



BOARD OF VARIANCE

NOTICE OF OPEN MEETING

DATE: THURSDAY, 2019 APRIL 04

TIME: 6:00 PM

PLACE: COUNCIL CHAMBER, MAIN FLOOR, CITY HALL

A G E N D A

1. **CALL TO ORDER** **PAGE**

2. **ELECTIONS**

(a) Election of Chair

3. **MINUTES**

(b) Minutes of the Board of Variance Hearing held on 2019 March 07

4. **APPEAL APPLICATIONS**

(a) **APPEAL NUMBER:** B.V. 6356 **6:00 p.m.**

APPELLANT: Douglas Chernoff

REGISTERED OWNER OF PROPERTY: Alison and Douglas Chernoff

CIVIC ADDRESS OF PROPERTY: 3862 Harper Court

LEGAL DESCRIPTION OF PROPERTY: Lot: C DL: 35 Plan: EPP80024

APPEAL: An appeal for the relaxation of Section 105.8(1) of the Burnaby Zoning Bylaw which, if permitted, would allow for the construction of a new single family dwelling with a secondary suite and attached garage at 3862 Harper Court, with a principal building depth of 74.43 feet, where the maximum building depth of 60.0 feet is permitted. Zone R5.

(b) **APPEAL NUMBER:** B.V. 6357 **6:00 p.m.**

APPELLANT: Nazeer Bawa, EWAN Design and Construct INC.

REGISTERED OWNER OF PROPERTY: Navdeep and Navraj Kahlon

CIVIC ADDRESS OF PROPERTY: 5570 Rugby Street

LEGAL DESCRIPTION OF PROPERTY: Lot: 12 DL: 85 Plan: NWP17524

APPEAL: An appeal for the relaxation of Section 101.8 of the Burnaby Zoning Bylaw which, if permitted, would allow for the construction of a new single family dwelling and attached garage at 5570 Rugby Street, with a front yard depth of 24.33 feet, where the minimum front yard depth of 29.50 feet is required. Zone R1.

(c) **APPEAL NUMBER:** B.V. 6359 **6:15 p.m.**

APPELLANT: Jonathan Ehling Architect Inc.

REGISTERED OWNER OF PROPERTY: Peter Dutzi

CIVIC ADDRESS OF PROPERTY: 341 Hythe Avenue North

LEGAL DESCRIPTION OF PROPERTY: Lot: 99 DL: 189 Plan: NWP32145

APPEAL: An appeal for the relaxation of Sections 6.14(5)(a)(b), 102.6(2) and 102.8(1) of the Burnaby Zoning Bylaw which, if permitted, would allow for an interior alteration to the main floor and second floor addition, including a new attached garage to an existing single family dwelling at 341 Hythe Avenue North. The following variances are requested:

a) a principal building height of 32.83 feet (flat roof), measured from the rear average grade, where the maximum height of 24.30 feet is permitted.

b) a principal building height of 24.91 feet (flat roof) measured from the front average grade, where the maximum height of 24.30 feet is permitted.

c) a front yard depth of 22.70 feet, where a minimum front yard depth of 24.61 feet is required. Zone R2.

5. **NEW BUSINESS**

6. ADJOURNMENT



BOARD OF VARIANCE

MINUTES

A Hearing of the Board of Variance was held in the Council Chamber, Main Floor, City Hall, 4949 Canada Way, Burnaby, B.C., on Thursday, **2019 March 07** at 6:00 p.m.

1. CALL TO ORDER

PRESENT: Mr. Stephen Nemeth, Chair
Mr. Rana Dhatt, Citizen Representative
Mr. Jag Dhillon, Citizen Representative
Ms. Brenda Felker, Citizen Representative

ABSENT: Mr. Wayne Peppard, Citizen Representative

STAFF: Ms. Margaret Malysz, Development Plan Approvals Supervisor
Ms. Lauren Cichon, Administrative Officer

The Administrative Officer called the meeting to order at 6:01 p.m.

2. ELECTIONS

(a) Election of Chair

MOVED BY MR. DHATT
SECONDED BY MS. FELKER

THAT Mr. S. Nemeth be appointed as Chair of the Burnaby Board of Variance for the 2019 March 07 Hearing.

CARRIED UNANIMOUSLY

The Administrative Officer requested the election of the Chair for the balance of 2019 be held at the 2019 April 04 hearing.

3. MINUTES

(b) Minutes of the Board of Variance Hearing held on 2019 February 07

MOVED BY MR. DHATT

SECONDED BY MS. FELKER

THAT the minutes of the Burnaby Board of Variance Hearing held on 2019 February 07 be adopted.

CARRIED UNANIMOUSLY

4. APPEAL APPLICATIONS

(a) APPEAL NUMBER: B.V. 6355

APPELLANT: Gurdev (Dave) Hayre

REGISTERED OWNER OF PROPERTY: Gurdev (Dave) and
Rhonda Hayre

CIVIC ADDRESS OF PROPERTY: 4014 Napier Street

LEGAL DESCRIPTION OF PROPERTY: Lot: 2 DL: 117 Plan: NWP1222

APPEAL: An appeal for the relaxation of Section 105.6(1)(a) of the Burnaby Zoning Bylaw which, if permitted, would allow for the construction of a new single family dwelling with a secondary suite and detached garage at 4014 Napier Street. The following variances are requested:

a) a principal building height of 30.66 feet (sloped roof) measured from the rear average grade, where the maximum height of 29.50 feet is permitted; and,

b) a principal building height of 30.31 feet (sloped roof) measured from the front average grade, where the maximum height of 29.50 feet is permitted.

APPELLANT'S SUBMISSION:

Mr. Dave Hayre submitted an application for the construction of a new single family dwelling with a secondary suite and detached garage.

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

BURNABY PLANNING AND BUILDING DEPARTMENT COMMENTS:

The subject site, which is zoned R5 Residential District, is located in the Willingdon Heights neighbourhood, in which the age and condition of the single and two family dwellings vary. This interior lot, approximately 50.0 feet wide and 121.9 feet deep, fronts onto Napier Street to the north. The subject site abuts single family residential lots on all sides. Vehicular access to the site is proposed to be relocated from the Napier Street to the rear lane to the south.

The subject lot observes a downward slope of approximately 6.4 feet from the north (front) to the south (rear) and of approximately 5.7 feet from the east (side) to the west (side).

The subject property is proposed to be re-developed with a new single family dwelling, with a secondary suite and a detached garage, for which two variances has been requested. Both variances are related to the proposed principal building height.

The first a) appeal is to vary Section 105.6(1)(a) – “Height of Principal Building. Single Family Dwelling” of the Zoning Bylaw from 29.5 feet to 30.66 feet, as measured from the rear average grade, to allow construction of a new single family dwelling with a sloping roof.

The second b) appeal is to vary Section 105.6(1)(a) – “Height of Principal Building. Single Family Dwelling” of the Zoning Bylaw from 29.5 feet to 30.31 feet, as measured from the front average grade, to allow construction of a new single family dwelling with a sloping roof.

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

It appears that both building height relaxations are partly related to the topography of the site and partly related to the design choices.

A moderate grade difference of approximately 6.1 feet from the north-east corner of the proposed dwelling to the south-west corner contributes to the excess height. Additionally, the existing grading at the north-west corner of the proposed dwelling drops by approximately up to 2.0 feet, due to the driveway access which currently slopes downwards at the north-west portion of the subject site.

However, the requested variance is not exclusively related to the sloping site. The excess height of the proposed dwelling is also a result of design choices, particularly with the proposed clear floor to ceiling height on all three levels of the building as the major factor. The proposed clear floor to ceiling heights are: 9.0 feet in the cellar, 10.0 feet on the main level and 9.0 feet on the second level. It would be possible to

construct a dwelling with ceiling heights that would conform to the Bylaw. For example: 8.0 feet in the cellar, 9.0 feet or 9.5 feet on the main level and 8.0 feet on the upper level.

Further, the proposed upper roof form is also a contributing factor. The upper roof is considered to be a sloping roof, with the proposed roof pitch and the proposed sloping roof area just meeting the definition of "Roof, Sloping" in the Zoning Bylaw. The upper roof is proposed to have a pitch of 4 in 12, where a pitch of 4 in 12 or greater is required, and would cover 80.3 percent of the surface of the roof as measured in plan view, where at least 80 percent is required.

The remaining 19.7 percent of the main upper roof consists of a large roof deck (248.1 sq. ft.), placed roughly off center and to the west of the upper roof area. It also consists of a small feature flat roof (68.9 sq. ft.) over the elevated decorative element which is proposed at the front elevation. (There is also an exterior stair, leading from the second floor level to the roof deck on top, which is excluded from the overall sloping roof area calculations.)

With regards to the first a) appeal, the height encroachment of 1.16 feet (as measured from the rear average grade) occurs mainly across the upper portion of the guardrail which surrounds the roof deck. According to the submitted drawings, the upper portion of the guardrail would be constructed of safety glass. The height encroachment also extends over the very tip of the main upper roof and partly over the smaller upper roof (over the interior stair leading to the roof deck) beyond.

With regards to the second b) appeal, the height encroachment of 0.83 feet (as measured from the front average grade) occurs primarily at the upper portion of the elevated decorative element. This element is located slightly off center and to the east of the front elevation. The height encroachment also extends across the upper portion of the proposed roof deck guardrail beyond.

Although the over height portions of the overall roof massing are relatively small in scale and would not create substantial impacts on the neighbouring dwellings or the existing streetscape, it is possible to make small modifications to this roof design which would lessen or potentially eliminate a need for the building height relaxations.

In summary, although it is recognized that the topography of the subject site is a contributing factor, the requested height variances are also the result of the design choices. Therefore, this Department cannot support the granting of both variances.

ADJACENT OWNER'S COMMENTS:

No correspondence was received regarding this appeal.

MOVED BY MR. DHATT
SECONDED BY MS. FELKER

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

FOR: MR. DHATT
MR. DHILLON
MR. NEMETH

OPPOSED: MS. FELKER

CARRIED

This appeal was ALLOWED.

MOVED BY MR. DHATT
SECONDED BY MR. DHILLON

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

FOR: MR. DHATT
MR. DHILLON
MR. NEMETH

OPPOSED: MS. FELKER

CARRIED

This appeal was ALLOWED.

5. **NEW BUSINESS**

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

6. **ADJOURNMENT**

MOVED BY MR. DHATT
SECONDED BY MR. DHILLON

THAT this Hearing do now adjourn.

CARRIED UNANIMOUSLY

The Hearing adjourned at 6:46 p.m.

Mr. S. Nemeth, CHAIR

Mr. R. Dhatt

Mr. J. Dhillon

Ms. L. Cichon
ADMINISTRATIVE OFFICER

Ms. B. Felker



2019 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 Doug Chernoff
 Mailing Address 3863 GILPIN ST
 City/Town Burnaby BC Postal Code V5G 2H2
 Phone Number(s) (H) 604-451-5401 (C) 778-953-6112
 Email doug.chernoff@gmail.com

Property

Name of Owner Doug + Alison Chernoff
 Civic Address of Property 3862 Harper Court

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.

March 8 / 2019

Date

[Signature]

Applicant Signature

Office Use Only

Appeal Date April 4th 2019 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

City Of Burnaby Board of Variance

Re: 3862 Harper Court Length of Building Bylaw Variance Request.

To The Board of Variance.

We are requesting an exemption from the building length Bylaw on the grounds that the unusual shape of the lot constitutes a hardship to our building design.

The lot in question is a pie shaped lot with a narrow front and wide back.

When the proposed house is measured from the front to back in a straight line, the house falls well within the maximum of 60 feet.

However, the particular measurement technique used by the bylaw means the house is measured along a diagonal line following the shape of the lot. This puts our length calculation over the length limit.

We are seeking an exemption from the bylaw on the grounds that the house is not exceptionally long, and that it does not pass the bylaw simply because the lot shape causes the calculation of the length to be measured diagonally across the structure.

Best Regards

Doug & Alison Chernoff

3863 Gilpin St

Burnaby, BC



BOARD OF VARIANCE REFERRAL LETTER

DATE: March 08, 2019			<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: March 08, 2019 for the April 04, 2019 hearing.			
APPLICANT NAME: Doug Chernoff			
APPLICANT ADDRESS: 3863 Gilpin St., Burnaby, B.C., V5G 2H2			
TELEPHONE: 604-451-5401			
PROJECT			
DESCRIPTION: New single family dwelling with secondary suite and attached garage			
ADDRESS: 3862 Harper Court			
LEGAL DESCRIPTION:	LOT: C	DL: 35	PLAN: EPP80024

Building Permit application BLD18-01190 will be denied by the Building Department because the design is not in compliance with Burnaby Zoning Bylaw No. 4742:

Zone R5 / Sections 105.8(1)

COMMENTS:

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

- 1) To vary Section 105.8(1) – “Depth of Principal Building” of the Zoning Bylaw requirement for the maximum building depth from 60 feet to 74.43 feet.

Notes:

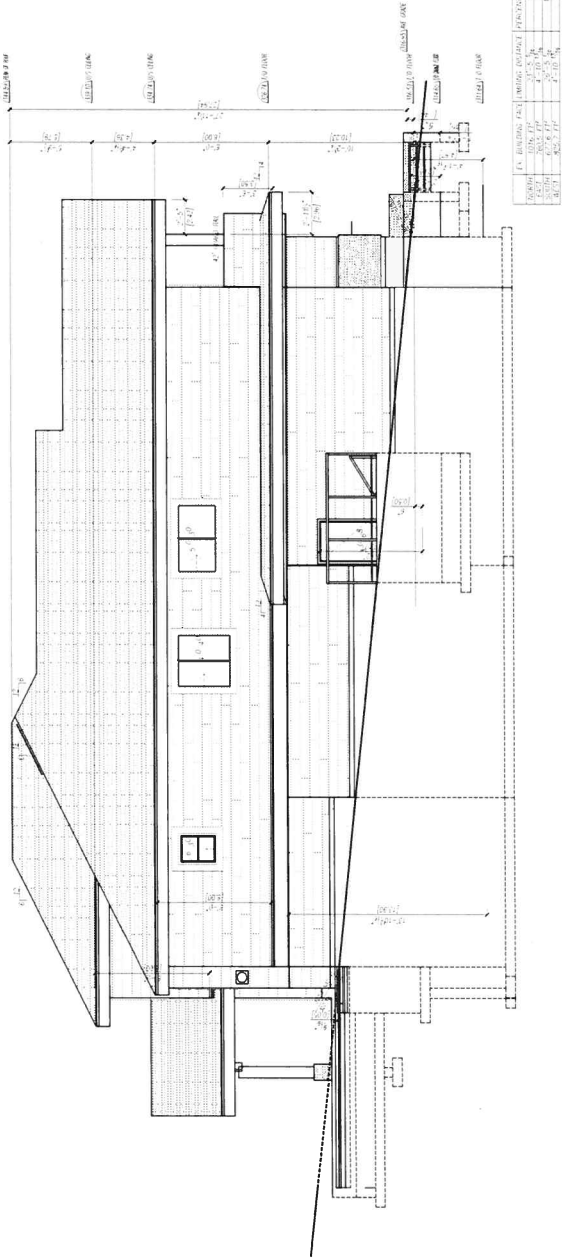
1. The applicant recognizes that should the project contain additional characteristics in contravention of the Zoning By-law, a future appeal(s) may be required.
2. The applicability of this variance, if granted, are limited to the scope of the proposal shown on the attached plans.
3. All new principal 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

Kushnir,

Peter Kushnir
Deputy Chief Building Inspector

FX BUILDING #212	MARKING DISTANCE	PERCENTAGE REBUILT	PROPOSED WINDOW AREA	EXISTING WINDOW AREA
21-2610	30 ft	5%	121.11 F ²	526.25 F ²
21-27	30 ft	5%	48.33 F ²	225.84 F ²
21-28	30 ft	10%	97.66 F ²	158.28 F ²
21-29	30 ft	5%	52.0 F ²	65.1 F ²





WINDOW JAMB 12 SPA
SEALED POLYETHYLENE APPROACH

50mm 0 100 200mm
11 SPA
WINDOW HEAD
SEALED POLYETHYLENE APPROACH

LADING TRANSITION 10SPA
SEALED POLYETHYLENE APPROACH

SECTION DETAIL

PLAN DETAIL

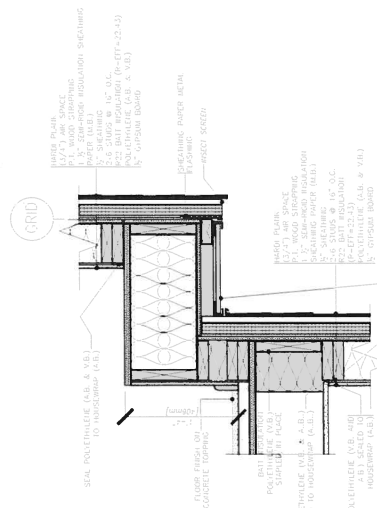
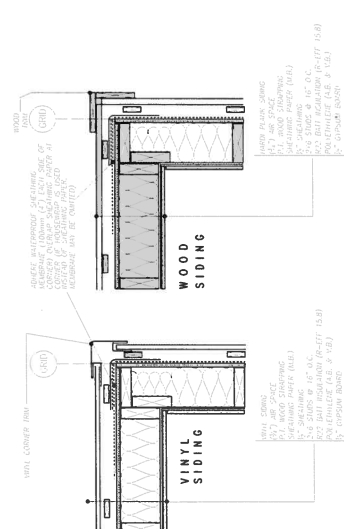
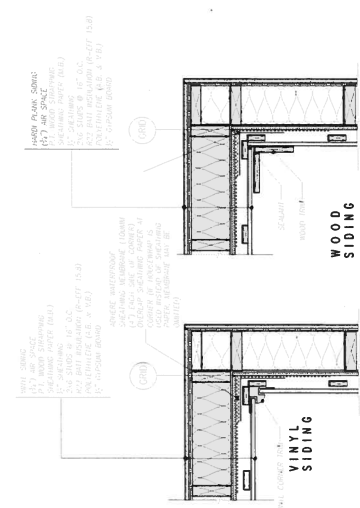
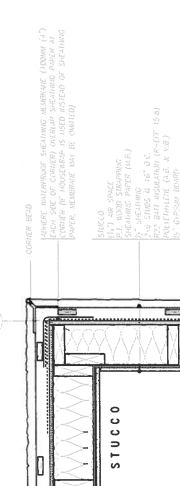
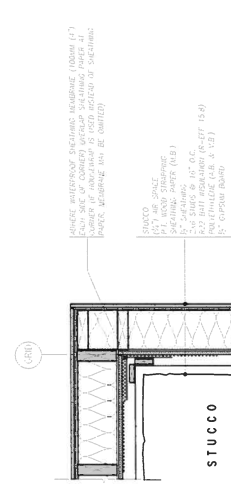
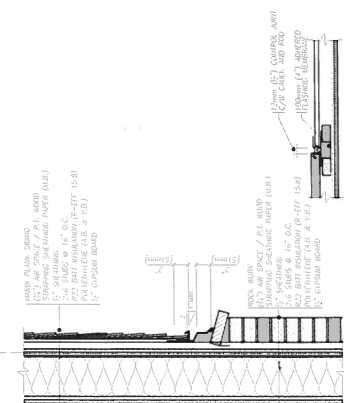
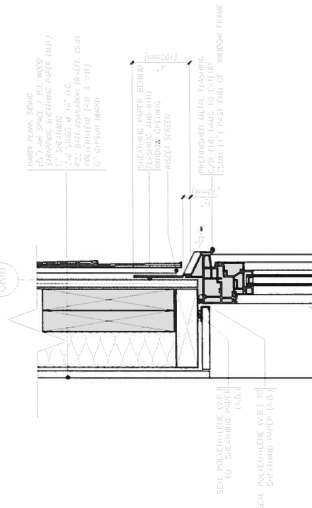
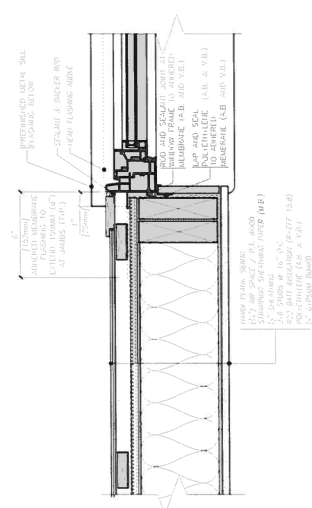
INTERIOR CORNER

9SPA

SALED POLYETHYLENE APPROACH

8SPA
XTERIOR CORNER
EALD POLYETHYLENE APPROACH

7 SPA
WINDOW SEAT
SEALED POLYETHYLENE APPROACH



[illegible][illegible]

6 PER SECTION 9310 - NOTES PERTAINING
TO LEASE PATHS IN PROBLEMATIC AREAS

6 PER SECTION 232.10 - NOTES PERTAINING
TO LEAKAGE PATHS IN PROBLEMATIC AREAS

TEMPERATURE CONTROL AS PER SECTION 99624

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2019 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 Nazeer Bawa
 Mailing Address Unit 213-3993 Henning Drive
 City/Town Bby Postal Code V5C 6P7
 Phone Number(s) (H) _____ (C) 604-338-8127
 Email info@ewandc.com

Property

Name of Owner Naziraj & Navdeep Khehlon
 Civic Address of Property 5570 Rudby Street, Bby 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.

11th MARCH 2019
 Date

[Signature]
 Applicant Signature

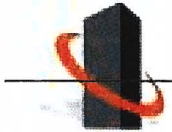
Office Use Only

Appeal Date April 4th 2019 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 1-19-2019 available to the Public

**ewan**

DESIGN + CONSTRUCT INC

*Creative building solutions + Value creation*8th March 2019

To: The Board of Variance
City of Burnaby

Dear Madam/Sir

LETTER OF HARDSHIP

PROJECT: SINGLE FAMILY DWELLING AT

5570 RUGBY STREET, BURNABY, BC.

We are acting as the agents for the owners for the above project.

This site is irregular in shape and located in a cul-di-sac. The site setbacks creates severe constraints on the building envelope and results in a hardship in fulfilling the requirements of the owners is achieving a single family dwelling of decent building depth. We have proposed a creative design solution considering all the impediments impacting this site. However, the front yard setback for the portion of the cul-di-sac impacts the proposed design as 183 sqft of lot coverage falls outside the setback as shown in the hatched portion of the site plan. We kindly request a relaxation of the front yard setback for this portion of the building so that the proposed design is permitted as per the drawings submitted to the building department.

Thank you

Truly

Nazeer Bawa AIA(SL) , MSc Spatial Planning, PMP
Principal



BOARD OF VARIANCE REFERRAL LETTER

DATE: February 27, 2019		<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: March 12, 2019 for the April 04, 2019 hearing.			
APPLICANT NAME: Nazeer Bawa			
APPLICANT ADDRESS: Unit 213 – 3993 Henning Drive, Burnaby, B.C., V5C 6P7			
TELEPHONE: 604-338-8127			
PROJECT			
DESCRIPTION: New Single Family Dwelling and Attached Garage			
ADDRESS: 5570 Rugby Street			
LEGAL DESCRIPTION:	LOT: 12	DL: 85	PLAN: NWP17524

Building Permit application BLD18-01105 will be denied by the Building Department because the design is not in compliance with Burnaby Zoning Bylaw No. 4742:

Zone R1 / Section 101.8

COMMENTS:

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

- 1) To vary Section 101.8 – “Front Yard” of the Zoning Bylaw requirement for the minimum front yard depth from 29.50 feet to 24.33 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.

MS

Peter Kushnir
Deputy Chief Building Inspector

PROJECT INFO:

ADDRESS: 5570 RUGBY ST. BURNABY BC V5E 2N1
 PID N010.280.685
 LEGAL DESCRIPTION: LOT/12 BLOCK/ DISTRICT LOT/185
 PLAN/17524
 ZONE/R1

ewan
 DESIGN + CONSTRUCT INC.

#215-3993 HENNING DRIVE
 BURNABY, BC, V5C 6P7
 Telephone: (604) 338-8127
 e-mail: info@ewaninc.com

FLOOR SPACE RATIO STATEMENT

LOT AREA: 10,890 sq.ft.
 GFA PERMITTED: 6,330.90 sq.ft.
 AGFA PERMITTED: 40% = 4,276.00 sq.ft.

FLOOR AREA PROPOSED

CELLAR: 2,180.54 sq.ft.
 FIRST STOREY: 2,098.74 sq.ft.
 SECOND STOREY: 2,118.50 sq.ft.
 TOTAL GROSS AREA: 6,398.80 sq.ft.
 ATTACHED GARAGE AREA: = 452.10 sq.ft. (exclusion)

NET AREA:

ENCL. PORCH & ENCL. DECK: 289.20 sq.ft. [58.30%]
 TOTAL NET AREA: 6,235.90 sq.ft.

AGFA PERMITTED: 4,276.00 sq.ft. AGFA 40%
 AGFA PROPOSED: 4,217.24 sq.ft. (39.45%)

DECK AREA PERMITTED: 508.10 sq.ft. (8% OF 6330.9)
 DECK AREA PROPOSED: 486.15 sq.ft.

TOTAL ROOF AREA: 2,195.33 sq.ft.
 ROOF AREA PROPOSED WITH 7.2% SLOPE: 903.94 sq.ft. (86%)

AREA PROPOSED WITH FLAT ROOF: 21.37
 MAX HEIGHT FOR A BUILDING WITH
 THIS SLOPE: 29.5

HEIGHT PROPOSED: 29.5

BUILDING DEPTH PERMITTED: 53'
 BUILDING DEPTH PROPOSED: 38' 8"

MINIMUM FRONT YARD PERMITTED: 29.5'
 FRONT YARD PROPOSED: 32.5'

MINIMUM SIDE YARD PERMITTED: 9.0'
 SIDE YARD PROPOSED: 9.11'

MINIMUM REAR YARD PERMITTED: 29.5'
 REAR YARD PROPOSED: 30'

PERMITTED LOT COVERAGE AREA: 4,276.00 sq.ft. 40%
 PROPOSED LOT COVERAGE AREA: 2,675.00 sq.ft.

PERMITTED SITE IMPERMEABLE AREA: 7,483.00 sq.ft. 70%
 PROPOSED SITE IMPERMEABLE AREA: 4,338.18

IMPERVIOUS AREA CALCULATION

MAIN BUILDING, COV. PORCHE AND GARAGE: 2,875 sq.ft.
 SIDE WALK, FRONT WALK, DRIVEWAY AND STAIRS:
 1,663.18

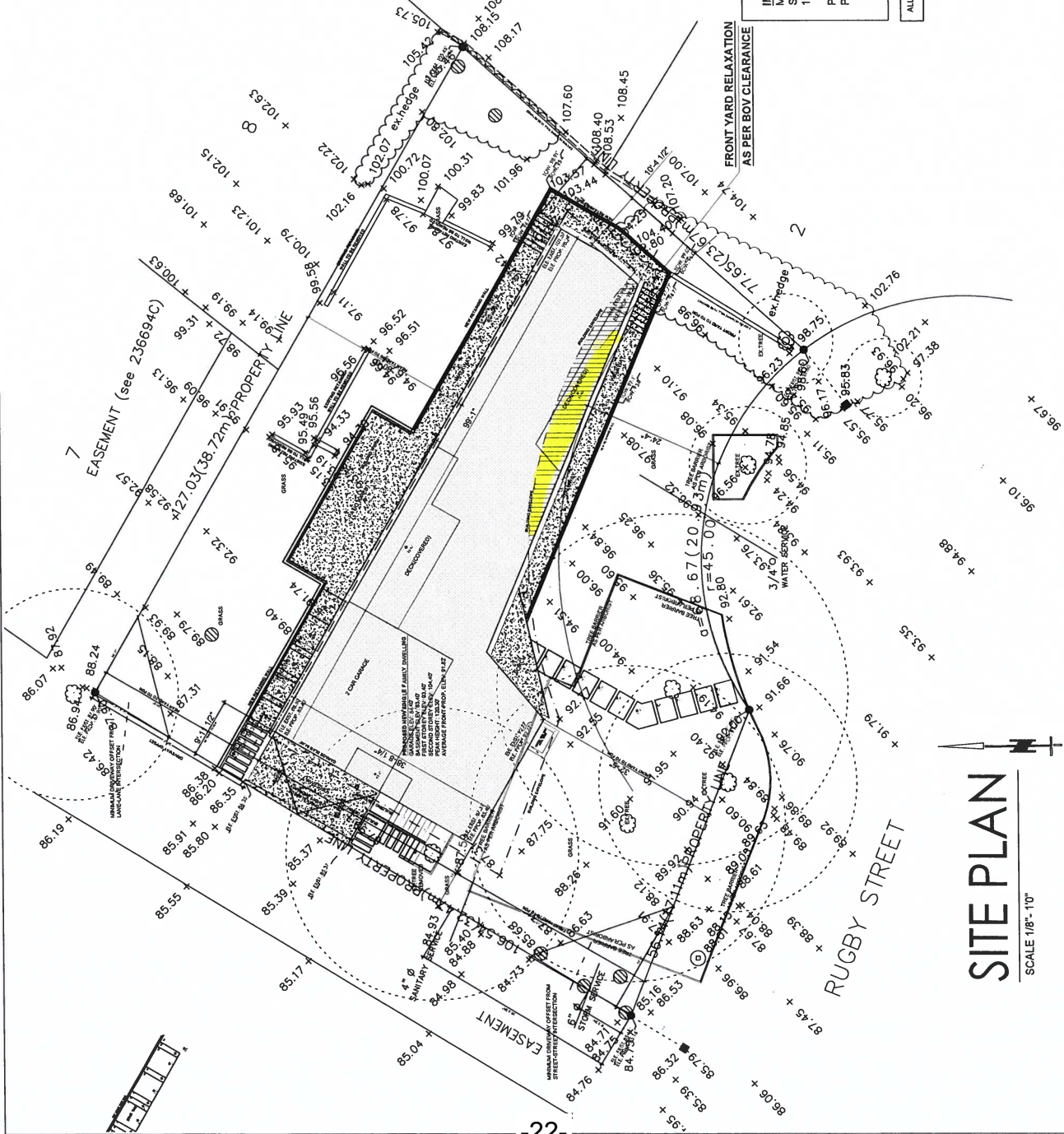
PROPOSED IMPERVIOUS AREA: 4,338.18 sq.ft.
 PERMITTED IMPERVIOUS AREA: 7,483.00 sq.ft.

ALL CONSTRUCTION TO CONFORM TO REQUIREMENTS OF BCBC 2012

SITE PLAN

DATE	REVISION
11/11/2011	1
11/11/2011	2
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A1



SITE PLAN

SCALE 1/8" = 10'

RECEIVED
FEB 28 2019

BUILDING DEPARTMENT

PROJECT INFO:

ADDRESS: 5570 RUGBY ST. BURNABY BC V5E 2N1
PID N 010.280.685
LEGAL DESCRIPTION: LOT/12 BLOCK/ DISTRICT LOT/85
PLAN/7524
ZONER1

FLOOR SPACE RATIO STATEMENT
LOT AREA: 10,690 sq.ft.
GFA PERMITTED: 6,350.90 sq.ft.
AGFA PERMITTED: 4,276.00 sq.ft.

FLOOR AREA PROPOSED
CELLAR: 2,180.56 sq.ft.
FIRST STOREY: 2,078.74 sq.ft.
SECOND STOREY: 2,338.80 sq.ft.
TOTAL GROSS AREA: 6,598.10 sq.ft.
ATTACHED GARAGE AREA: 452.10 sq.ft. (exclusion)

NET AREA: 5,946.70 sq.ft.
ENCL. PORCH & ENCL. DECK: 289.20 sq.ft.
TOTAL NET AREA: 6,235.90 sq.ft. (58.30%)

AGFA PERMITTED: 4,276.00 sq.ft. AGFA 40%
AGFA PROPOSED: 4,217.24 sq.ft. (59.45%)

DECK AREA PERMITTED: 508.10 sq.ft. (8% OF 6,350.9)
DECK AREA PROPOSED: 486.15 sq.ft.

TOTAL ROOF AREA: 2195.33 sq.ft.
ROOF AREA PROPOSED WITH 12% SLOPE: 903.94 sq.ft. (86%)
AREA PROPOSED WITH ELAI ROOF: 291.39

PEAK HEIGHT ELEVATION: 121.30'
MAX HEIGHT FOR A BUILDING WITH A SLOPE ROOF: 29.5'
HEIGHT PROPOSED: 29.5'

BUILDING DEPTH PERMITTED: 33'
BUILDING DEPTH PROPOSED: 38' 8"

MINIMUM FRONT YARD PERMITTED: 29.5'
FRONT YARD PROPOSED: 32.5'

MINIMUM SIDE YARD PERMITTED: 9.0'
SIDE YARD PROPOSED: 9' 11"

MINIMUM REAR YARD PERMITTED: 29.5'
REAR YARD PROPOSED: 30'

PERMITTED LOT COVERAGE AREA: 4,276.00 sq.ft. 40%
PROPOSED LOT COVERAGE AREA: 4,338.18 sq.ft.
PERMITTED SITE IMPERVIOUS AREA: 7,483.00 sq.ft. 70%
PROPOSED SITE IMPERVIOUS AREA: 4,338.18

IMPERVIOUS AREA CALCULATION
MAIN BUILDING, COV. PORCH AND GARAGE: 2,875 sq.ft.
SIDE WALK, FRONT WALK, DRIVEWAY AND STAIRS:
1,863.18

PROPOSED IMPERVIOUS AREA: 4,338.18 sq.ft.
PERMITTED IMPERVIOUS AREA: 7,483.00 sq.ft.

ALL CONSTRUCTION TO CONFORM TO REQUIREMENTS OF BCBC 2012

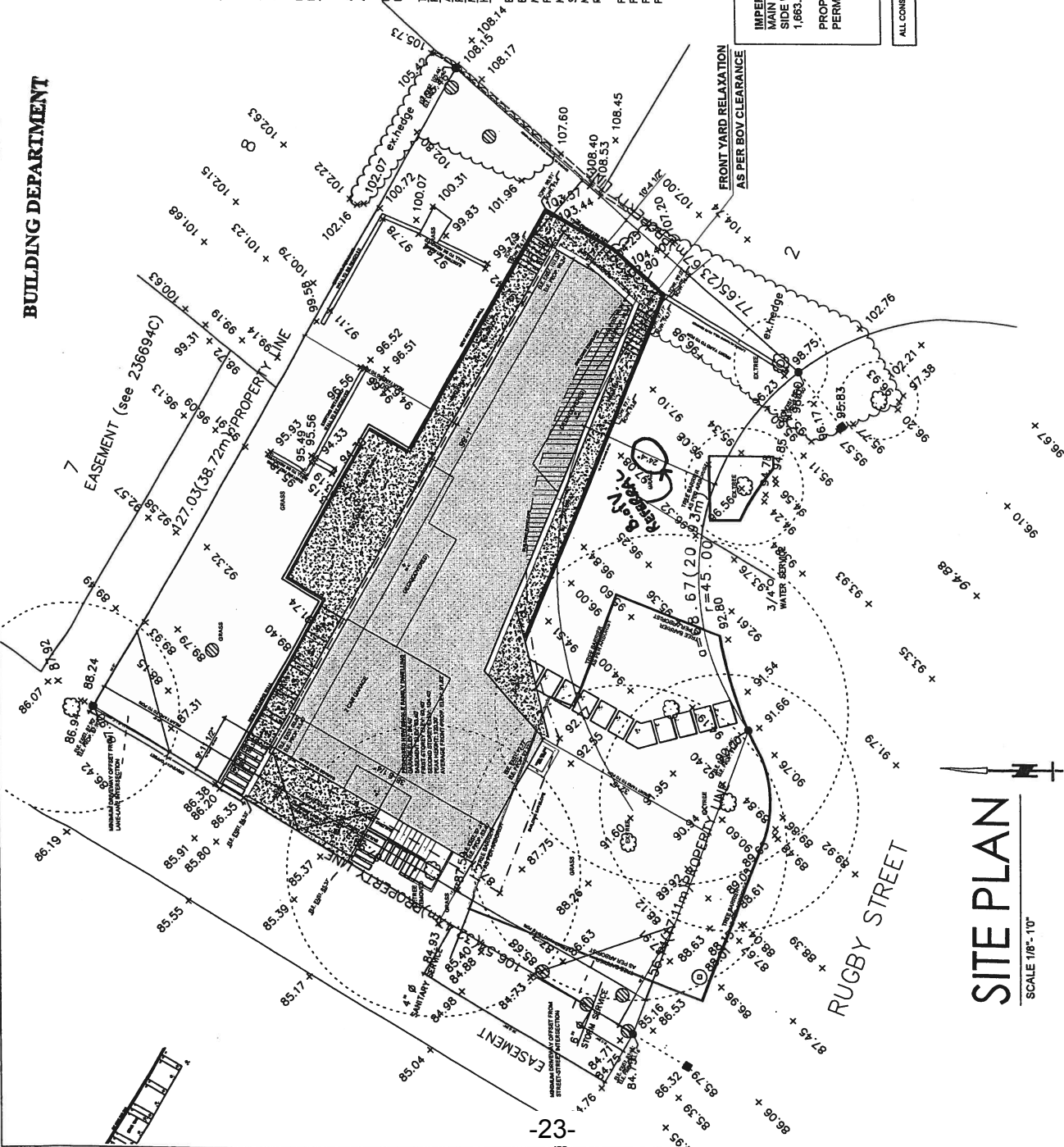
ewan
DESIGN + CONSTRUCT INC.
#213,380 HENNING DRIVE
BURNABY, BC V5C 6P7
Telephone: (604) 338-8127
email: info@ewan.co

NO.	DATE	REVISION
1	1/14/19	ISSUED FOR PERMIT
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SITE PLAN

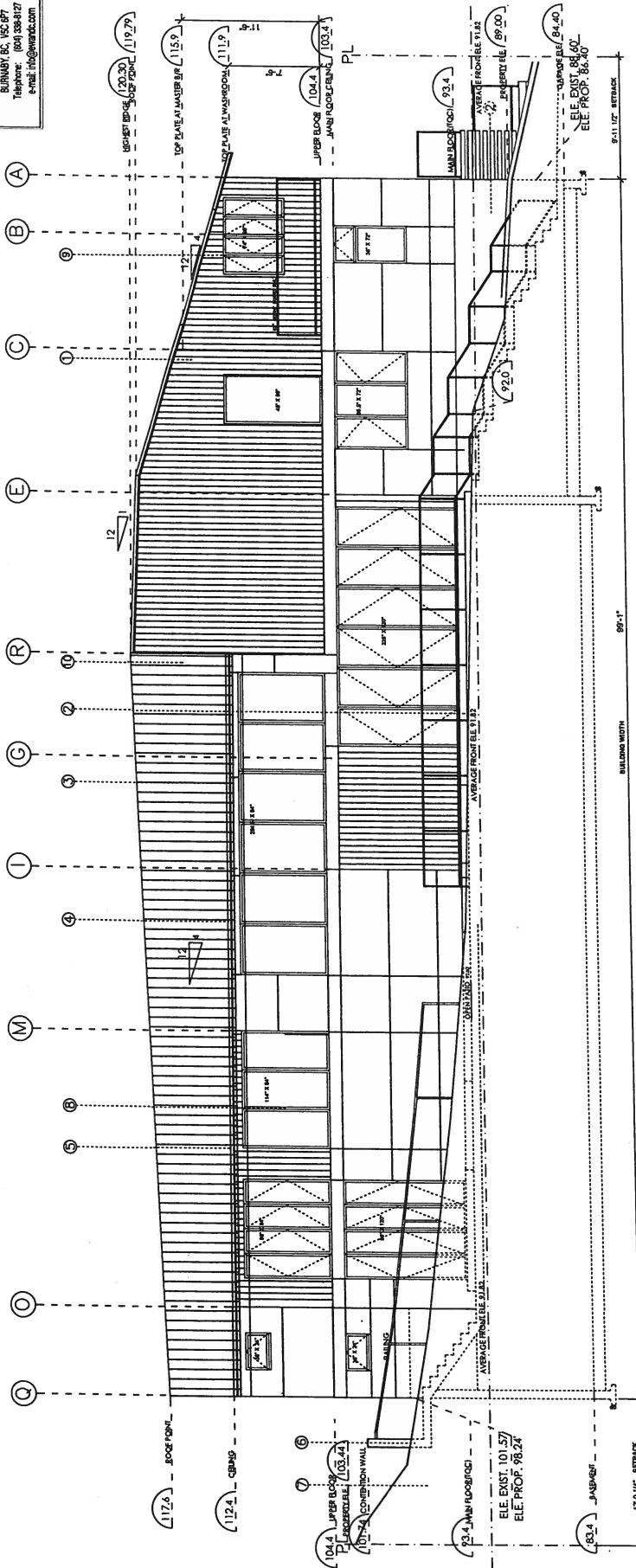
SCALE 1/8" = 10'



ewan

DESIGN + CONSTRUCT INC.

#2153881 HENNING DRIVE
BURNABY BC, V5C 9P7
Telephone: (604) 336-8127
e-mail: info@ewan.com



- 1.- 6" natural cedar siding planks.
- 2.- Architectural concrete.
- 3.- Fibre Cement panel (Equitone / Tectiva TE90).
- 4.- Natural stone / Black.
- 5.- 4" natural black fluting.
- 6.- Contention architectural concrete wall.
- 7.- Glass following the natural slope.
- 8.- Black aluminum guard rail with glass panel.
- 9.- Clear glass window.
- 10.- Metal glass window.
- 11.- Perma-Crete panel system / Black.

NORTH ELEVATION

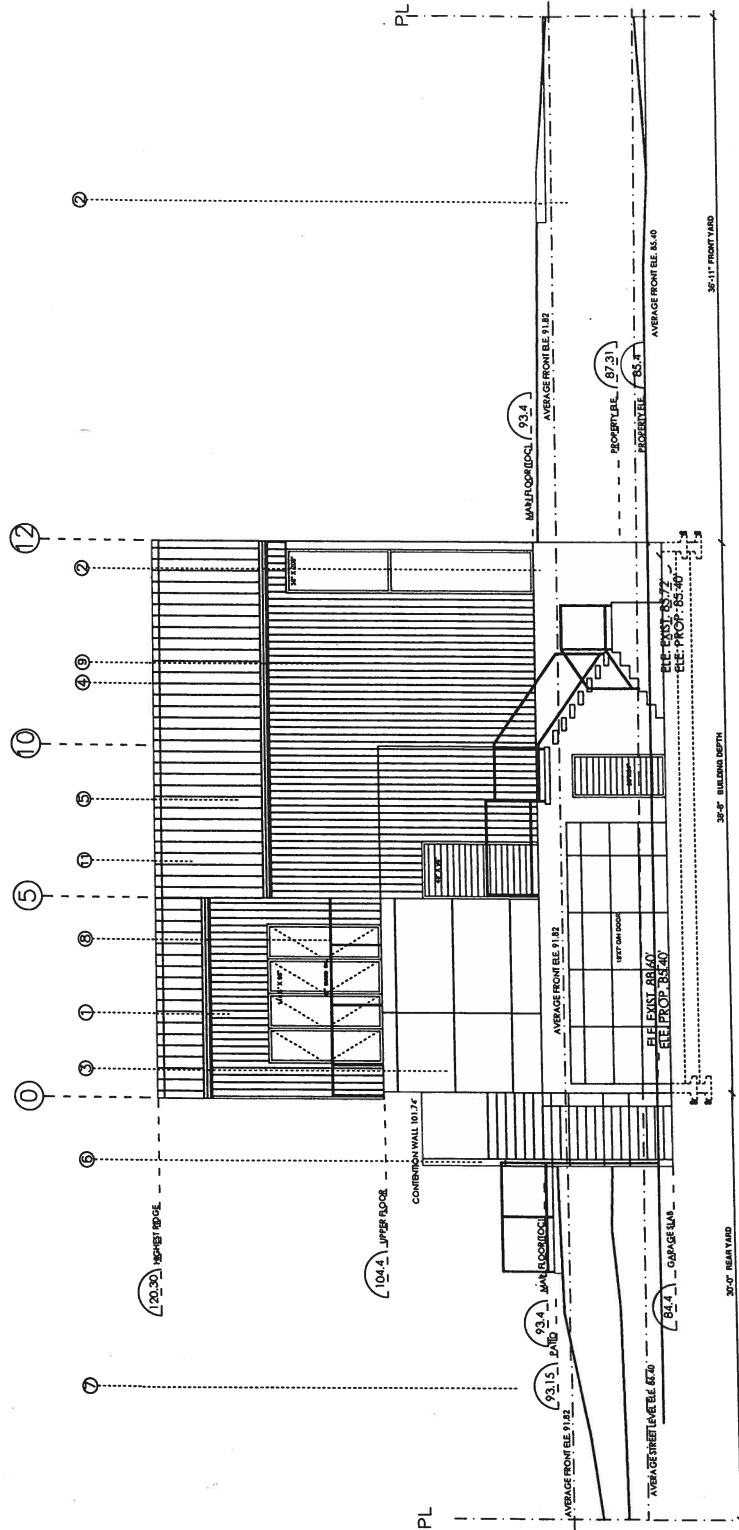
SCALE 1/4" = 1'-0"

NO.	DATE	REVISION
1		
PROJECT:		
SINGLE FAMILY HOUSE		
5570 RUGBY STREET		
BURNABY B.C.		
DRAWING TITLE:		
NORTH ELEVATION		
DATE	DESIGNED BY	DRAWN BY
1/4	1/4	1/4
CHECKED BY	PROJECT NO.	DRAWING NO.
1/4	1/4	1/4
A6		

ewan

DESIGN + CONSTRUCTION INC.

#213-3883 HENNING DRIVE
BURNABY, BC, V5C 8P7
Telephone: (604) 384-4127
e-mail: info@ewanbc.com



- 1.- 6\" natural cedar siding planks.
- 2.- Architectural concrete.
- 3.- Fibre Cement panel (Equitone / Tectiva TE90).
- 4.- Window Frames / Black.
- 5.- 4\" Metal black flashing.
- 6.- Concrete masonry block wall.
- 7.- Black aluminum guard rail with glass panel.
- 8.- Clear glass windows.
- 9.- Metal panel / Black.
- 10.- Fibre-Cement panel system / Black.
- 11.-

ESP	= 808.13 SF
CLIPPING DISTANCE	= 10.00 FT
PERMITTED UO 14.25%	= 31.32 SF
PROPOSED UO	= 31.15 SF

WEST ELEVATION

SCALE 1/4\" = 1'-0"

DATE	1 FEBRUARY 2010
SCALE	1/4\" = 1'-0"
PROJECT	SINGLE FAMILY HOUSE 5570 BURNABY STREET BURNABY B.C.
DRAWING TITLE	WEST ELEVATION
DATE	1 FEBRUARY 2010
SCALE	1/4\" = 1'-0"
PROJECT	SINGLE FAMILY HOUSE 5570 BURNABY STREET BURNABY B.C.
DRAWING TITLE	WEST ELEVATION

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DESIGN + CONSTRUCTING

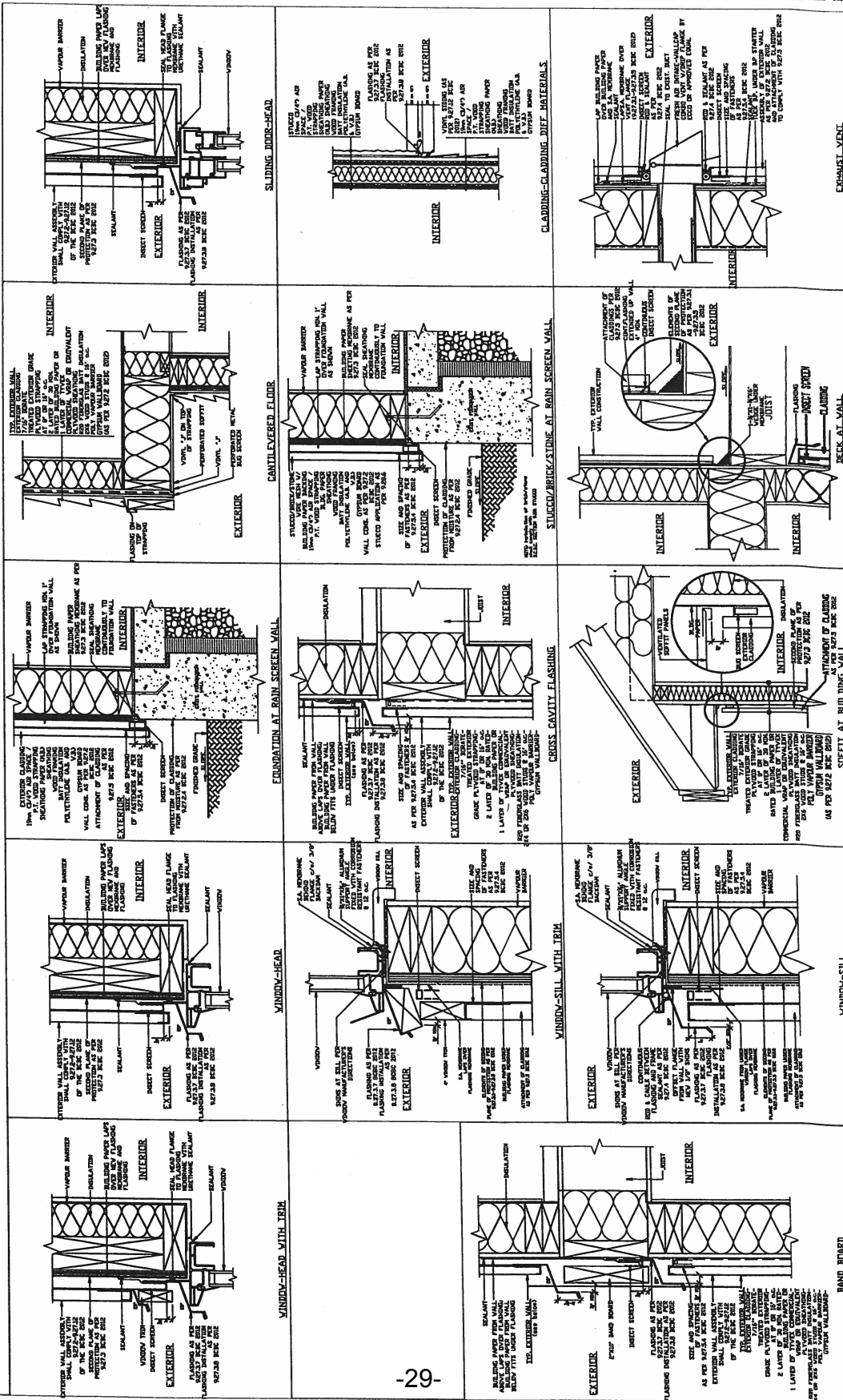
#213-888 HENNING DRIVE
BURNABY, BC, V5C 8P7
Telephone: (604) 338-8127
E-MAIL: ETC@EWANBC.COM

SINGLE FAMILY HOUSE
5570 RUGBY STREET
BURNABY, B.C.

RAIN SCREEN DETAILS

DATE: AUGUST, 2010
DRAWN BY: JH
CHECKED BY: JH
PROJECT: 10

A13



POSTING PLAN OF LOT 12
DISTRICT LOT 85, GROUP 1
NEW WESTMINSTER DISTRICT, PLAN 17524

BCCS 92C.026

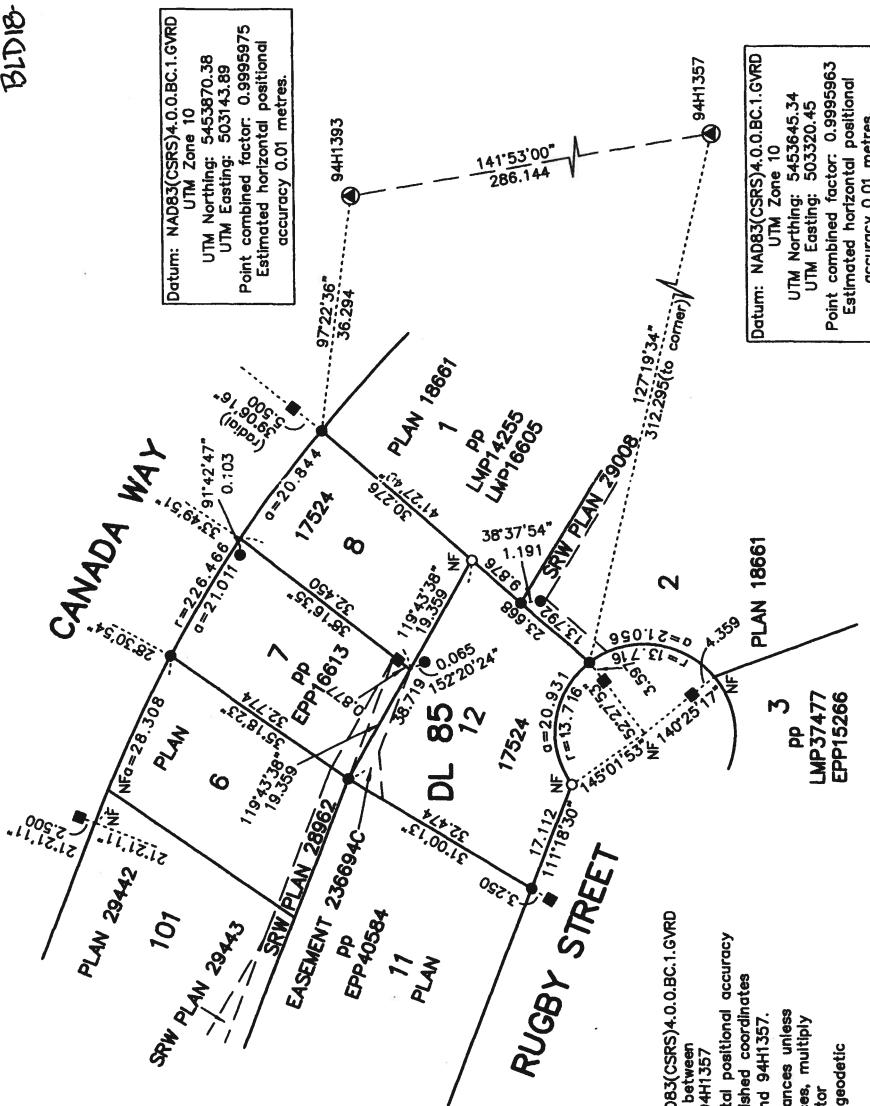
Pursuant to Section 68, Land Title Act.

RECEIVED

NOV 14 2018

BUILDING DEPARTMENT

B1D1B-01105



Datum: NAD83(CSRS)4.0.0.BC.1.GVRD
UTM Zone 10
UTM Northing: 5453870.38
UTM Easting: 503143.89
Point combined factor: 0.9995975
Estimated horizontal positional accuracy 0.01 metres.

Datum: NAD83(CSRS)4.0.0.BC.1.GVRD
UTM Zone 10
UTM Northing: 5453645.34
UTM Easting: 503320.45
Point combined factor: 0.9995963
Estimated horizontal positional accuracy 0.01 metres.



SCALE 1 : 750

All distances are in metres.

The intended plot size of this plan is 432mm in width by 280mm in height (B size) when plotted at a scale of 1 : 750.

The field survey represented by this plan was completed on the 31st day of March, 2017.
LOUIS NGAN, BOLS #743

*This plan lies within the
Greater Vancouver Regional District*

LINLIS METRO VANCOUVER
LAND SURVEYORS

4932 VICTORIA DRIVE, VANCOUVER, BC, V5P 3T6
T 604.327.1535 WEB WWW.LINLIS.CA

FILE: 17690_02PT

LEGEND:

Integrated survey area No. 25, Burnaby, NAD83(CSRS)4.0.0.BC.1.GVRD
Grid bearings are derived from observations between
geodetic control monuments 94H1393 and 94H1357

The UTM coordinates and estimated horizontal positional accuracy
achieved are derived from the MASCOOT published coordinates

for geodetic control monuments 94H1393 and 94H1357.

This plan shows horizontal ground-level distances unless

otherwise specified. To compute grid distances, multiply

ground-level distances by the combined factor

of 0.9995975 which has been derived from geodetic

control monument 94H1393.

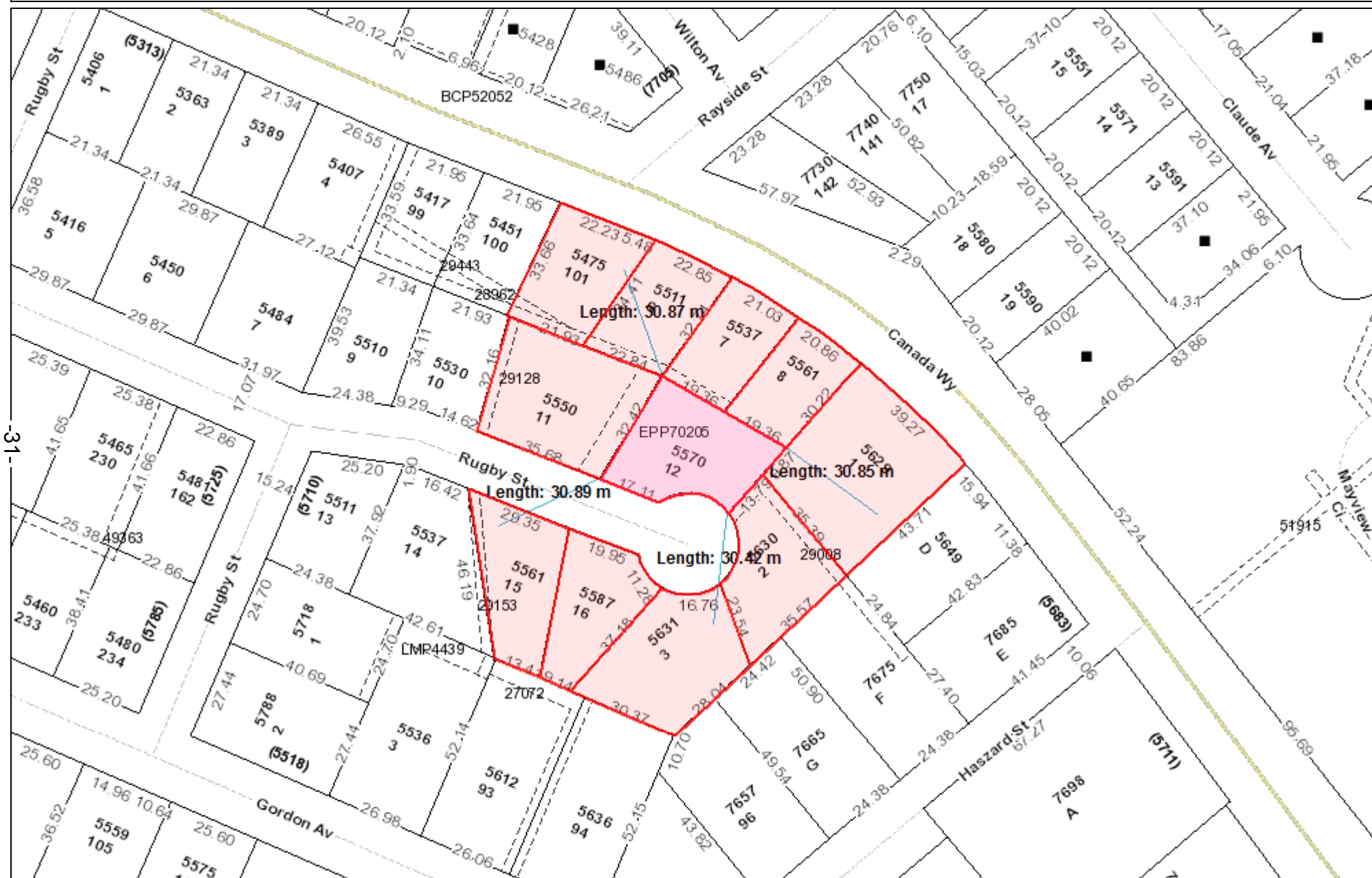
● denotes control monument found.

○ denotes standard iron post found.

■ denotes standard iron post placed.

□ denotes lead plug found.

pp denotes posting plan.





2019 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 Jonathan Ehling
 Mailing Address 200-829 W. 15th St., N. Van V7P 1M5
 City/Town North Vancouver Postal Code V7P 1M5
 Phone Number(s) (H) 604-770-1380 (C) _____
 Email J.ehling@axionet.com

Property

Name of Owner Peter & Carol Dutzi
 Civic Address of Property 341 Hythe Avenue North, 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.

Mar 11/19
 Date

[Signature]
 Applicant Signature

Office Use Only

Appeal Date April 4th 2019 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

Jonathan Ehling Architect Inc.

200 – 829 W. 15th Street, North Vancouver, B.C. V7P 1M5

March 10, 2019

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

Attn: Ms. Eva Prior Administrative Officer

Re: 341 Hythe Avenue North – application for Variance.

Dear Ms. Prior,

When I was first approached by my client regarding a renovation to their family home we were aware that the home was already nonconforming with regards to existing front yard setback and had existing siting issues considering that there is no lane access and the only entry is currently 16' below the level of the front road. Aside from wanting to enlarge the existing home; the prime reason for the renovation was to improve the existing driveway which is currently too steep and hence dangerous to use in poor weather. The concept behind the proposed renovation, therefore, was to add another level to the home to enable use of their permitted Gross Floor Area while at the same time improving the angle of the driveway to improve safety and sight lines for entering and exiting the property. The new driveway is to be backfilled against the existing slope for stability and our new floor is to work with the existing foundations of the current home in order to minimize and new site work that would be otherwise required.

Since we are working with existing conditions our addition is non-conforming to the required front-yard setback of 24.6' by virtue of having an existing f.y.s.b. of only 21.7'. As it is, our proposed addition was pulled back from the existing corner of the house to improve the condition but in the end we are still non-conforming with a setback of 22.7'. The second variance relates to the allowable building height as we are again working with existing conditions and a steep site. In this case we are seeking a relaxation to both the front and rear building heights partly owing to the context ie hardship of steep site and existing building levels as well as incorporating a low slope roof that improves the overall massing but is punitive in that it reduces the allowable ht limit from 29.5' for a sloping roof to 24.3' for a flat roof within the bylaw regulations. Our proposed roof (while still a sloping roof) is just below the permitted slope of 4 in 12 in order to qualify for the higher height limit. In our case the proposed slope is 3 in 12. Part of the reason for the lower slope roof was that we are matching the slope of the original home and its original design as well as keeping the ridge of the roof as low as possible relative to sightlines of adjacent properties. Regardless we are still above the overall height limits but I wanted to add this interpretation for context.

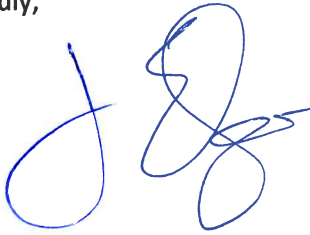
It has been the intent of my client to keep as much of the original home as possible and salvaging building materials wherever possible. Limited access to the site for construction is in another reason for retention as there is no lane and the building sites has a cross fall slope of 34'. As I stated earlier, by

adding a floor we improve the access to the property while trying to minimize impact to the adjacent lots. Whatever we did we were likely to involve the Board of Variance to seek relaxations owing to hardships based on the configuration of our lot.

In summation; after discussions with the Planning Department, Engineering Department and 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 related City agencies.

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

Yours truly,

A handwritten signature in blue ink, consisting of a large loop followed by a series of smaller loops and a final flourish.

Jonathan Ehling Architect AIBC

cc. Peter and Carol Dutzi



BOARD OF VARIANCE REFERRAL LETTER

DATE: February 21, 2019			<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: March 21, 2019 for the April 4, 2019 hearing.			
APPLICANT NAME: Jonathan Ehling			
APPLICANT ADDRESS: 200 – 829 W. 15th Street, N. Vancouver BC, V7P 1M5			
TELEPHONE: 604-770-1380			
PROJECT			
DESCRIPTION: ESFD – Interior Alteration to Main Floor, and Second Floor Addition including a New Attached Garage			
ADDRESS: 341 N. Hythe Avenue			
LEGAL DESCRIPTION:	LOT: 99	DL: 189	PLAN: 32145

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 102.6(2) and 102.8(1)

COMMENTS:

The applicant proposes to build interior alterations, an upper level addition, and a new attached 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 102.6(2) – “Height of Principal Building” of the Zoning Bylaw requirement for the maximum building height from 24.30 feet to 32.83 feet as measured from the rear average grade for the proposed single family addition with a flat roof.
- 2) To vary Section 102.6(2) – “Height of Principal Building” of the Zoning Bylaw requirement for the maximum building height from 24.30 feet to 24.91 feet as measured from the front average grade for the proposed single family addition with a flat roof.
- 3) To vary Section 102.8(1) – “Front Yard” of the Zoning Bylaw requirement for the minimum front yard depth from 24.61 feet to 22.70 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.*

MS

Kushnir

Peter Kushnir
Deputy Chief Building Inspector



**DUTZI
RESIDENCE**
341 N. HYTHE AVENUE
BURNABY, B.C.

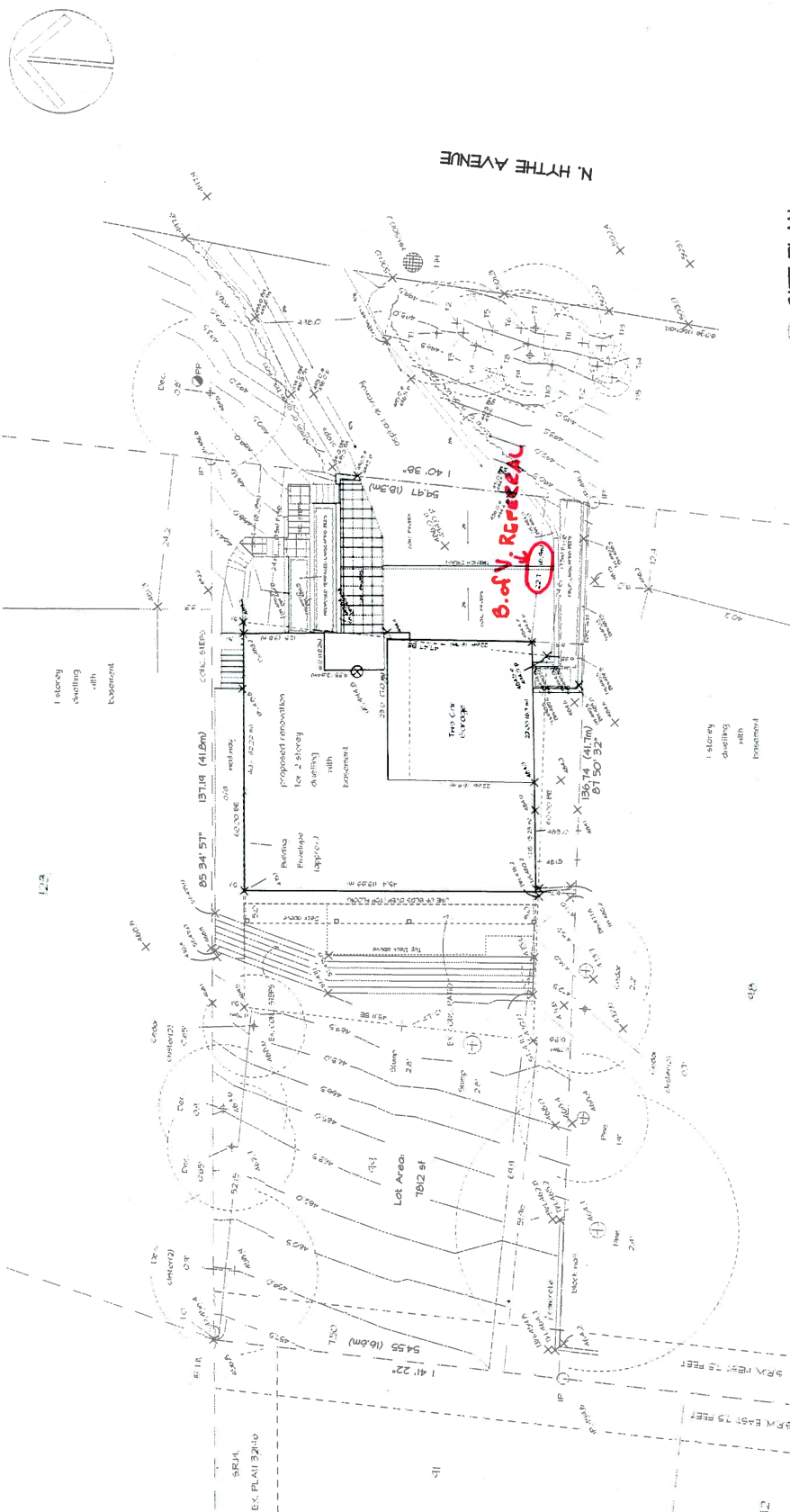
THE INFORMATION CONTAINED HEREIN IS THE PROPERTY OF JONATHAN EHLING ARCHITECT INC. AND IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. ALL OTHERS ARE TO BE KEPT IN CONFIDENCE AND NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM.

SITE PLAN
SCALE: 1/8" = 1'-0"

**SITE PLAN
SITE DATA**

Sheet No.	1 of 1
Scale	1/8" = 1'-0"
Date	2014.05.04
Drawn By	JS
Checked By	JS

4.(c)

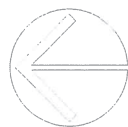


ZONING INFORMATION			
LOCAL AMENDMENTS	DATE OF AMENDMENT	AMENDMENT NO.	AMENDMENT DESCRIPTION
LOCAL AMENDMENT NO. 1	2012.05.04	1	AMENDMENT TO THE ZONING BY-LAW
LOCAL AMENDMENT NO. 2	2012.05.04	2	AMENDMENT TO THE ZONING BY-LAW
LOCAL AMENDMENT NO. 3	2012.05.04	3	AMENDMENT TO THE ZONING BY-LAW
LOCAL AMENDMENT NO. 4	2012.05.04	4	AMENDMENT TO THE ZONING BY-LAW
LOCAL AMENDMENT NO. 5	2012.05.04	5	AMENDMENT TO THE ZONING BY-LAW
LOCAL AMENDMENT NO. 6	2012.05.04	6	AMENDMENT TO THE ZONING BY-LAW
LOCAL AMENDMENT NO. 7	2012.05.04	7	AMENDMENT TO THE ZONING BY-LAW
LOCAL AMENDMENT NO. 8	2012.05.04	8	AMENDMENT TO THE ZONING BY-LAW
LOCAL AMENDMENT NO. 9	2012.05.04	9	AMENDMENT TO THE ZONING BY-LAW
LOCAL AMENDMENT NO. 10	2012.05.04	10	AMENDMENT TO THE ZONING BY-LAW

ARCHITECTURAL LAYOUT SET	
A-0	7th FLOOR PLAN
A-1	6th FLOOR PLAN
A-2	5th FLOOR PLAN
A-3	4th FLOOR PLAN
A-4	3rd FLOOR PLAN
A-5	2nd FLOOR PLAN
A-6	1st FLOOR PLAN
A-7	Basement ELEVATION
A-8	Basement ELEVATION
A-9	Basement ELEVATION
A-10	Basement ELEVATION
A-11	Basement ELEVATION

AREA CALCULATIONS	
Lot Area	10,000 sq. ft.
Building Footprint	1,000 sq. ft.
Garage Footprint	500 sq. ft.
Pool Footprint	100 sq. ft.
Deck Footprint	200 sq. ft.
Other Footprint	100 sq. ft.
Total Footprint	1,900 sq. ft.

NOTES:
1. All areas are calculated in accordance with the British Columbia Building Code (BCBC) and the City of Burnaby's Development Bylaw.
2. The lot area is based on the official survey map.
3. The building footprint is based on the architectural drawings.
4. The garage footprint is based on the architectural drawings.
5. The pool footprint is based on the architectural drawings.
6. The deck footprint is based on the architectural drawings.
7. The other footprint is based on the architectural drawings.



2002 - 2024 M. J. S. G. S.
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ROOF PLAN

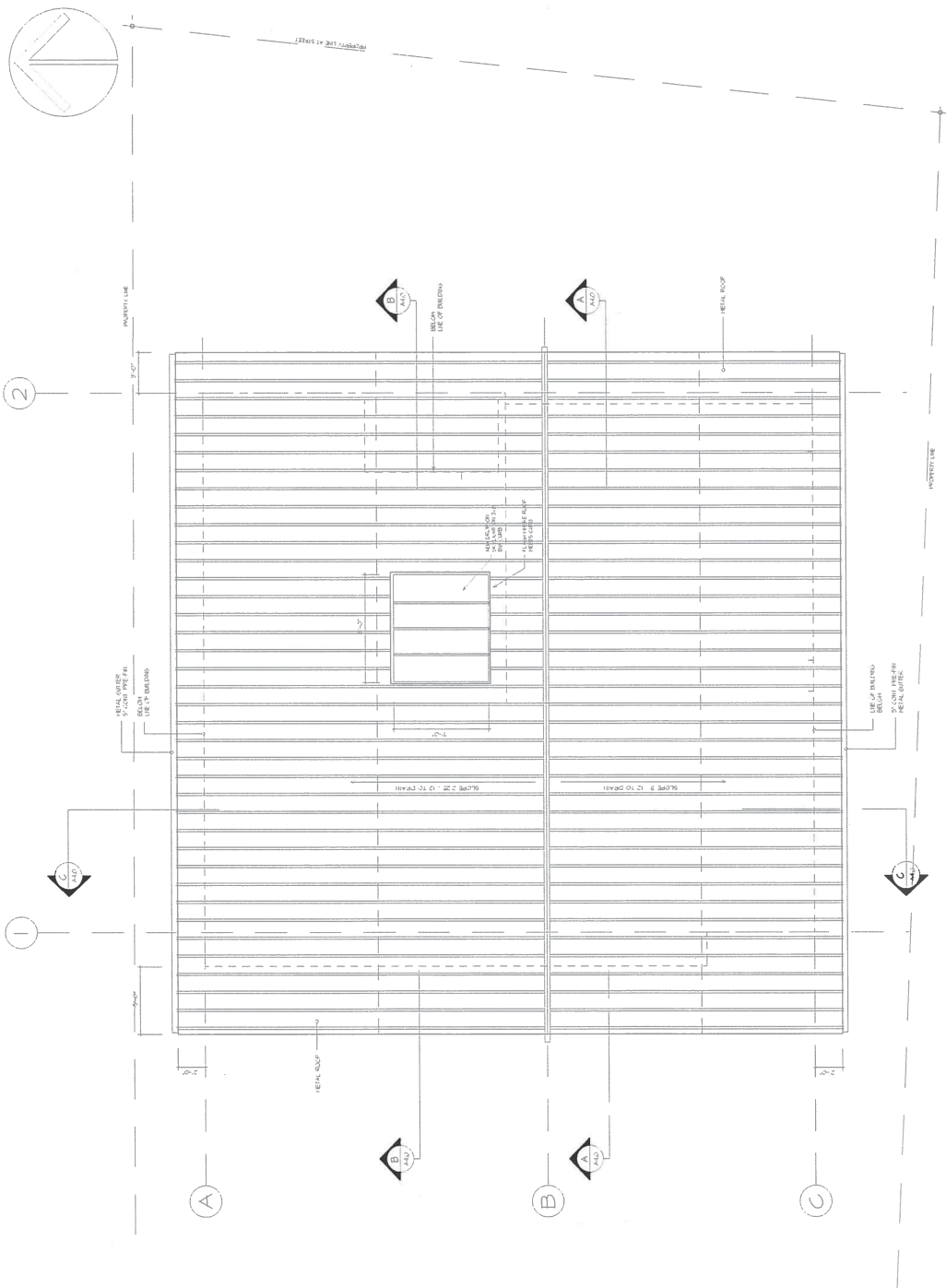
Scale:	$1\text{ cm} = 10^\circ$
App No	
Total	
Enroll No	
Class/Mod	

4.(c)

PPE-FINISHED METAL ROOF

- 5.1.1 PRISTINE 26 GA METAL ROOFING BY VICKSST OR APPROX EQUAL 12" OR 16" RIB SPACINGS - SELECTED BY OWNER
- 5.1.1 PER MANUFACTURERS INSTRUCTIONS FINAL COLOR TO BE SELECTED BY OWNER

5. 1 PRE-FIL DROP EDGES AND BASE FLASHING AS SHOWN ON
 DRAWINGS OR AS REFERRED IN DDC. 202
 5. 1.1 PRE-FIL 5" ALUMINUM FASCIA WITH 3" 3"
 CONSPICUOUSLY OR ON INSIDE CORNERS AND CONCEALED PROVIDE
 A 1/8" FALL OF 1/2" 1" LAPPED IN DIRECTION OF FLOW.
 5. 2 PROVIDE 5/8" 1" WITH SOLUBLE STRIPS AT 4" O.C. PRE-FIL
 COLOR TO MATCH SITTER AND FILL
 5. 3 SITTER COLOR TO BE SELECTED BY OWNER. STANDARD COLOR:
 5. 3.1 CEDAR. SOFFITS UNTO 5" FROM FINISH. 115" H
 5. 3.2 SOFFIT STRIP 255" 5"



PROPOSED
ROOF PLAN

