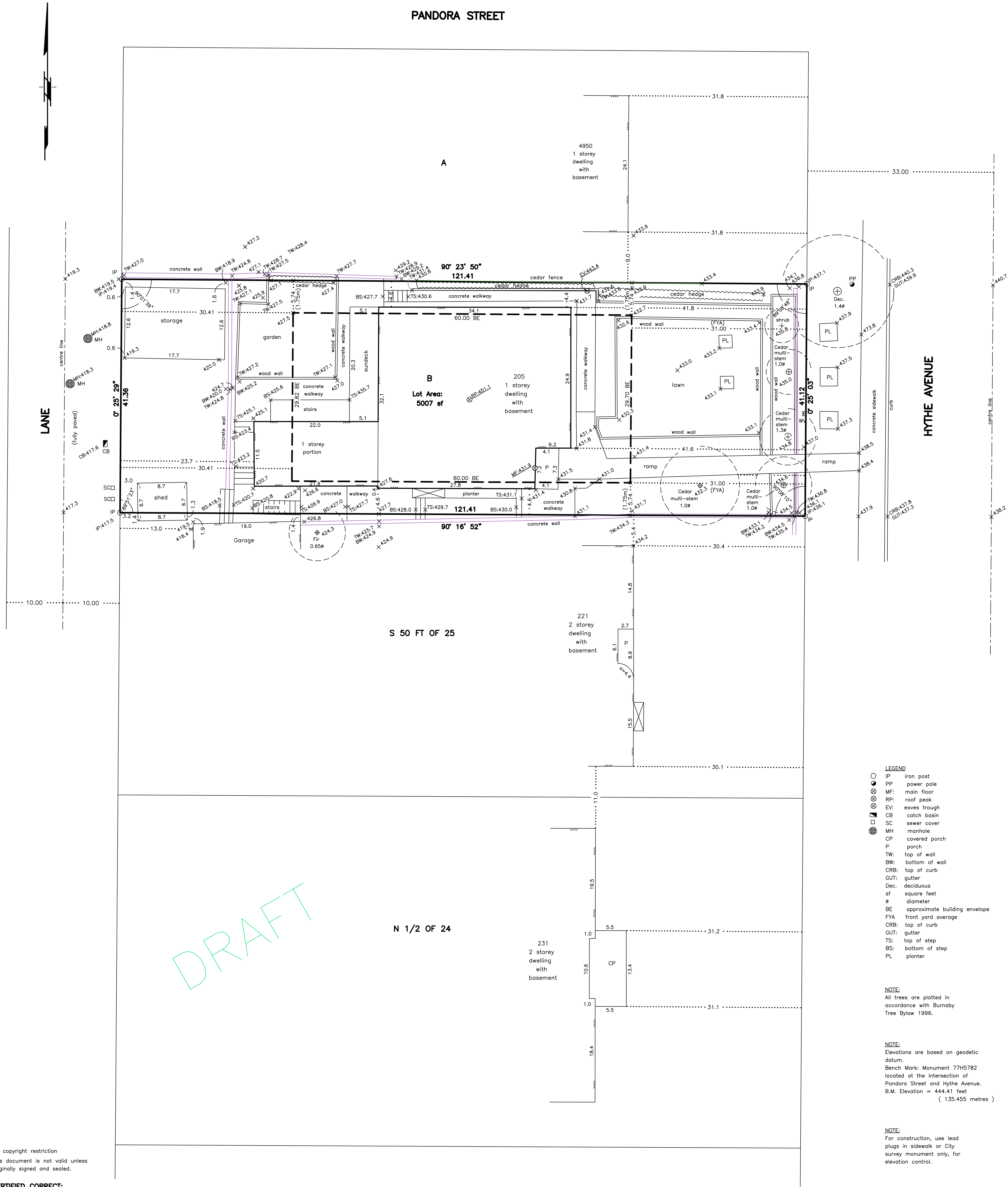
205 Hythe Avenue
Burnaby, B.C.

ZONING: R2

FOR RENOVATION PURPOSES



PANDORA STREET



- LEGEND
- IP: Iron post
 - PP: power pole
 - MF: main floor
 - RP: roof peak
 - EV: eaves trough
 - CB: catch basin
 - SC: sewer cover
 - MH: manhole
 - CP: covered porch
 - P: porch
 - TW: top of wall
 - BW: bottom of wall
 - CRB: top of curb
 - GUT: gutter
 - Dec: deciduous
 - sf: square feet
 - ø: diameter
 - BE: approximate building envelope
 - FYA: front yard average
 - CRB: top of curb
 - GUT: gutter
 - TS: top of step
 - BS: bottom of step
 - PL: planter

NOTE:
All trees are plotted in accordance with Burnaby Tree Bylaw 1996.

NOTE:
Elevations are based on geodetic datum.
Bench Mark: Monument 77H5782 located at the intersection of Pandora Street and Hythe Avenue.
B.M. Elevation = 444.41 feet (135.455 metres)

NOTE:
For construction, use lead plugs in sidewalk or City survey monument only, for elevation control.

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This document is not valid unless originally signed and sealed.

CERTIFIED CORRECT:
Lot dimensions are correct according to ground survey.

B.C.L.S.
October 22, 2018

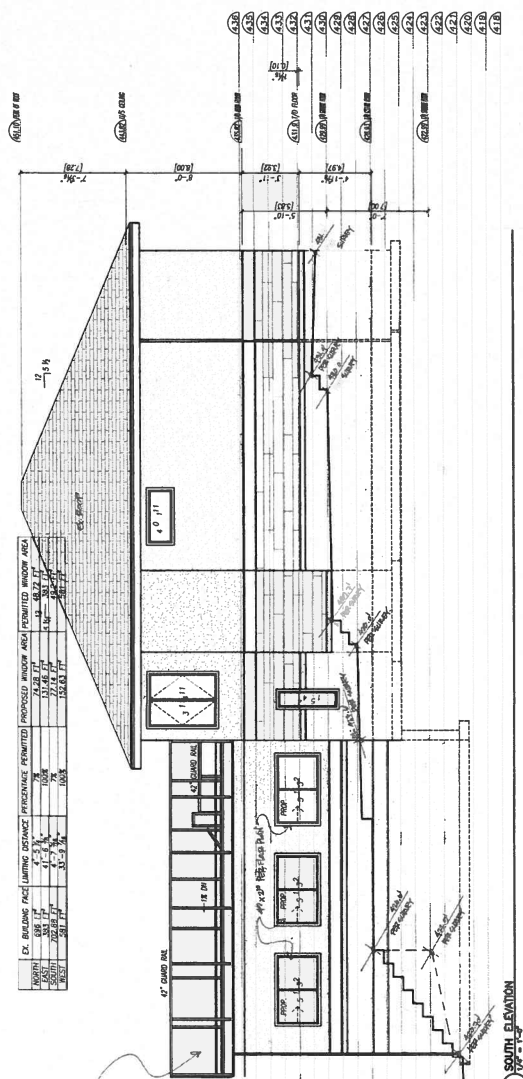
NOTE:
The building envelope shown is only our interpretation of the City of Burnaby building bylaws. The size and location of the building envelope must be confirmed by the City Planning Department prior to any design work. Failure to do so places sole responsibility for the design onto the house designer.

LOT B FRONT YARD SETBACK CALCULATIONS				
HOUSE	LOT	FRONT YARD	AVERAGE	
4950	A	31.8	31.0	
221	S 50' 25	30.1		
231	N 1/2 24	31.1	MINIMUM	
			24.61 (7.5m)	
	TOTAL:	93.0		

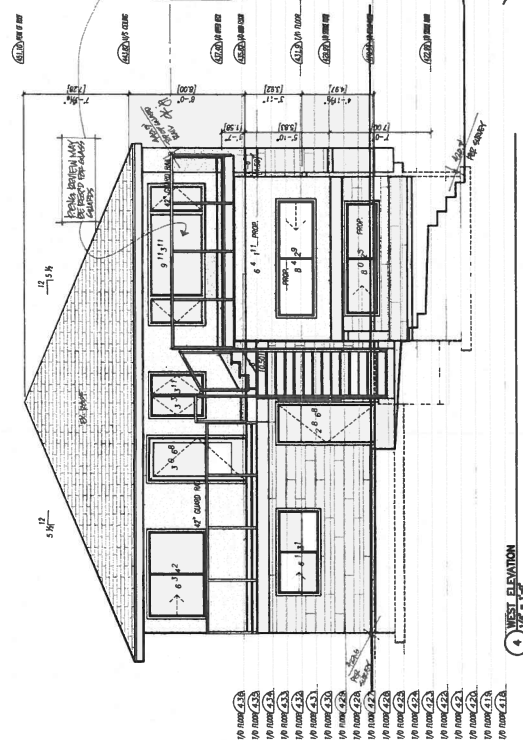
Ken K. Wong and Associates
B.C. Land Surveyor
5624 E. Hastings Street
Burnaby, B.C. V5B 1R4
Telephone: (604) 294-8881
Fax: (604) 294-0625
E-mail: wong_associates@shawbiz.ca
180628 FB948 P4-5
R-4531 R-6898A R-6532B R-7082
Drawn by: TB SZ-5858 TF-5161A

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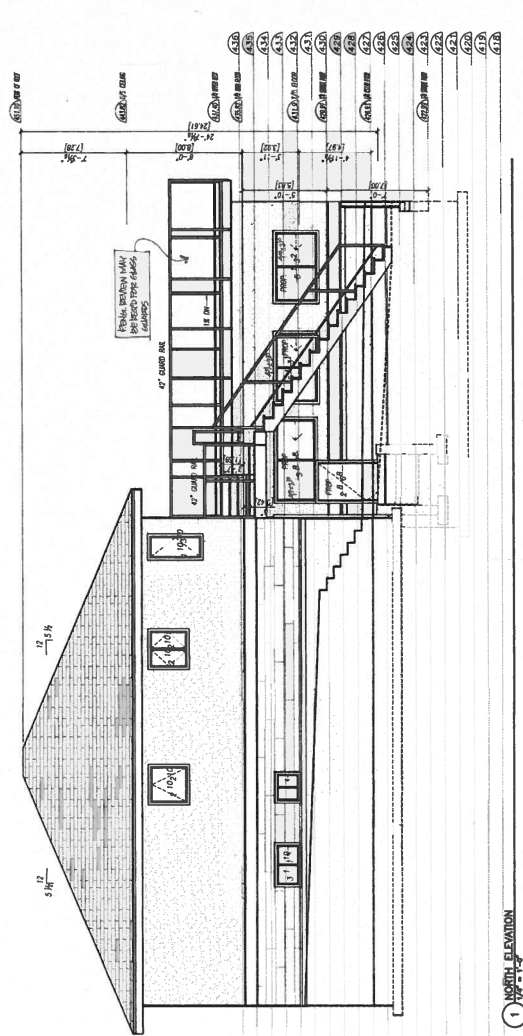
THIS DRAWING WAS PREPARED BY DUCT DRAFTING INC.
AND IS SUBJECT TO ALL OF THE INFORMATION AVAILABLE TO IT
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OF THIS DRAWING, OR ANY RELIANCE ON OR DECISIONS TO BE MADE
BASED ON IT, ARE THE RESPONSIBILITY OF SUCH THIRD PARTIES. EXACT
DUCT DRAFTING INC. ACCEPTS NO LIABILITY FOR ANY LOSSES, IF ANY,
SUFFERED BY ANY PARTY AS A RESULT OF DECISIONS MADE OR
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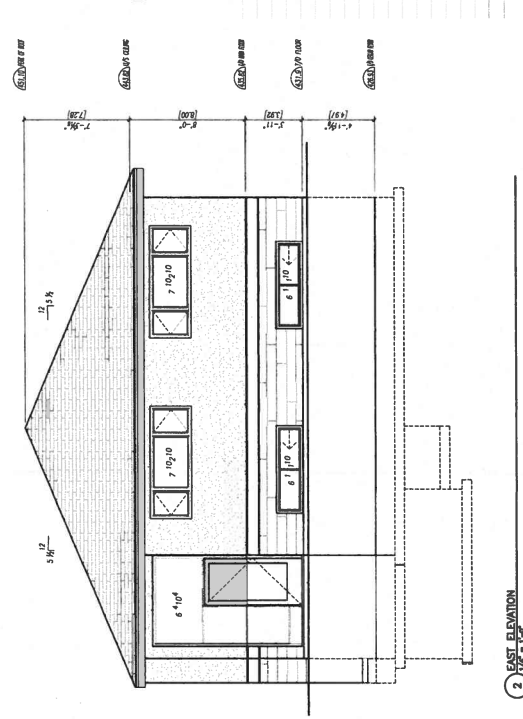
SOUTH ELEVATION
 $\frac{1/4" = 1'-0"$



4 WEST ELEVATION

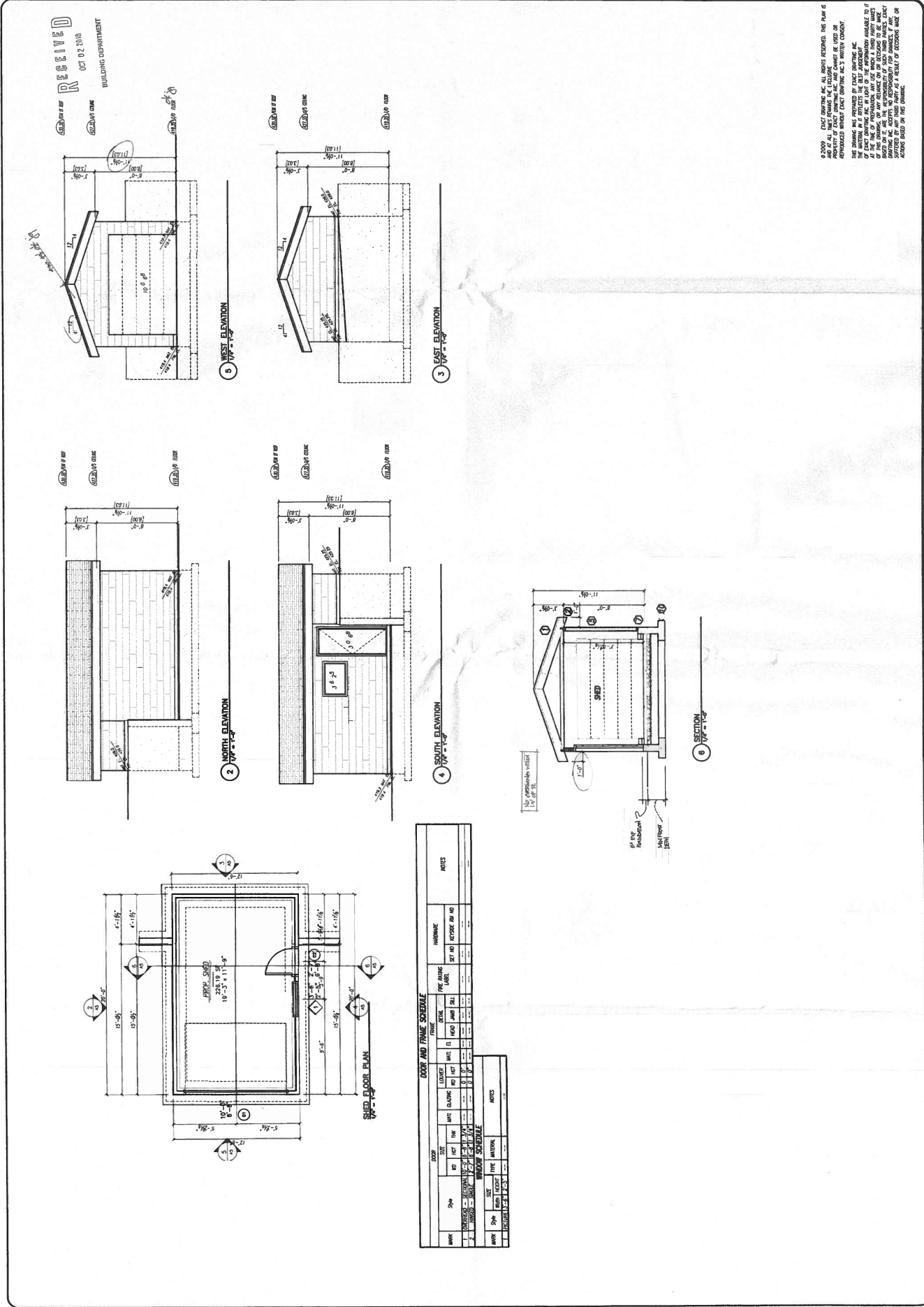


1 NORTH ELEVATION
 $\frac{1}{4}'' = 1'-0''$



2 EAST ELEVATION

RECEIVED
OCT 25 2018



DOOR AND FRAME SCHEDULE									
MARK	TYPE	SIZE	FINISH	GLASS	HOLDING	SET	REWORK	NO	NOTES
1	DOOR	6' x 8'	WOOD	GLASS	GLASS	GLASS	GLASS	GLASS	
2	DOOR	6' x 8'	WOOD	GLASS	GLASS	GLASS	GLASS	GLASS	
3	DOOR	6' x 8'	WOOD	GLASS	GLASS	GLASS	GLASS	GLASS	
4	DOOR	6' x 8'	WOOD	GLASS	GLASS	GLASS	GLASS	GLASS	
5	DOOR	6' x 8'	WOOD	GLASS	GLASS	GLASS	GLASS	GLASS	
6	DOOR	6' x 8'	WOOD	GLASS	GLASS	GLASS	GLASS	GLASS	
7	DOOR	6' x 8'	WOOD	GLASS	GLASS	GLASS	GLASS	GLASS	
8	DOOR	6' x 8'	WOOD	GLASS	GLASS	GLASS	GLASS	GLASS	
9	DOOR	6' x 8'	WOOD	GLASS	GLASS	GLASS	GLASS	GLASS	
10	DOOR	6' x 8'	WOOD	GLASS	GLASS	GLASS	GLASS	GLASS	





Board of Variance Appeal Application Form

OFFICE OF THE CITY CLERK

Burnaby City Hall, 4949 Canada Way, Burnaby BC, V5G 1M2, Phone: 604-294-7290 Email: clerks@burnaby.ca

Applicant

Name of Applicant DAVID WONG - WING DESIGN LTD.
 Mailing Address 151-5489 BYRNE ROAD
 City/Town BURNABY Postal Code V5J 3J1
 Phone Number(s) (H) _____ (C) 604 671-0112
 Email dave@wingdesign.ca
 Preferred method of contact: ☒ email ☐ phone ☐ mail

Property

Name of Owner GORDON & CYNTHIA WONG
 Civic Address of Property 6328 CAULDWYN PLACE
BURNABY, B.C.

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

OCT 1, 2018
 Date

[Signature]
 Applicant Signature

Office Use Only

Appeal Date Nov 1st 2018 Appeal Number BV# 6342

Required Documents:

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

Sept. 25, 2018

Gordon & Cynthia Wong
6328 Caulwynd Place
Burnaby, BC
V5E 4C7

To: The City of Burnaby
The Board of Variance

Re: 6328 Caulwynd Place

Dear Representatives of the Board of Variance:

Our family has lived on Caulwynd Place for 13 years and our 3 children attended Clinton Elementary School and Burnaby South High School. I was born and raised in South Burnaby and attended Glenwood Elementary, MacPherson Park Junior Secondary and Burnaby South High School.

We love the area we live in and have developed wonderful relationships with our neighbours and people in the other cul-de-sacs. We host and are invited to social gatherings throughout the year. We have established a phone and email tree in our community; we look out for each other in our neighbourhood. We do not plan to move from this great community as our family and friends are very important to us.

Our children are now young adults and have their own vehicles. Living in a cul-de-sac provides limited parking which is now an issue. Street parking will be a long term problem for us as our children are not financially able to move out for many years, with the current housing market in the lower mainland. We only have one parking spot in front of our house since we are located at the end of a cul-de-sac. Our immediate neighbours also have limited street parking due to the proximity to the end of the cul-de-sac.

Therefore, we are requesting an extension to our garage to solve our parking issue. This request, however, would not meet the current R2 zoning requirements for:

1. Front yard depth of 24.5'. Our proposed is 14.2'
2. Overall house length of 57.81'. Our proposed is 72.8'

We do not meet the requirements above because our lot is odd shaped and in an odd position to the end of the cul-de-sac. Our frontage is perpendicular to the end of the circle.

By extending our garage, we would be able to park extra vehicles on our own property and the vehicles would be out of view once the door is closed. This would be

esthetically pleasing to our neighbours, provide protection for our vehicles and ourselves, and free up street parking for their family and friends in front of their homes.

We have invested much time and many dollars exploring the best approach to solve this parking issue. We feel our proposed extension looks natural with our odd shaped lot.

We hope you can understand our situation and we request that the Board of Variance, give us permission for the 2 requirements above, to be relaxed so that we are able to move ahead with the proposed development.

Sincerely,



Gordon Wong



Cynthia Wong



BOARD OF VARIANCE REFERRAL LETTER

DATE: September 12, 2018			<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: October 9, 2018 for the November 1, 2018 hearing.			
APPLICANT NAME: Hannah Cheng (WHG Design)			
APPLICANT ADDRESS: 157-5489 Byrne Rd. Burnaby, B.C. V5J 3J1			
TELEPHONE: 604-671-0112			
PROJECT			
DESCRIPTION: Addition to cellar floor only to an existing single family dwelling			
ADDRESS: 6328 Caulwynd Place			
LEGAL DESCRIPTION:	LOT: B	DL: 160	PLAN: LMP8902

Building Permit application BLD18-00142 will be denied by the Building Department because the design is not in compliance with Burnaby Zoning Bylaw No. 4742:

Zone R2 / Sections 102.7(a) and 102.8(1)

COMMENTS:

The applicant proposes to build an addition to cellar floor only 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 102.7(a) – “Depth of Principal Building” of the Zoning bylaw requirement for the maximum building depth from 57.91 feet to 72.80 feet.
- 2) To vary Section 102.8(1) – “Front Yard” of the Zoning Bylaw requirement for the minimum front yard depth from 24.60 feet to 14.21 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 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

RE
BUILT

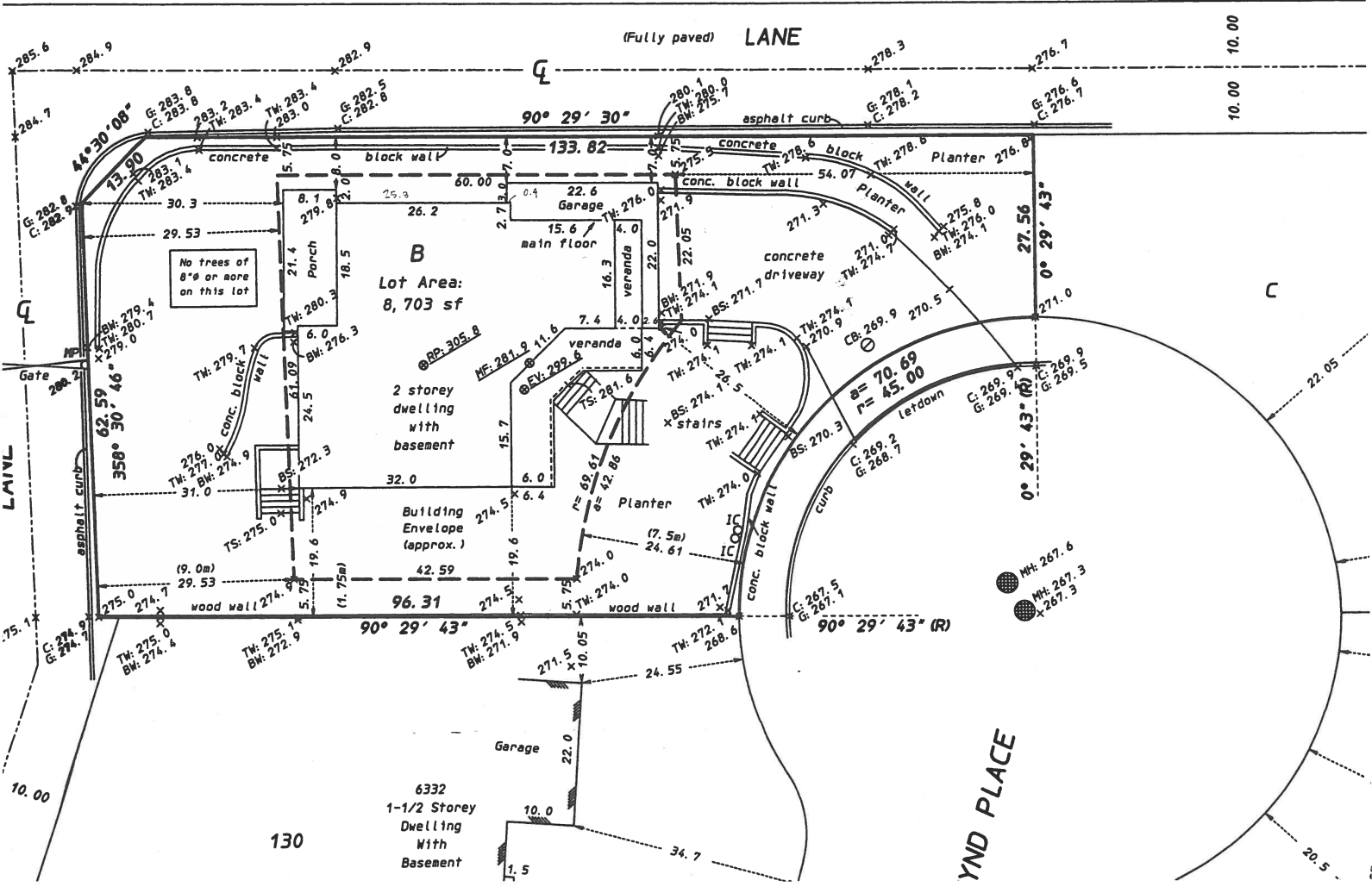
1d Place

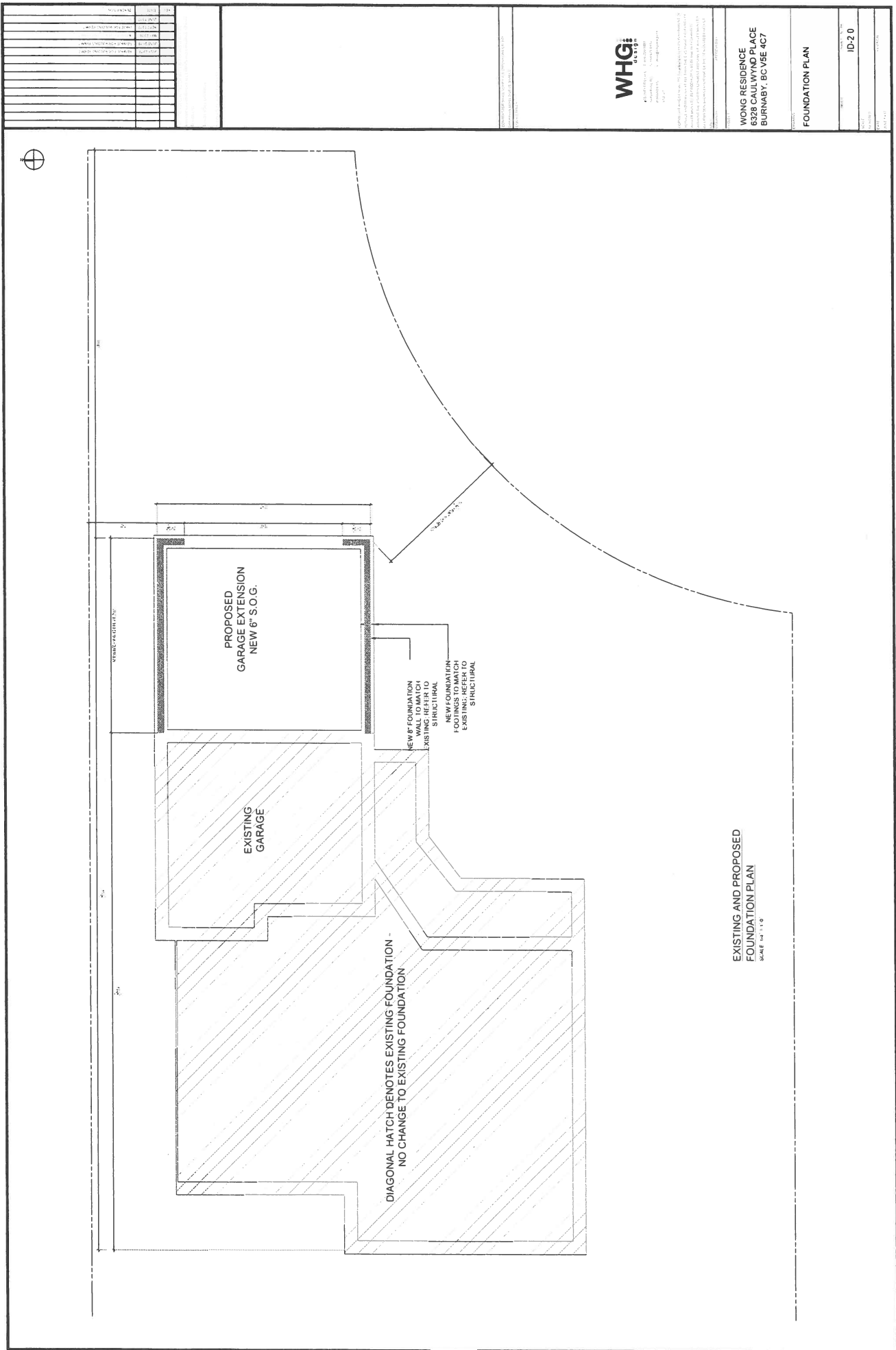
OVATION PURPOSES

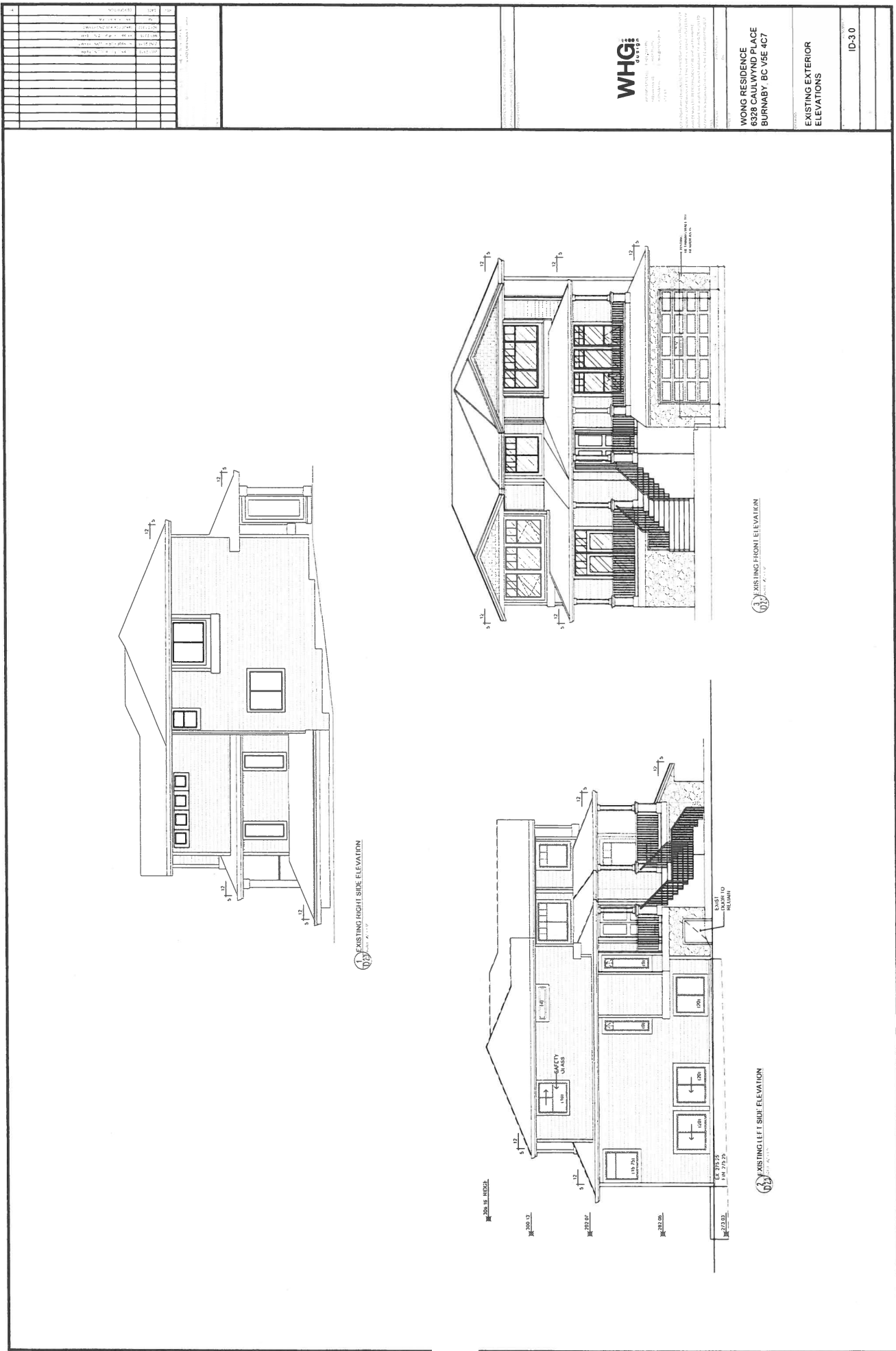
R2

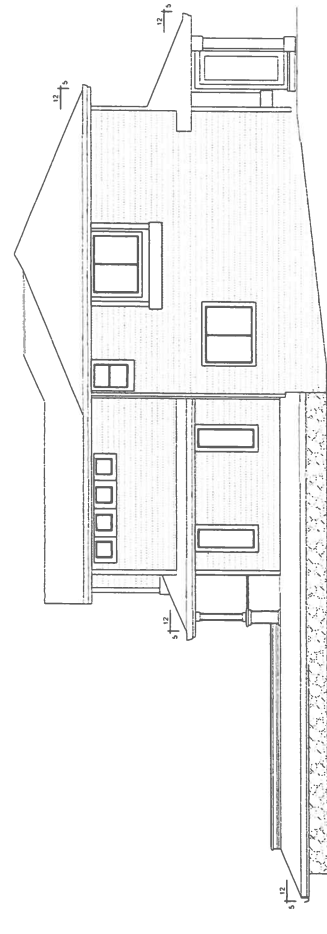
FRONT YARD SETBACK CALCULATIONS			
HOUSE	LOT	FRONT YARD	AVERAGE
6332	130	24.55	22.83
6338	129	24.2	
6331	C	22.05	MINIMUM
6337	131	20.5	24.61
	TOTAL:	91.30	(7.5m)

54.4

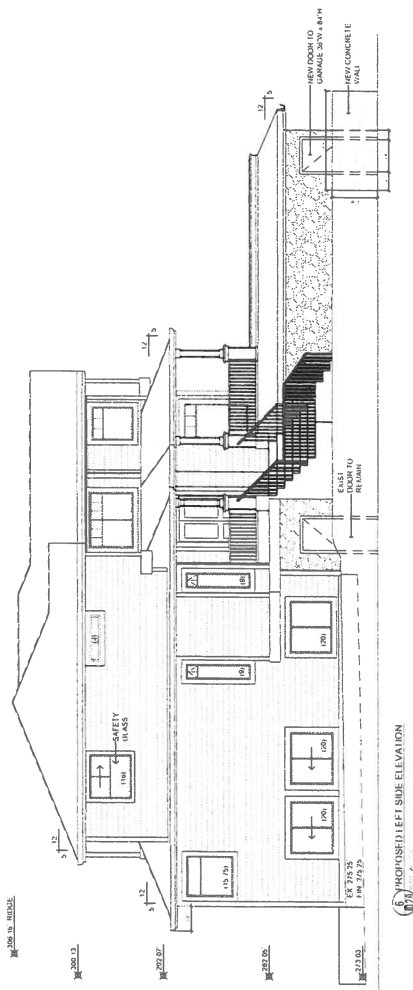




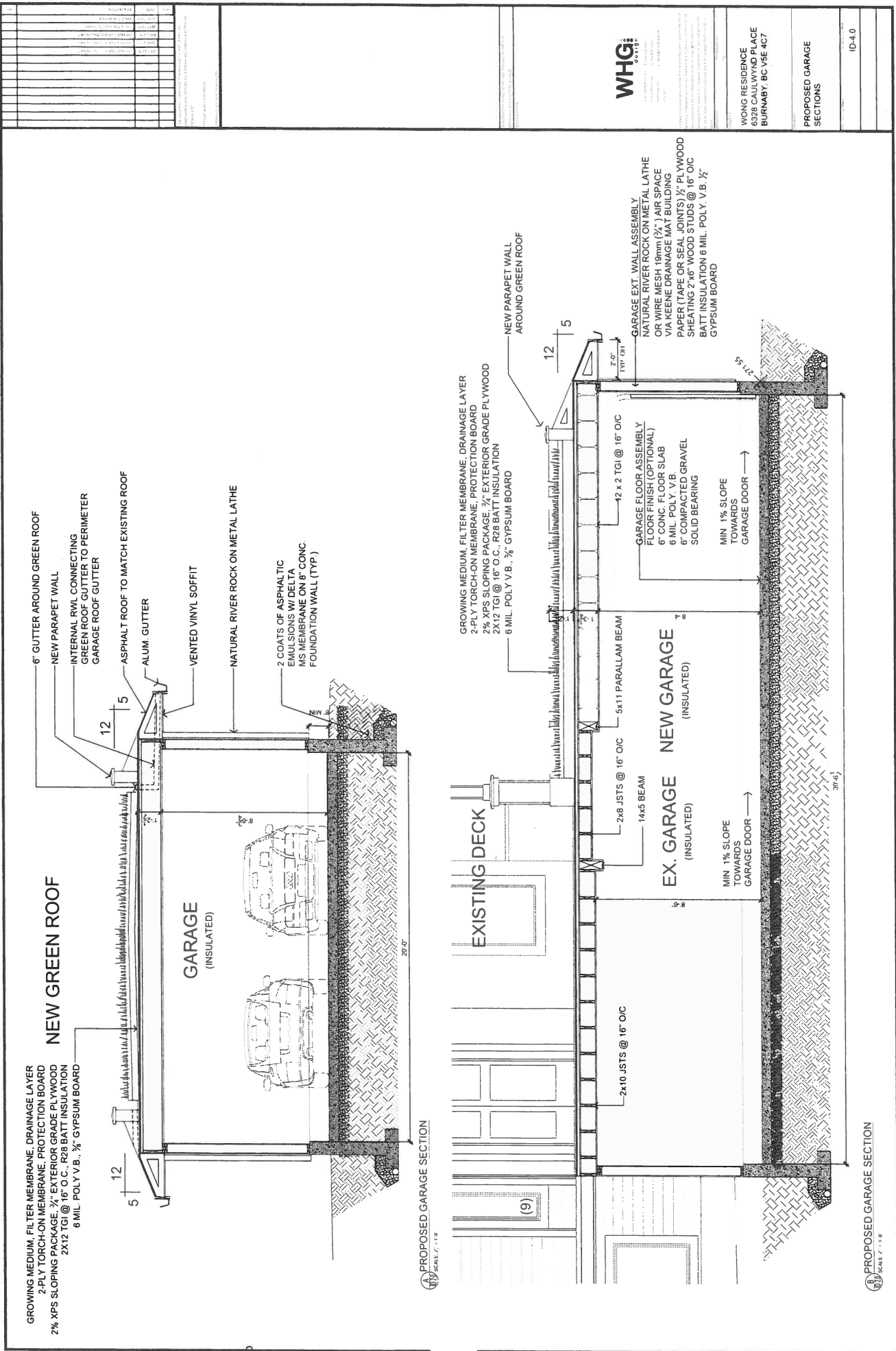


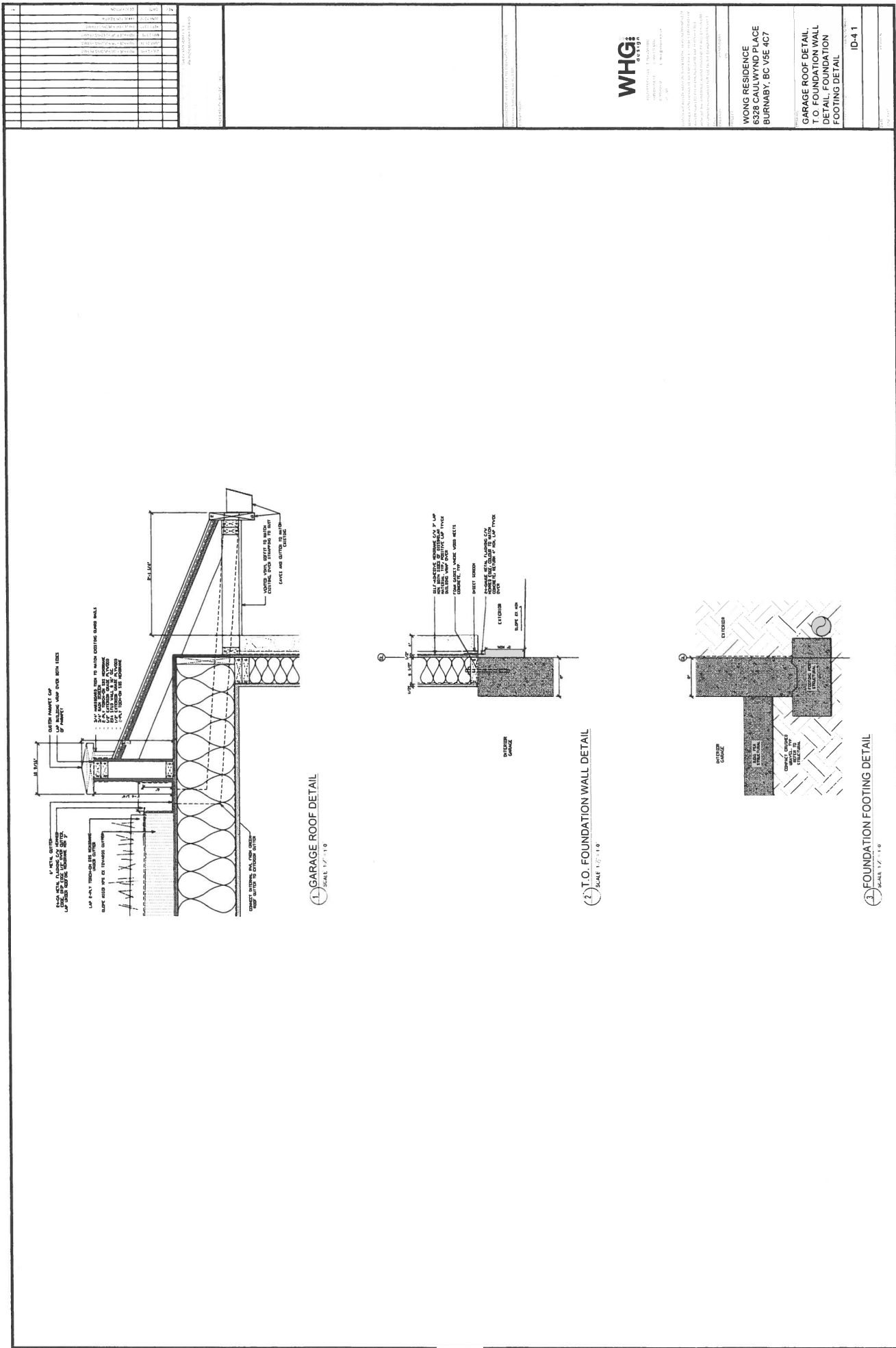


4 PROPOSED RIGHT SIDE ELEVATION



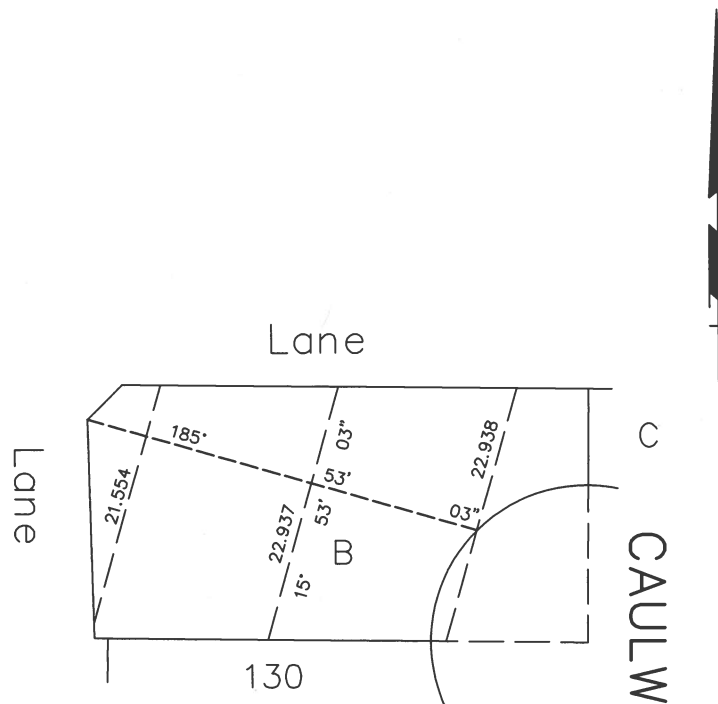
6 PROPOSED LEFT SIDE ELEVATION





6328 CAULWYND PLACE

Scale 1 : 500



Depth of Lot B = 35.30m (115.81')
 Average width of Lot B = 22.48m
 Area of Lot B = 808.6m²

MAX BLOCK DEPTH ALLOWED 57.91'

Date : August 31/18
 Drawn by : R.P.

File: 180912 Acadfile: U:\jobindex\2018Work\Eng\180912\6328 Caulwynd Place.Dwg

3-(d)



2018 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 GRACE YUEN
 Mailing Address #602-4603 HAZEL ST. BURNABY
 City/Town BURNABY Postal Code V5H 4N1
 Phone Number(s) (H) 604 649 8698 (C) 604 649 8698
 Email gracyuen@hotmail.com

Property

Name of Owner GRACE YUEN
 Civic Address of Property 290 HOWARD AVE N.
BURNABY BC. V5B 1J7

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

Oct 5, 2018
 Date

[Signature]
 Applicant Signature

Office Use Only

Appeal Date _____ 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

October 5th, 2018

Burnaby City Hall
4949 Canada Way
Burnaby, B.C.
V5G 1M2

Attn: Board of Variance

Dear Members,

Re: 290 Howard Road North, Burnaby V5B 1J7

Please accept this as my application for a variance with respect to the necessary roof replacement for my home at the above address.

Attached for your information are the following materials:

- Site Plan from 1986 showing the house location and BOV approval for the garage/sundeck addition carried out back then
- Current site plan from 2017
- Architectural Drawings by Kallweit Graham Architecture showing the existing roof and the proposed new roof
- Photos of the existing roof

I purchased this property in 2016 and am in the process of renovating the house. I have an active Building Permit from the City of Burnaby dated March 2017.

It was not anticipated that the roof would be upgraded or replaced as part of this ongoing project. However, during the course of construction it has become apparent that it **must** be replaced. Its original construction was inadequate even by the standards of the day (1959). It consists of a waterproof membrane on 2x6 interlocking cedar boards spanning approximately 10' from the ridge beam to the exterior walls. There are no rafters and no insulation. My Structural Engineer informs me that the existing roof is completely inadequate structurally. My Builder informs me that the cedar boards are rotting in any case.

I am also very concerned about the safety of my family in the event of one of the many large trees surrounding my house falling and crushing us. The 1.5" of cedar would offer zero protection. (My Easterly neighbour speaks of the adjacent lane being covered by tree trunks after a bad wind storm.)

The Variance I'm requesting for the necessary replacement roof for my house has similar overhangs to the existing roof. It has a similar eave line and is only moderately steeper. The main difference between the proposed roof and the existing roof is that the proposed roof

has structural rafters, it will be insulated and built in conformance to current codes. My house is sited on a very narrow triangular lot, and parts of the existing roof are within current allowable setback ("non-conforming"). The Building Dept. maintains that the change in the form of the roof due to the depth of the rafters and the slightly increased slope is **"worsening the non-conformity"** and therefore needs BOV approval to be permitted. I am asking for your approval so that I and my children can be safe in moving into my house and sleeping under its roof.

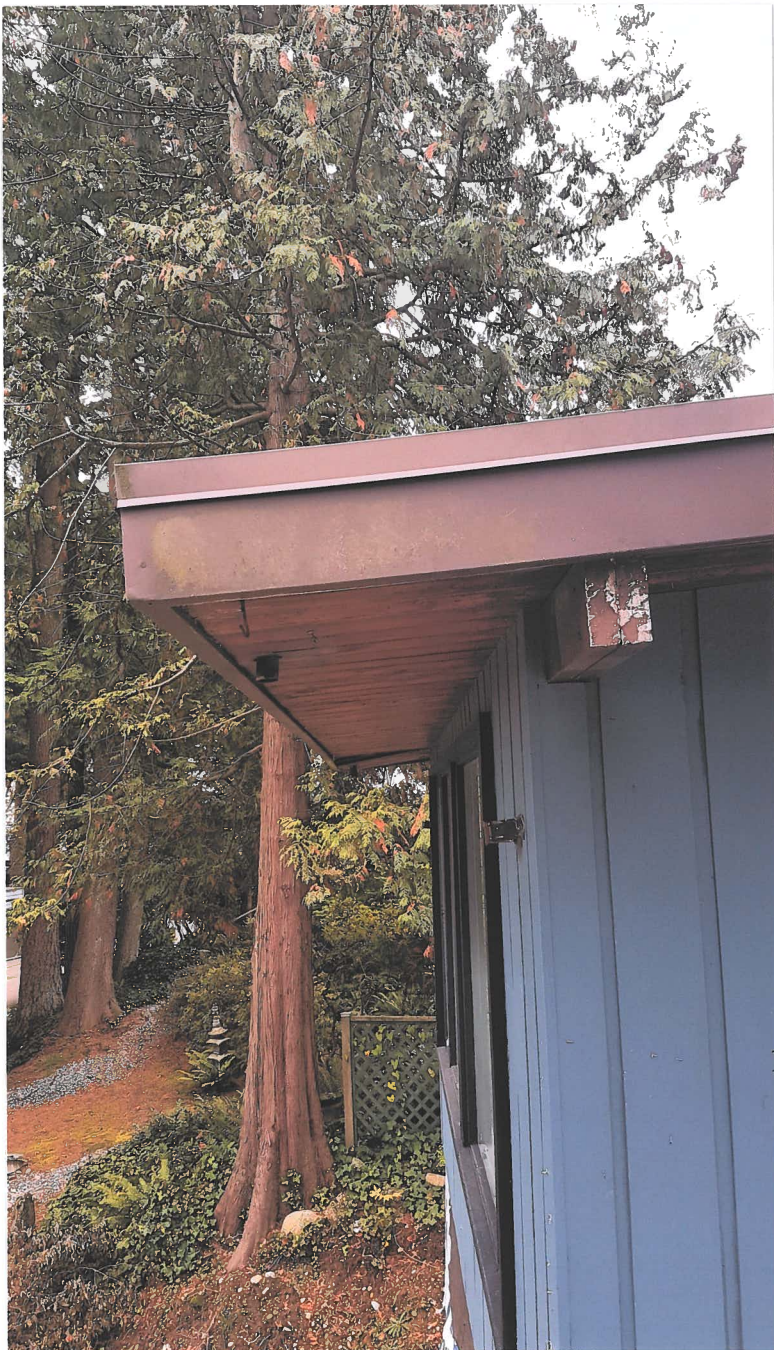
Thank you for your time considering this application.

Sincerely,

A handwritten signature in blue ink, consisting of a large, stylized 'G' followed by a horizontal line and a small flourish.

Grace Yuen





3.(e)





BOARD OF VARIANCE REFERRAL LETTER

DATE: October 3, 2018		<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: October 09, 2018 for the November 01, 2018 hearing.			
APPLICANT NAME: Grace Yuen			
APPLICANT ADDRESS: 290 Howard Ave N			
TELEPHONE: 604-649-8698			
PROJECT			
DESCRIPTION: Exterior alteration and new secondary suite to basement only to existing single family dwelling			
ADDRESS: 290 Howard Ave N			
LEGAL DESCRIPTION:	LOT: 37146	DL: 189	PLAN: 4953

Building Permit application BLD16-01581 will be denied by the Building Department because the design is not in compliance with Burnaby Zoning Bylaw No. 4742:

Zone R2 / Sections 102.8 (1) 102.10

COMMENTS:

The applicant proposes to replace existing roof with a new sloped roof on 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 102.8 (1) – “Front Yard” of the Zoning Bylaw requirement for the minimum front yard depth from 24.6 feet (based on minimum front yard depth) to 18.25 feet.
- 2) To vary Section 102.10 – “Rear Yard” of the Zoning Bylaw requirement for the minimum rear yard depth from 29.5 feet to 15.83 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.

AB

Peter Kushnir
Deputy Chief Building Inspector

PLAN SHOWING LOCATION OF DWELLING AS ERECTED ON LOT 2,
BLOCK 44 OF L¹ 189 PLAN 4953

Scale: 1 inch - 20 feet.

SITE PLAN

R-2

290 N. HOWARD AVE.

DISTRICT LOT 189 G.P.1

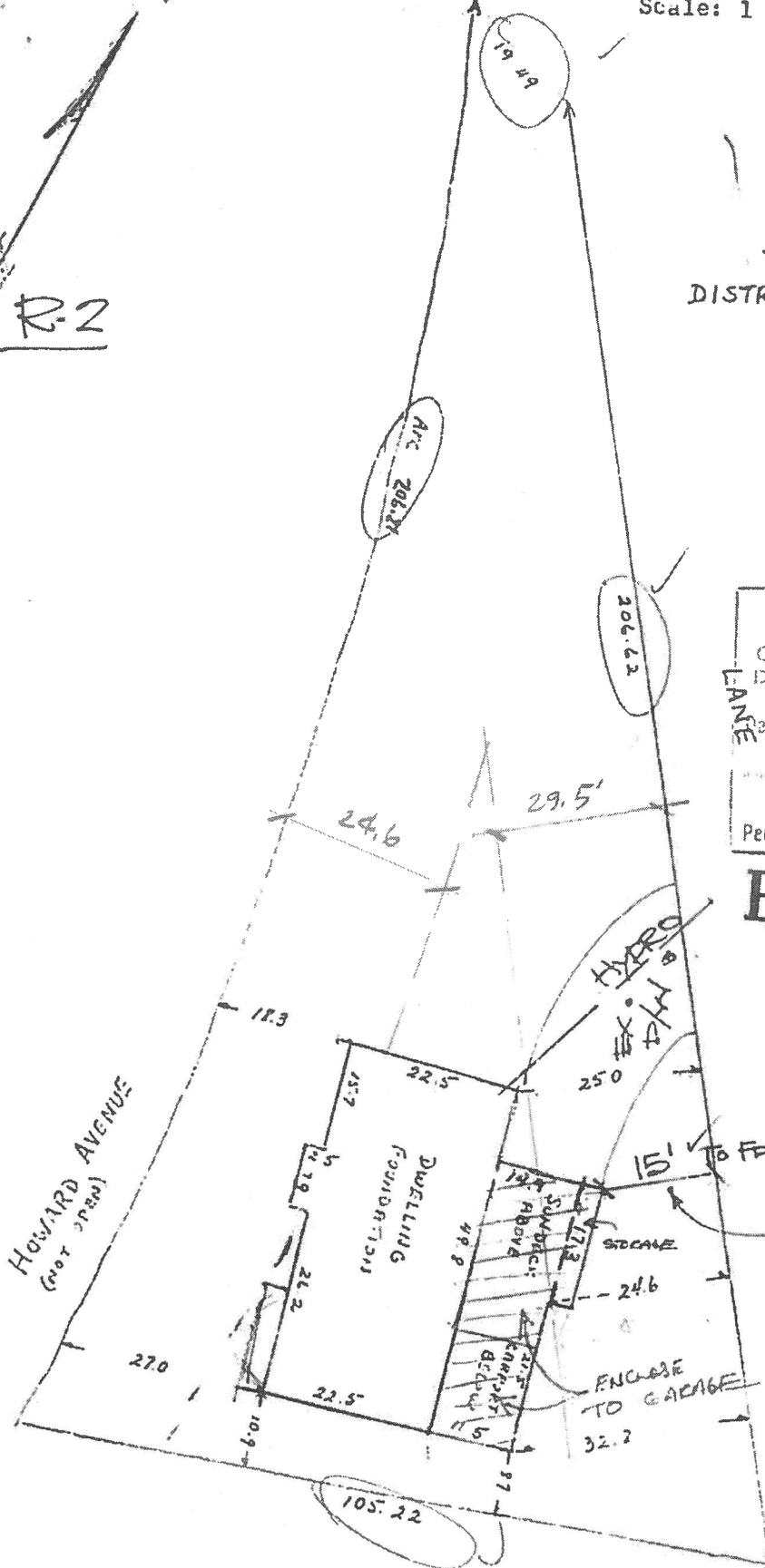
SCALE: 1" = 20'

R-2

LANE	APPROVED
	CORPORATION OF THE DISTRICT OF BURNABY
	Date DEC 12 1986
	BUILDING INSPECTOR
	Per. <i>S. V.</i>

B61779

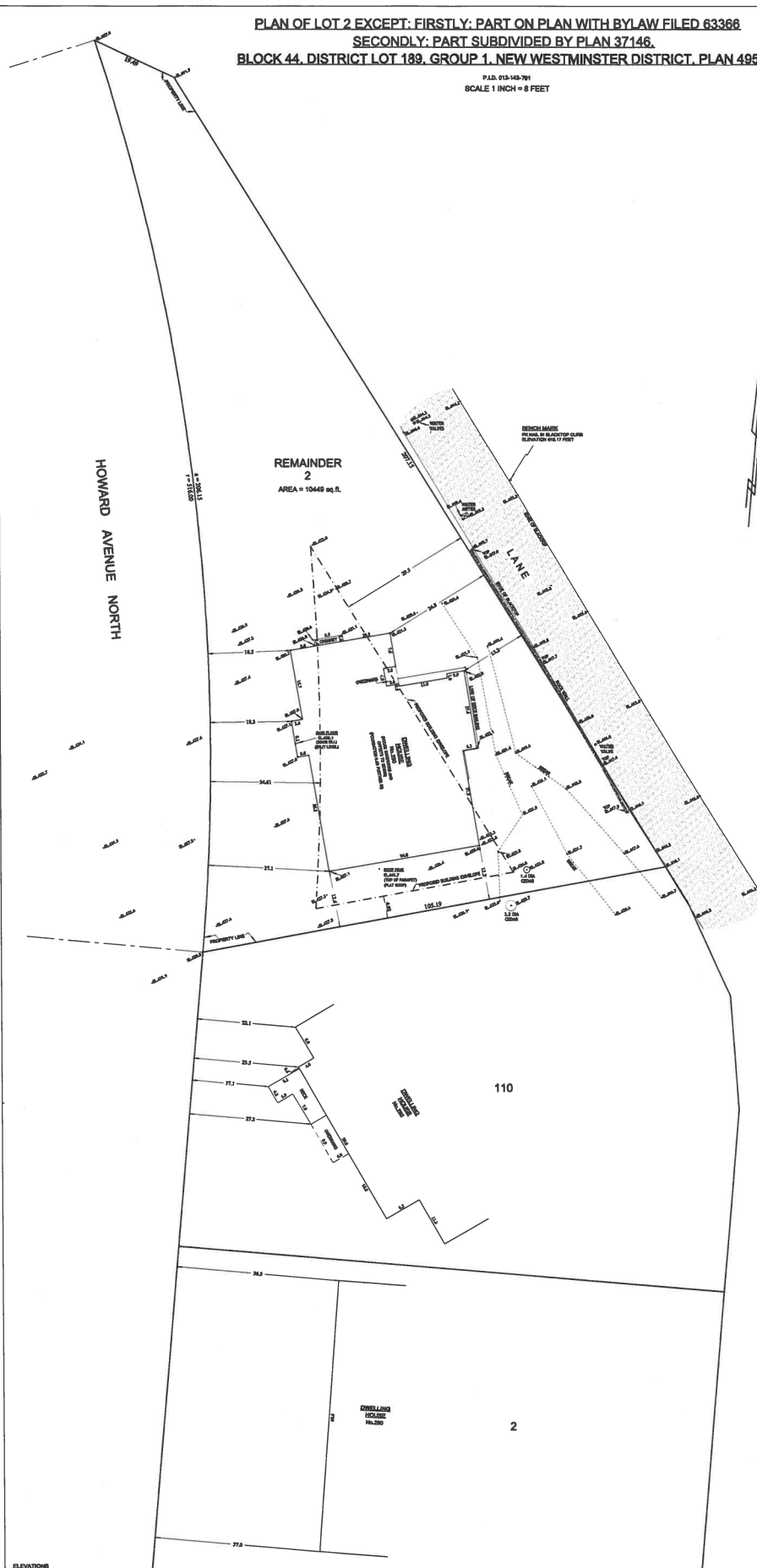
HOWARD AVENUE
(not shown)



B.O.F.V.
APPROVAL #3176

PLAN OF LOT 2 EXCEPT: FIRSTLY: PART ON PLAN WITH BYLAW FILED 63366
SECONDLY: PART SUBDIVIDED BY PLAN 37146.
BLOCK 44, DISTRICT LOT 189, GROUP 1, NEW WESTMINSTER DISTRICT, PLAN 4953

P.L.D. 013-143-791
SCALE 1 INCH = 8 FEET



ELEVATIONS

ELEVATIONS ARE TO GEODETIC DATUM (GDA 83) AS SHOWN

BENCH MARK USED: CONTROL MONUMENT FTM ONE LOCATED AT THE INTERSECTION OF QUINCY AVENUE NORTH AND CAMDEN STREET ELEVATION 84.100

BENCH MARK SET: FTM ONE IN BLACKTOP CURB LOCATED 83 FEET NORTH AND 42 FEET WEST OF THE SOUTH EAST CORNER OF REMAINDER LOT 2 ELEVATION 84.100

CONVEYED CONNECT THIS DAY OF FEBRUARY, 2019

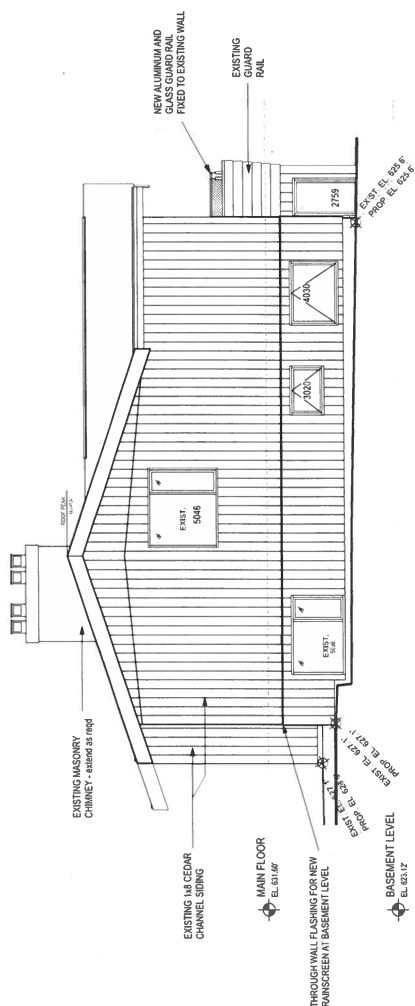
FOR SCALE

THIS DOCUMENT IS NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN CONSENT OF THE SURVEYOR. ANY REPRODUCTION OR TRANSMISSION OF THIS DOCUMENT WITHOUT THE WRITTEN CONSENT OF THE SURVEYOR IS STRICTLY PROHIBITED.

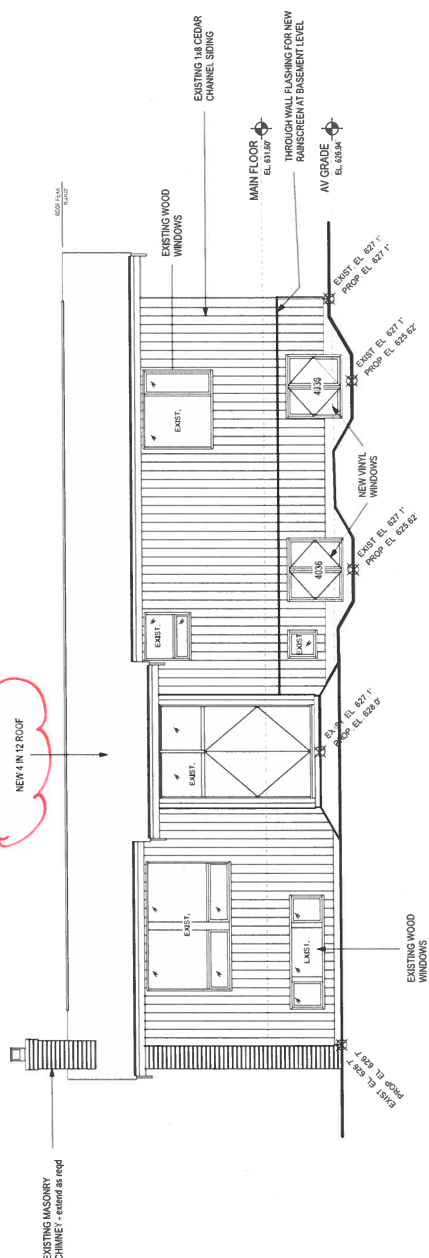
HOBBS, WINTER & McDONALD,
S.C. LAND SURVEYORS,
114-428 HARRISONVILLE DRIVE,
NORTH WINDSOR, N.S., B3B 1Y7, CAN.
TEL: 454-444-1071 FAX: 454-444-8334
EMAIL: cwh@hobbswintermcdonald.com

200 HOWARD AVENUE NORTH,
P.L.D. 013-143-791, NEW WESTMINSTER DISTRICT

[illegible]

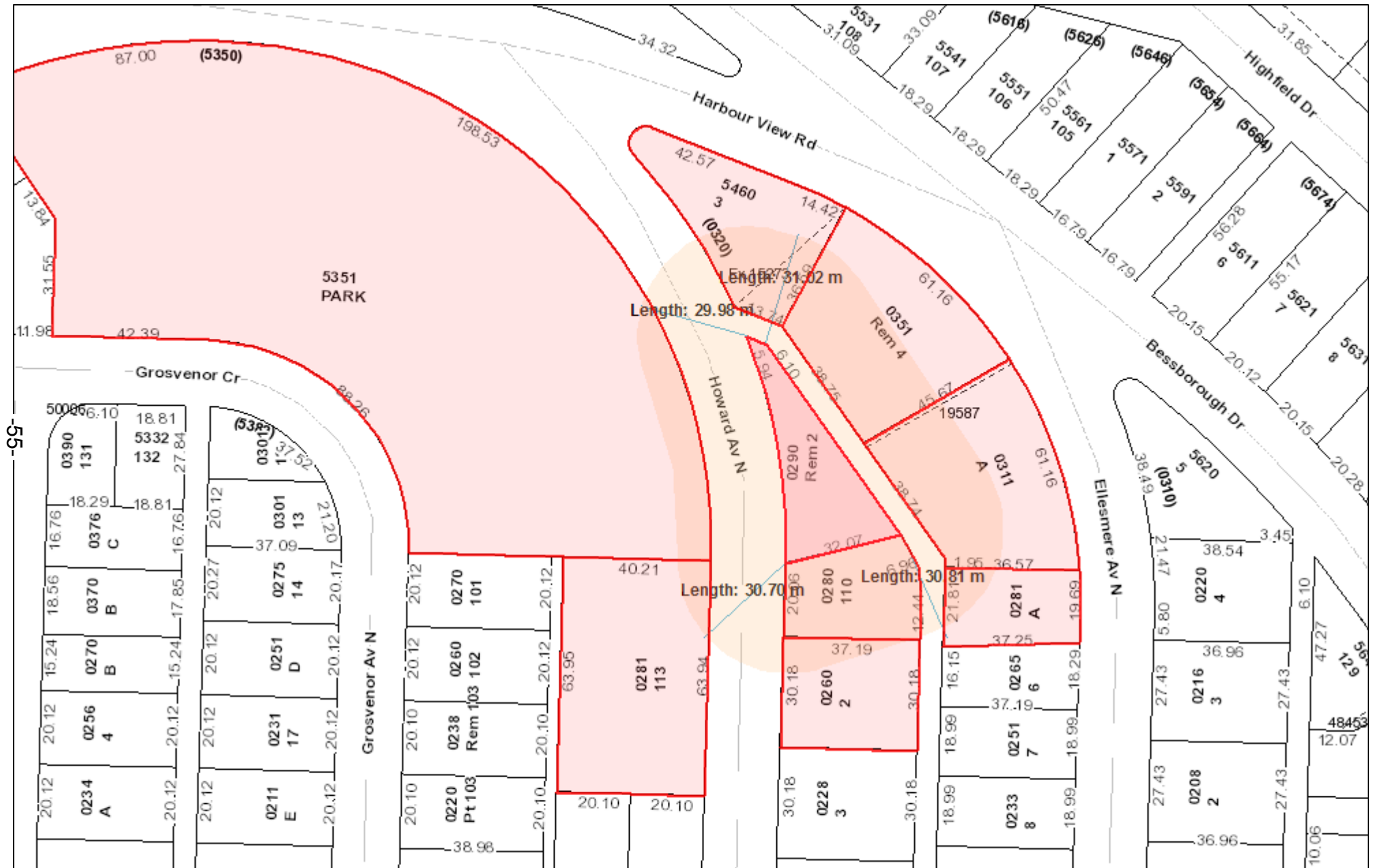


SOUTH ELEVATION



WEST ELEVATION

BOV REFERRAL #





2018 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 FILIPPO MARRAZZO
 Mailing Address 7881 MEADOWOOD DRIVE
 City/Town Burnaby Postal Code V5A-4C3
 Phone Number(s) (H) 604.420.6906 (C) 778.839.5741
 Email MARRAZZO 77 @ TELUS.NET

Property

Name of Owner DIAGIO PEPE & CARMINE TRACIOS
 Civic Address of Property 2111 JONAS DRIVE
BBY.

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

OCT. 05 / 18

Applicant Signature

[Signature]

Office Use Only

Appeal Date NOV 1st 2018 Appeal Number BV# 6344

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 available to the Public

Eric van der Eerden
Howe Sound Home Designs
 3014 Edgemont Boulevard
 North Vancouver, B.C.
 V7R 2N4
 (604) 657-6463

The City of Burnaby
 Board of Variance

October 4, 2018

Dear Members

RE: Board of Variance for 2111 Jordan Drive

It was our intension to adhere to the Zoning Bylaw with the best of our abilities. However, due to a series of misunderstandings and realizations, we have come to an impasse. It is because of the interpretations of the regulations that we are here seeking the advice and approval from the Board of Variance.

This project was initially started after having a brief discussion with Plan Checkers at the counter in City Hall. It appeared that by complying with the current conditions of a Corner Flanking Lot that our project would move forward with success. Consideration was also giving to the proposed detached garage and with the proposed rear yard addition; efforts were made to stay within the current zoning regulations for building setback.

The proposal was to surrender the existing driveway crossing for a new driveway and crossing located in the cul-de-sac flanking off of Delwood Court. This driveway would serve the proposed new garage and provide parking for an in-law suite to be located in the basement. Expansion of the existing structure would become critical to the design for the development of a new In-law suite and a Master Bedroom, En Suite and W.I.C. addition for the principle dwelling.

It was considered during all this time of development that the existing structure would be Grand-Fathered in its location as an existing non-conforming structure. The Designer and Builder, whom had collaborated on the development of this proposal, were not aware that the earlier work was not a matter of Building Permit record. While it could be said that there are signs that the dwelling had been altered at some earlier stage, it has always been the practice of both the Builder and the Designer to obtain the proper permits and permissions. It came as both surprise and disappointment to find that the previous work was not permitted. Then, realization that the previous work would be considered as part to the new proposal in order to bring it up to date as part of the Building Permit record.

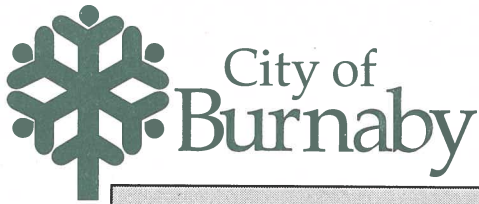
The circumstance that now remains is one of great difficulty. It would be impractical to deconstruct the portion of the structure that is non-conforming. This portion of structure came into existence as a garage, intergraded into the structural components of a Permitted Residential Dwelling. Removal would require more than just the deconstruction of the non-conforming portions of the structure. While it was the combining of the garage space with the living space that created this conflict, merely reversing course does not significantly alleviate the problem. Both Front Yard and Side Yard Setback requirement have been compromised by changes to these requirements since the origin of this Residence. Rendering the space back to Garage does nothing to alter its relationship or orientation on the Lot. However, this approach would require the existing driveway to remain in place to service the garage, rendering the Proposed Garage useless and in conjunction dismantle any opportunity to provide the additional parking and additional space required for an In-law Suite.

We believe that the Setback Requirements for this Lot poses the hardship when set in conjunction with the Existing Structure. The infill of the Garage, from a layman's point of view, while not permitted, may have seemed a logical conclusion due to the fact that no structure was compromised. But, because there has been an alteration to a non-conforming structure we find ourselves without the ability to remedy this condition. It is with our hope in the mercy of the Board that we ask for an understanding that this Proposal was not presented to take advantage of current regulations, but to work with an existing condition

Thank you for your consideration

Eric van der Eerden
 Howe Sound Home Designs





BOARD OF VARIANCE REFERRAL LETTER

DATE: September 12, 2018			<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: October 9, 2018 for the November 1, 2018 hearing.			
APPLICANT NAME: Fred Maddalozzo			
APPLICANT ADDRESS: 7881 Meadowood Dr, Burnaby BC, V5A 4C3			
TELEPHONE: 778-839-5741			
PROJECT			
DESCRIPTION: Interior alterations, addition, new secondary suite and new detached garage to an existing single family dwelling.			
ADDRESS: 2111 Jordan Drive			
LEGAL DESCRIPTION:	LOT: 52	DL: 131	PLAN: NWP26174

Building Permit application BLD18-00488 will be denied by the Building Department because the design is not in compliance with Burnaby Zoning Bylaw No. 4742:

Zone R2 / Sections 6.6(2)(g)(i), 102.8(1) and 102.9(1)

COMMENTS:

The applicant proposes to build Interior alterations, addition, new secondary suite and a new detached garage 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 adjoining the flanking street from 24.60 feet to 11.72 feet.
- 2) To vary Section 102.8(1) – “Front Yard” of the Zoning Bylaw requirement for the minimum front yard depth from 29.9 feet (based on front yard averaging) to 27.70 feet.
- 3) To vary Section 102.9(1) – “Side Yards” of the Zoning Bylaw requirement for the minimum side yard width from 4.90 feet to 4.00 feet.

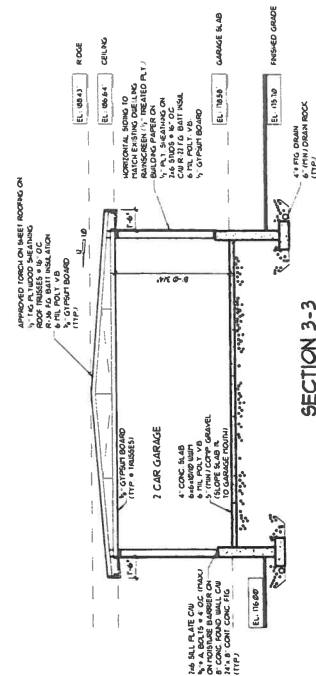
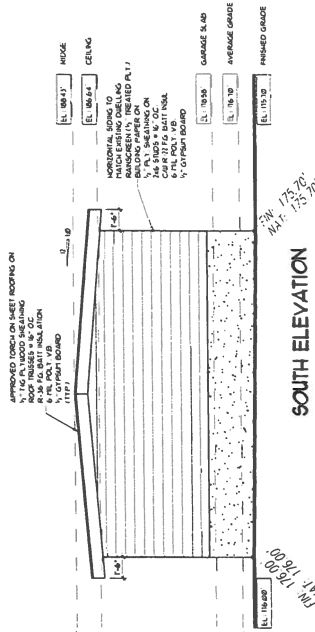
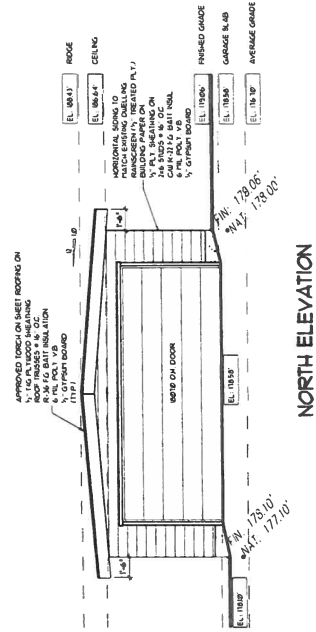
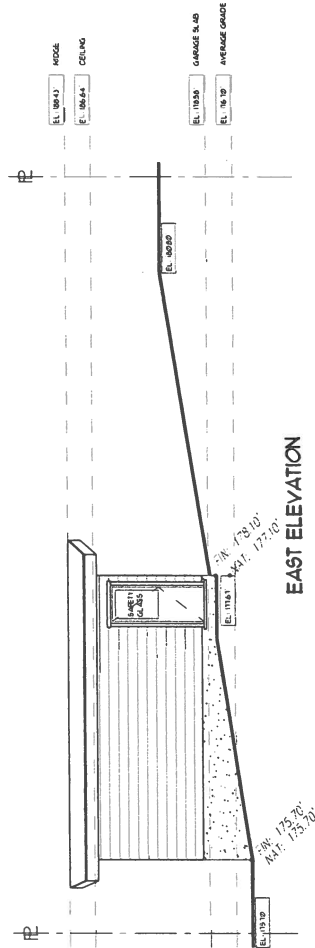
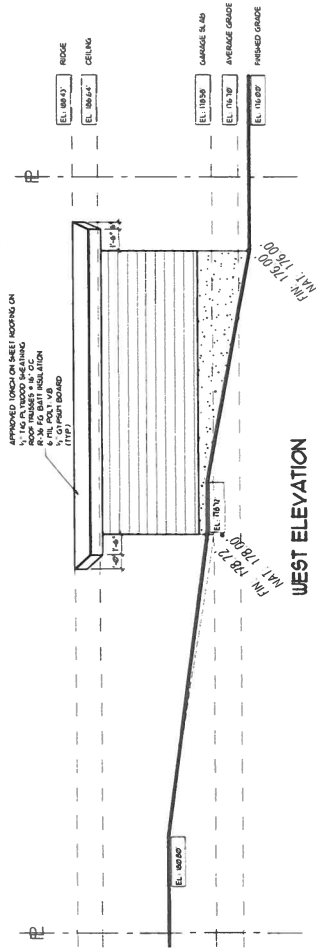
Note:

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 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

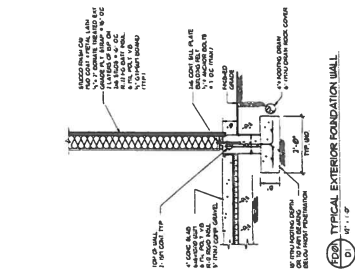
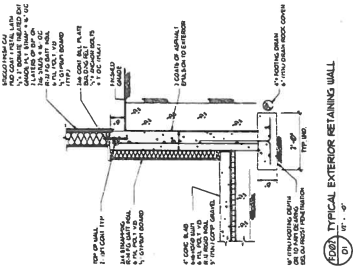
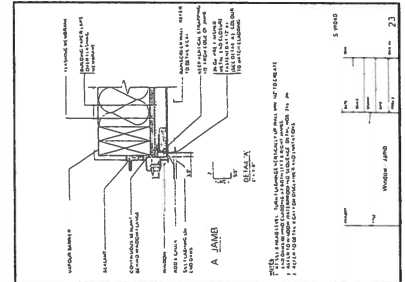
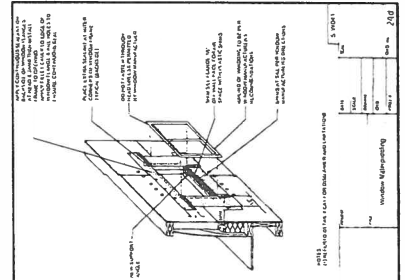
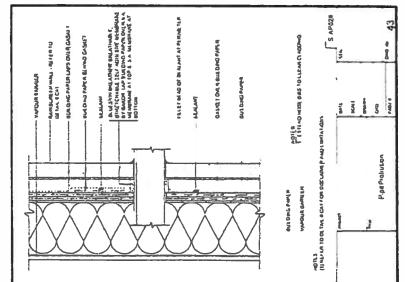
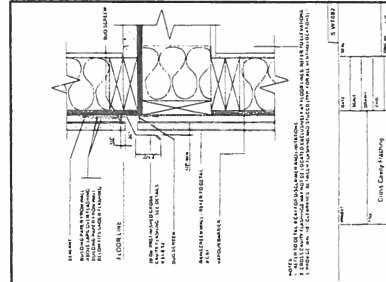
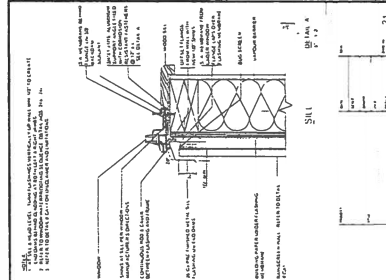
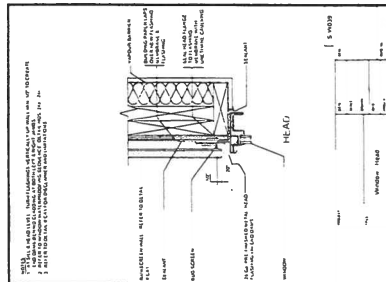
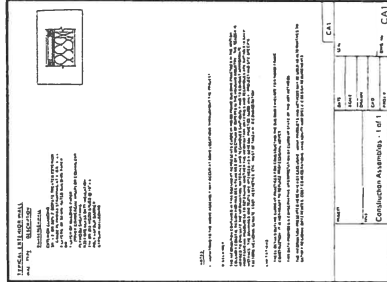
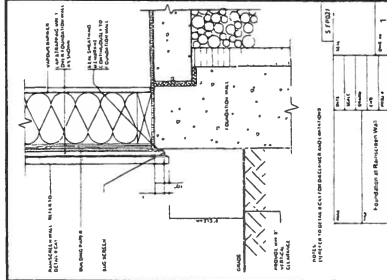
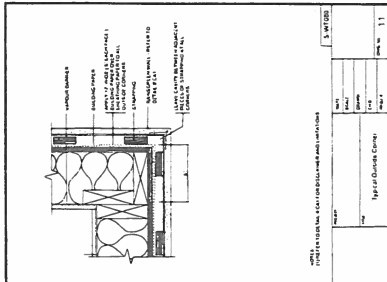
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3	JULY 10/20	3	FOR SUBMITTAL
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2	ENERGY EFFICIENCY DETAILS	
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PROJECT:

1000



RECT: correct

action
not valid unless
and sealed.

NOTE:
The building envelope shown is only our
interpretation of the City of Burnaby
building bylaws. The size and location
of the building envelope must be confirmed
by the City Planning Department prior
to any design work. Failure to do so
places sole responsibility for the design
onto the house designer.

