# BOARD OF VARIANCE 

## NOTICE OF OPEN MEETING

DATE: THURSDAY, 2019 JULY 04
TIME: $\quad$ 6:00 PM
PLACE: COUNCIL CHAMBER, MAIN FLOOR, CITY HALL

## AGENDA

1. CALL TO ORDER
2. MINUTES
(a) Minutes of the Board of Variance Hearing held on 2019 June 06

## 3. APPEAL APPLICATIONS

(a) APPEAL NUMBER
B.V. 6368
6:00 p.m.
APPELLANT: Gary Takhar, 78 Home Designs Ltd.
REGISTERED OWNER OF PROPERTY: Ann and Michael Frost
CIVIC ADDRESS OF PROPERTY: 6228 Thorne Avenue
LEGAL DESCRIPTION OF PROPERTY: Lot: 1 DL: 173 Plan: NWP1034

APPEAL: An appeal for the relaxation of Section 6.3(1)(b) 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 6228 Thorne Avenue, with a distance between overlapping exterior walls of the same building on the same lot of 15.50 feet ( 4.72 meters), where a minimum distance of 24.61 feet ( 7.50 meters) is required. Zone A2.
(b) APPEAL NUMBER: B.V. 6369 6:00 p.m.

APPELLANT: Navid Fereidooni, Krahn Engineering Ltd.
REGISTERED OWNER OF PROPERTY: 3267 Norland Holdings Ltd.
CIVIC ADDRESS OF PROPERTY: 3267 Norland Avenue

## LEGAL DESCRIPTION OF PROPERTY: DL: 75 Plan: NWP73092

APPEAL: An appeal for the relaxation of Section 6.6(3)(c) of the Burnaby Zoning Bylaw which, if permitted, would allow for the construction of a new industrial building with an accessory structure at 3267 Norland Avenue, with a height of 21.98 feet ( 6.70 meters) (sloped roof), measured from the front existing average grade, where a maximum height of 12.13 feet ( 3.70 meters) is permitted. Zone M2.
(c) APPEAL NUMBER: B.V. 6370 6:00 p.m.

APPELLANT: Merry Gao
REGISTERED OWNER OF PROPERTY: Qiong Li and Shuang Wang
CIVIC ADDRESS OF PROPERTY: 7960 12th Avenue
LEGAL DESCRIPTION OF PROPERTY: Lot: 11 DL: 28 Plan: NWP24032
APPEAL: An appeal for the relaxation of Section 105.10(1) of the Burnaby Zoning Bylaw which, if permitted, would allow for interior and exterior alterations, rear addition and covered deck addition to an existing single family dwelling at 7960 12th Avenue, with a side yard width of 3.66 feet ( 1.12 meters), where a minimum width of 4.90 feet ( 1.50 meters) is required. Zone R5.
(d) APPEAL NUMBER:
B.V. 6371

6:15 p.m.
APPELLANT: Zia Mawji
REGISTERED OWNER OF PROPERTY: Nasim Mawji
CIVIC ADDRESS OF PROPERTY: 3760 Norfolk Street

## LEGAL DESCRIPTION OF PROPERTY: Lot: 2 Block:44 DL: 69 Plan: NWP1321

APPEAL: An appeal for the relaxation of Sections 6.12(3)(a), 105.8(1) and 105.9 of the Burnaby Zoning Bylaw which, if permitted, would allow for interior and exterior alterations and enclosure of a carport into a garage for an existing single family dwelling at 3760 Norfolk Street. The following variances are requested:
a) a side yard width of 3.13 feet ( 0.95 meters), where a minimum side yard width of 3.30 feet ( 1.01 meters) is required;
b) a building depth of 56.66 feet ( 185.89 meters), where the maximum building depth of 50.00 feet ( 15.24 meters) is permitted; and,
c) a front yard depth of 15.65 feet ( 4.77 meters), where a minimum front yard depth of 19.70 feet ( 6.00 meters) is required. Zone R5.
4. NEW BUSINESS
5. 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 June 06 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
STAFF: Ms. Joy Adam, Development Plan Technician
Ms. Lauren Cichon, Administrative Officer
The Chair called the meeting to order at 6:01 p.m.

## 2. MINUTES

(b) Minutes of the Board of Variance Hearing held on 2019 May 02

## MOVED BY MR. DHATT

SECONDED BY MS. FELKER
THAT the minutes of the Burnaby Board of Variance Hearing held on 2019 May 02 be adopted.

## 3. APPEAL APPLICATIONS

(a) APPEAL NUMBER:
B.V. 6366

APPELLANT: Nazeer Bawa, EWAN Design and Construct INC.
REGISTERED OWNER OF PROPERTY: Perlita and Steven Lee
CIVIC ADDRESS OF PROPERTY: 7727 Stanley Street

LEGAL DESCRIPTION OF PROPERTY: Lot: 398 DL: 87 Plan: NWP48134
APPEAL: An appeal for the relaxation of Section 104.9 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 7727 Stanley Street, with a front yard depth of 24.58 feet where a minimum depth of 40.40 feet is required based on front yard averaging. Zone R4.

## APPELLANT'S SUBMISSION:

Mr. Nazeer Bawa, on behalf of the property owners, submitted an application to allow for the construction of a new single family dwelling with a secondary suite and attached garage at 7727 Stanley Street.

Mr. Bawa, Project Manager, and Mr. Steven Lee, Owner, appeared before members of the Board of Variance.

## BURNABY PLANNING AND BUILDING DEPARTMENT COMMENTS:

The subject site, which is zoned R4 Residential District, is located in the LakeviewMayfield neighbourhood, in which the age and condition of single family dwellings vary. The site is an irregularly shaped interior lot which fronts onto Stanley Street to the south and abuts a lane in the north-east (rear) corner. This irregular shaped lot is 118.88 feet deep along its western (side) property line and has a frontage of 66.94 feet in a concave shape. The site slopes downward approximately 11.1 feet in a southnorth (front to rear) direction along the eastern property line and 10.0 feet along the western property line. To the north, east, west and across Stanley Street to the south are single family dwellings. Vehicular access to the subject site is proposed to remain via the lane to the rear (northeast).

The site is constrained by a Storm sewer SROW (Statutory Right of Way) along the eastern and northern property lines. The SROW runs the length of the eastern property line approximately 10.0 feet wide and along the northern (rear) property line approximately 8.0 feet wide.

The curvature of the southern street fronting property line is mirrored directly across Stanley Street to the south by the adjacent neighbouring property. This curvature is a result of an existing road dedication that was retained for a possible future cul-de-sac to be constructed.

A new single family dwelling with a secondary suite and an attached garage are proposed for the subject site, for which the following variance is requested. The appeal is to vary Section 104.9 - "Front Yard" of the Zoning Bylaw requirement from 40.40 feet, based on front yard averaging, to the proposed 24.58 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 "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 neighbouring properties to the east: 7737 and 7757 Stanley Street and the neighbouring property directly to the west 7711 Stanley Street. These front yard setbacks are 35.2 feet, 37.8 feet, and 48.2 feet respectively. The two neighbouring properties to the east are significantly larger lots than the subject site with a depth of 169.0 feet. These neighbouring lots do not have the curved fronting property line or Statutory Right-of-Way that the subject site is constrained with. City records indicate that the existing dwelling on the subject site observed a front yard setback of approximately 25.0 feet.

The subject variance is measured to the foundation of the proposed single family dwelling at the most limiting location from the curved fronting property line. The fronting façade of the subject dwelling is proposed to be a long wall with a minimal recess on the upper floor. On the main floor there is a covered porch in the centre of the front façade which protrudes approximately 4.0 feet in front of the main wall of the subject dwelling. Directly above the porch on the second level is an 8.0 foot wide recess with a window setback approximately 3.0 feet from the main fronting façade of the subject dwelling. This recess helps to reduce impacts of massing and separates the long wall of the front façade.

In view of neighbouring properties, there is an established block frontage along the north and south sides of Stanley Street. The proposed variance is in line with the neighbouring dwellings to the east and west and would therefore have no negative impacts on these neighbouring dwellings.

With respect to hardship, the lot size and irregular shape directly contributes to the request for this variance.

## ADJACENT OWNER'S COMMENTS:

A letter was received from the owner at 7748 Stanley Street expressing concerns regarding the size of the home, and unpermitted uses. The author does not oppose the purposed front yard depth if it going to line up with the adjoining houses at the front of the property.

Correspondence was received from a resident at concerns regarding parking issues.

MOVED BY MR. DHATT
SECONDED BY MR. PEPPARD
THAT based on the plans submitted, this appeal be ALLOWED.
CARRIED UNANIMOUSLY

## (b) APPEAL NUMBER: <br> B.V. 6367

APPELLANT: Nicole Kliewer, Sarah Gallop Design Inc.
REGISTERED OWNER OF PROPERTY:
CIVIC ADDRESS OF PROPERTY:
LEGAL DESCRIPTION OF PROPERTY: Lot: 3 DL: 175 Plan: NWP11760
APPEAL: An appeal for the relaxation of Sections 6.2(2) and 6.14(5)(b) 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 $\square \square \square$. The following variances are being requested:
a) an accessory building in a required front yard located 8.00 feet from the front (Clinton Street) property line and 10.03 feet from the west property line, where no accessory building can be located in a required front yard;
b) a fence height of 9.05 feet located to the rear of the required front yard, where a maximum height of 5.91 feet is permitted; and,
c) a retaining wall height of 10.47 feet located to the rear of the required front yard, where a maximum height of 5.91 feet is permitted. Zone R2.

## APPELLANT'S SUBMISSION:

Ms. Nicole Kliewer, on behalf of the property owners, submitted an application to allow for the construction of a new single family dwelling with a secondary suite and detached garage at

Ms. Kliewer, Designer, and
Owner, appeared before members of the Board of Variance.

## BURNABY PLANNING AND BUILDING DEPARTMENT COMMENTS:

The subject site, which is zoned R2 Residential District, is located in the Suncrest neighbourhood, in which the age and condition of single family dwellings vary. This interior through lot, approximately 59.98 feet wide and 120.03 feet long, fronts Suncrest Drive to the south and Clinton Street to the north. Single family dwellings abut the subject site to the east and west as well as across Clinton Street to the north and Suncrest Drive to the south. The subject lot observes an upward slope of approximately 17.7 feet in the south-north (front-rear) direction along the western property line and 10.6 feet along the eastern property line. Vehicular access to the subject site is proposed to remain off Clinton Street to the north.

The subject site is proposed to be redeveloped with a new single family dwelling with secondary suite and accessory detached garage, which is the subject of the first appeal a). This property was the subject of four previous appeals before the Board of Variance: 1970, July 02 (BV \#289), 1979 June 08 (BV \#1959), 1983 Dec 01 (BV \#2685), and 1987 Aug 06 (BV \#3293). Three of these appeals requested variances to the rear yard setback and one for a nil side yard setback for an existing carport in a front yard. All of these appeals were granted by the Board.

The first appeal a) is to vary Section 6.2 (2) - "Location and Siting of Buildings" of the Zoning Bylaw requirement which if permitted would allow for the construction of an accessory building in a required front yard, where no accessory building can be located in a required front yard. The proposed accessory building is 8.0 feet from the front (Clinton Street) property line and 10.03 feet from the west property line.

The intent of the Zoning Bylaw in prohibiting construction of accessory buildings in front yards is to ensure a uniform streetscape with open front yards and to limit massing impacts of such structures on neighbouring properties.

The proposed accessory building, approximately 21.83 feet wide by 20.08 feet deep, is proposed to be located in the northwest corner of the front yard, 8.0 feet from the front (north) property line and 10.03 feet from the side (west) property line. The initial 16.6 feet of the depth of the proposed accessory building will be located in the required front yard. However, the remaining 3.48 feet of the depth of the proposed garage will be located outside the required front yard within the permitted siting area for accessory structures.

The accessory building will contain one parking space accessed off Clinton Street by an overhead door. The accessory building will appear approximately 12.09 feet high, as measured from the proposed grade to the top of the proposed flat roof, when viewed from the neighbouring property across Clinton Street. Although the subject accessory building is proposed to be setback 8.0 feet from the Clinton Street property line, it would still be visible to the northern neighbours across Clinton Street creating some negative impacts. The properties bordering the subject site to the east front onto Patterson Avenue. The rear yards of these sites adjoin the eastern property line of the subject site. Due to the significant amount of shrubbery and deciduous trees bordering the adjoining property line, these sites will not be affected by the requested variance.

With regard to the overall neighbourhood context, the subject block fronting Clinton Street has two similar accessory buildings in front yards located immediately west of the subject property. The lot directly west of the subject lot, 7907 Suncrest Drive, appeared before the Board on 1977 July 07 (BV\# 1659) for a similar variance requesting an accessory carport in the front yard. This variance was approved by the Board. Similarly, the second lot to the west, 7913 Suncrest Drive, appeared before the Board on 2015 May 07 (BV\# 6161) requesting a variance for an accessory detached garage in a front yard that had been partially constructed in error before appearing before the Board. Although the Planning Department did not support the requested appeal, it was approved by the Board. There are no other lots in this block with accessory buildings fronting Clinton Street.

Although the site topography presents some challenges, it appears that other design options exist that would not require the need for this variance.

The second appeal b) is to vary section 6.14(5)(b) - "Fences" of the Zoning Bylaw from 5.91 feet to a maximum of 9.05 feet for heights of constructed fences located to the rear of the required front yard.

The third appeal c) is to vary section 6.14(5)(b) - "Fences" of the Zoning Bylaw from 5.91 feet to a maximum of 10.47 feet for heights of constructed retaining walls located to the rear of the required front yard. In reference to both appeals b) and c), the intent of the Bylaw is to mitigate the massing impacts of new fences, walls and other structures on neighbouring properties.

With respect to the second appeal, the fence height is determined by measuring from the ground level at the average grade level within 2.95 feet of both sides of the fence. In this case, the portion of the retaining wall above the average grade level is included in the calculation.

With respect to the third appeal, the retaining wall height is determined by measuring from the exposed ground level to the surface of the ground which the retaining wall supports. In this case, the portion of the retaining wall above this surface is not included in the calculation.

In both cases, the requested variances are located in the northwest corner of the subject lot starting from the southwest corner of the proposed accessory garage, continuing to the west for approximately 9.5 feet terminating 0.53 feet east of the western property line.

As the subject fence and retaining wall are setback approximately 27.25 feet from the north fronting property line, neighbouring dwellings across Clinton Street to the north would not be affected by these variance requests. The property directly west of the subject site, is similarly sloped and contains an accessory structure in the northeast corner, as mentioned above. Existing shrubs and greenery along the bordering property line would prevent negative impacts from being present on this neighbouring site.

The over-height portions of the proposed retaining wall and fence will be visible only by the occupants of the subject site from within their property. Although the rear façade of the proposed dwelling is setback 20.11 feet from the subject fence and wall, a closed in feel will be present in the rear outdoor living space of the subject site.

In summary, it is noted that the use of retaining walls, fences and guards is common when dealing with challenging site topography, such as that of the subject site. Accordingly, the use of retaining walls is common in this neighbourhood. However, despite the challenging topography of the site, it appears that other design options exist that would not require the need for these variances.

## ADJACENT OWNER'S COMMENTS:

No correspondence was received regarding this appeal.
MOVED BY MS. FELKER
SECONDED BY MR. DHATT
THAT based on the plans submitted, part (a) of this appeal be ALLOWED.
CARRIED
OPPOSED: MR. NEMETH
MOVED BY MS. FELKER SECONDED BY MR. DHATT

THAT based on the plans submitted, part (b) of this appeal be ALLOWED.
CARRIED
OPPOSED: MR. NEMETH

MOVED BY MS. FELKER
SECONDED BY MR. DHATT
THAT based on the plans submitted, part (c) of this appeal be ALLOWED.
CARRIED
OPPOSED: MR. NEMETH

## 4. NEW BUSINESS

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

## 5. ADJOURNMENT

MOVED BY MS. FELKER
SECONDED BY MR. PEPPARD
THAT this Hearing do now adjourn.

The Hearing adjourned at 6:22 p.m.

Ms. L. Cichon
ADMINISTRATIVE OFFICER

Mr. S. Nemeth, CHAIR

Mr. R. Dhatt

Ms. B. Felker

Mr. W. Peppard

# 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


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.


## Office Use Only



Appeal Number BV\# $\qquad$
Required Documents:
Fee Application Receipt
Building Department Referral Letter
Hardship Letter from Applicant
Site Plan of Subject Property

June 7, 2019

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

Dear Board of Variance Review Committee,
Re: Letter of Hardship - 6228 Thorne Avenue, Burnaby, B.C. V3N 2V2
Our family has been happily living in the Edmonds Community area for over 16 years and we are hoping to build a new home suitable for our family's needs, in the neighbouring community of Big Bend. The property is located at 6228 Thorne Avenue and will be our primary residence. With the assistance of 78 Home Designs, the house has been designed with space to support our family, entertain guests, and with comfort as we consider retirement in future years. We are hoping for a two-storey home, with crawl space and no basement level. With the property zoned as an A2Small Holdings District, 78 Home Designs advised us of design challenges due to geotechnical conditions, dimension of property and compliance with City zoning bylaws. We have invested a considerable amount of time, energy and expense planning for this home, therefore hope we have an appealing design that will meet the approval from the Board of Variance Review Committee. We request for a relaxation of the overlapping exterior walls, based on the restrictions of A2 zoning bylaw and supplementary regulations.

## Overlapping Exterior Walls:

As per the Burnaby zoning bylaw, 6.3(1)(b) - In all zoning districts, except RM District and developments in the C8 and C9 Districts that include a residential component, equal to the overlay in either horizontal or vertical direction. Such distance shall be not less than 4.50 m ( 14.76 ft ) but need not exceed 7.50 m ( 24.61 ft ).

Incorporated into the design is a small court yard, located between the main staircase and dining room, resulting with overlapping exterior walls. Considerate of the neighbour, the purpose of this court yard feature is to create an exterior visual appeal from the neighbour's perspective and break up, what would be a continuous wall. This feature will also allow for natural light to filter over to the neighbouring property and reduce shadows that would be casted onto that home. 78 Design Homes interpretation of the bylaw is to ensure overlapping exterior walls are such distance not less than $4.50 \mathrm{~m}(14.76 \mathrm{ft})$ and not exceed 7.50 m ( 24.61 ft ).

We are proposing: $4.72 \mathrm{~m}(15.50 \mathrm{ft})$ distance between overlapping exterior walls.

## Requesting Variance for the following:

- Relaxation for overlapping exterior walls from $7.50 \mathrm{~m}(24.61 \mathrm{ft})$ to 4.72 m ( 15.50 ft ).

We have been designing this home over the past twelve months and working closely with the Planning and Building department to ensure all requirements have been met. We appreciate your time to review our application and respect the outcome from the Board of Variance hearing. This is the final step before building our dream home and hopeful for an approval by the Board of Variance Review Committee for the requested relaxation.

Sincerely,


Michael and Ann Frost
7821 16 ${ }^{\text {th }}$ Avenue, Burnaby, BC V3N 1 R2
Tel: 604-240-8111

Tel: 778-321-2018

## BOARD OF VARIANCE REFERRAL LETTER

| DATE: May 14, 2019 | This is not an application. <br> Please submit this letter to <br> the Clerk's office (ground <br> floor) when you make your <br> Board of Variance <br> application. |
| :--- | :--- |
| DEADLINE: June 11, 2019 for the July 04, 2019 hearing. |  |
| APPLICANT NAME: 78 Home Design |  |
| APPLICANT ADDRESS: $\mathbf{6 5 7 3}$ Knight Drive, Delta, V4E 1S6 |  |
| TELEPHONE: 778-321-2018 | DL: 173 |
| PROJECT | PLAN: NWP1034 |
| ADESCRIPTION: New single family dwelling with secondary suite and attached garage |  |
| LEGAL DESCRIPTION: | LOT: 1 |

Building Permit application BLD18-01220 will be denied by the Building Department because the design is not in compliance with Burnaby Zoning Bylaw No. 4742:

Zone A2 / Sections 6.3(1)(b)

## 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 $6.3(1)(\mathrm{b})$ - "Distances between Buildings on the same Lot" of the Zoning Bylaw requirement for the distance between overlapping exterior walls of the same building from 24.61 feet to 15.5 feet.

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


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CANTILEVERED
3.(a)

# 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


Property

Name of Owner
Civic Address of Property
$\qquad$
3267 Norland Avenue, Burnaby

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


## Office Use Only

Appeal Date July 4
Appeal Number BV\#


Required Documents:
Fee Application Receipt
Building Department Referral Le
Hardship Letter from Applicant
Site Plan of Subject Property

Any documents submitted in support of this Board of Variance Appeal will be $r$-28-s available to the Public

# June 11, 2019 

City of Burnaby, Board of Variance
4949 Canada Way, Burnaby, BC V5G 1M2
RE: Proposed Wash Bay
3267 Norland Avenue, Burnaby (PPA18-00154)
Parcel A, DL 75, Group 1, NWD Reference Plan 73092

To Whom it May Concern:

Please note that we are requesting approval from the Board of Variance for the increased height of an accessory structure to be located at 3267 Norland Avenue. The proposed accessory structure is intended for use as a wash-bay for large commercial trucks, up to $14^{\prime}-0^{\prime \prime}$ tall, and requires an increased clear height inside to accommodate the large vehicles. The allowable height of 3.7 m will not be adequate for the intended use of the building, therefore we are requesting a variance to allow a proposed maximum height of 6.7 m (22.0'). The proposed accessory structure was designed so that the owner would not have to sacrifice a repair bay intended for heavy truck repair from the principal building. The lot size and shape do not allow for the number of repair bays required when a wash-bay is included within the proposed principal building. If one of the repair bays were to be removed the owner would be losing $12.5 \%$ of potential revenue from the repair facility. As a proposed solution, the wash-bay has been designed as an accessory building requiring a height variance.


Navid Fereidooni, Architect AIBC

Planning and Building Department

|  | BOARD OF VARIANCE REFERRAL LETTER |
| :--- | :--- | :--- |$|$| This is not an application. |
| :--- |
| DATE: June 10, 2019 |
| DEADLINE: June 11, 2019 |
| Please take referral letter to Board of |
| Variance. (Clerk's office) |
| Date of Hearing: July 4, 2019 |

Preliminary Plan Approval Application: PPA 18-00154
DESCRIPTION: New industrial building with accessory structure

## ZONING: M2

ADDRESS: 3267 Norland Avenue

| LEGAL: | LOT: | DL: 75 | PLAN: NWP73092 |
| :--- | :--- | :--- | :--- |

Preliminary Plan Approval application PPA 18-00154 has been suspended pending Board of Variance review pursuant to the following section of the Zoning Bylaw.

$$
\text { Zone M2 / Section } 6.6 \text { (3c) }
$$

## COMMENTS:

The applicant proposes to build a new industrial building with an accessory structure. In order to allow the Preliminary Plan Approval Application to proceed, the applicant requests the following variance be granted:

1) To vary Section 6.6 (3c) - "Accessory Buildings and Uses" of the Zoning Bylaw which if permitted would allow for the construction of an accessory structure with a height of 21.98 feet $(6.7 \mathrm{~m})$ (sloped roof), measured from the front existing average grade, where a maximum height of 12.13 feet $(3.7 \mathrm{~m})$ is permitted.

Note: The applicant recognizes that this appeal request, as per the submitted drawings, if granted, would be subject to full compliance with all other applicable Municipal regulations and requirements. Should the project contain additional characteristics in contravention of the Zoning By-law, future appeals(s) may be required.


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1 WASHBAY PERSPECTIVE 1


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


Phone Number (s)

$$
(H)
$$

$\qquad$ (C)


Email


Property

Name of Owner

Civic Address of Property

$\qquad$
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.


Applicant Signature
Office Use Only
Appeal Date


Appeal Number BV\# $\qquad$ 6370

Required Documents.
E 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 $r-41-\mathrm{e}$ available to the Public

7960 12 ${ }^{\text {th }}$ Ave

## To Whom It May Concern,

The property was purchased in 2016, and built in the 1950s. The minimum side yard requirement for this zoning is currently 4.9 ft . Since the house was built many years ago, the existing side yard setback does not meet the current requirement. Considerable work would be required to fulfil this requirement. Thus, we hope the board can relax the side yard requirement to that of 3.66 ft .

Sincerely,
Owner Name: Li Qiong
June .05. 2019

## BOARD OF VARIANCE REFERRAL LETTER

| DATE: May 27, 2019 |  |  | This is not an application. Please submit this letter to the Clerk's office (ground floor) when you make your Board of Variance application. |
| :---: | :---: | :---: | :---: |
| DEADLINE: June 11, 2019 for the July 04, 2019 hearing. |  |  |  |
| APPLICANT NAME: Merry Gao |  |  |  |
| APPLICANT ADDRESS: 1275 Hastings Street, Vancouver, B.C., V6E 4S8 |  |  |  |
| TELEPHONE: 778-899-8958 |  |  |  |
| PROJECT |  |  |  |
| DESCRIPTION: Interior Alterations, Exterior Alterations, Rear Addition and Covered Deck Addition to ESFD |  |  |  |
| ADDRESS: $796012^{\text {th }}$ Ave |  |  |  |
| LEGAL DESCRIPTION: | LOT: 11 | DL: 28 | PLAN: NWP24032 |

Building Permit application BLD19-00069 will be denied by the Building Department because the design is not in compliance with Burnaby Zoning Bylaw No. 4742:

Zone R5 / Sections 105.10(1)

## COMMENTS:

The applicant proposes to build interior alterations. exterior alterations. a rear addition and a rear covered deck addition to an exísting single family dwelling. In order to allow the Building Permit application to proceed, the applicant requests that the following variance be granted:

1) To vary Section 105.10(1) - "Side Yards" of the Zoning Bylaw requirement for the minimum side yard width from 4.9 feet to 3.66 feet.

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

LM


Gloria Grill
Building Code Engineer



3.(c)

## 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


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.


## Office Use Only



Appeal Number BV\#


Required Documents:

- Fee Application Receipt

Building Department Referral Letter
$\square$ Hardship Letter from Applicant
L. Site Plan of Subject Property

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

Nasim Mawji
3760 Norfolk St.
Burnaby, BC V5G 1E4
(778) 2417869
nasimsmawji@gmail.com

Board of Variance
Burnaby City Hall 4949 Canada Way
Burnaby, BC V5G 1M2
In Request for Variance
3760 Norfolk St. Burnaby, BC V5G 1E4

To the Board of Variance.

This letter is to ask the Board for approval of the existing setbacks.
My family bought the house from a previous owner and were unaware of any changes done to the house. We believe that the house was built in 1966.

We were informed this year after the architectural drawings were submitted that the setbacks are an issue. We do not know what the solution to this issue is, and this is a definite hardship to our family.

I am
and currently trying to create a functional space for my
brother and elderly mom to live in. The reason I did this is because my mother and brother need a clean and functional living space.

My brother is settings.

The renovations were done for the safety and comfort of my family, which were desperately needed. I have been trying to get my family back into the house for eight months. The change of living has had a large effect on my brother and mothers' health, both mentally and physically.

It is urgent that our family be reunited as soon as possible.

Thank you for your consideration.

Sincerely,

## Zia Mawji for Nasim Mawji



## BOARD OF VARIANCE REFERRAL LETTER

| DATE: May 27, 2019 | This is not an application. <br> Please submit this letter <br> to the Clerk's office <br> (ground floor) when you <br> make your Board of <br> Variance application. |
| :--- | :--- |
| DEADLINE: June 11, 2019 for the July $\mathbf{0 4} \mathbf{2 0 1 9}$ hearing. |  |
| APPLICANT NAME: Zia Mawji <br> APPLICANT ADDRESS: $\mathbf{3 7 6 0}$ Norfolk Street, Burnaby, B.C., V5G |  |
| TELEPHONE: 778-389-7869 |  |
| PROJECT | DL: 44 |
| DESCRIPTION: Interior \& Exterior Alterations and Enclosure of Carport into Garage for ESFD |  |
| ADDRESS: 3760 Norfolk Street | PLAN: NWP1321 Part W <br> 1/2, Group 1 |
| LEGAL DESCRIPTION: | LOT: $\mathbf{2}$ |

Building Permit application BLD19-00298 will be denied by the Building Department because the design is not in compliance with Burnaby Zoning Bylaw No. 4742:

Zone R5 / Sections 6.12(3)(a); 105.8(1); 105.9

## COMMENTS:

The applicant has built interior \& exterior alterations and has converted a carport into a 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 6.12(3)(a) - "Exceptions to Side Yard Requirements" of the Zoning Bylaw requirement for the minimum side yard width from 3.3 feet to 3.13 feet.
2) To vary Section $105.8(1)$ - "Depth of Principal Building" of the Zoning Bylaw requirement for the maximum building depth from 50 feet to 56.66 feet.
3) To vary Section 105.9 - "Front Yard" of the Zoning Bylaw requirement for the minimum front yard depth from 19.7 feet to 15.65 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 these variances, 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

Gloria Gril
Building Code Engineer








[^0]:    Gloria Grill
    Building Code Engineer

[^1]:    Margaret Malysz
    Development Plan Approvals Supervisor
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