

BOARD OF VARIANCE A G E N D A

Tuesday, June 30, 2020, 5:00 p.m. Council Chamber, City Hall 4949 Canada Way, Burnaby, BC

Pages 1. LAND ACKNOWLEDGEMENT 2. **MINUTES** 4 2.1 Minutes of the Board of Variance hearing held on 2020 February 06. 3. **APPEAL APPLICATIONS** 14 3.1 BOV #6399 - 6489 Selma Avenue (5:00 p.m.) APPELLANT: Jerry Lee c/o Gaius Developments Inc. REGISTERED OWNER OF PROPERTY: Vladimir Ivanov CIVIC ADDRESS OF PROPERTY: 6489 Selma Avenue LEGAL DESCRIPTION OF PROPERTY: Lot: 4 DL: 94 Plan: NWP1117 APPEAL: An appeal for the relaxation of Section 105.8(1) (Depth of Principal Building) of the Burnaby Zoning Bylaw which, if permitted, would allow for the addition to an existing family dwelling at 6489 Selma Avenue. This relaxation would allow for a building depth of 21.67 metres (71.10 feet) where a maximum building depth of 18.30 metres (60.00 feet) is permitted. (Zone R5) 24 3.2 BOV #6400 - 7160 Ridge Drive (5:15 p.m.) APPELLANT: Shemina Patni

REGISTERED OWNER OF PROPERTY: Shemina Patni

CIVIC ADDRESS OF PROPERTY: 7160 Ridge Drive

LEGAL DESCRIPTION OF PROPERTY: Lot: 55 DL: 216 Plan: NWP11555

APPEAL: An appeal for the relaxation of Section 6.6(2)(c) (Accessory Buildings and Uses) of the Burnaby Zoning Bylaw which, if permitted, would allow for the construction of a new single family dwelling with secondary suite and detached garage at 7160 Ridge Drive. The relaxation would allow for a maximum width of an accessory building in a rear yard of 5.89 metres (19.31 feet) where a maximum width of 4.07 metres (13.34 feet) is permitted as based on two-thirds of the width of the rear yard. (Zone R2)

3.3 BOV #6401 - 6160 Gordon Place (5:30 p.m.)

APPELLANT: Hardip Thind

REGISTERED OWNER OF PROPERTY: Hardip and Mandeep Thind

CIVIC ADDRESS OF PROPERTY: 6160 Gordon Place

LEGAL DESCRIPTION OF PROPERTY: Lot: 225 DL: 91 Plan: NWP36959

APPEAL: An appeal for the relaxation of Sections 101.7 (Depth of Principal Building) and 101.8 (Front Yard) of the Burnaby Zoning Bylaw which, if permitted, would allow for a new single family dwelling with an attached garage and secondary suite at 6160 Gordon Place. The following variances are being requested:

- a) a building depth of 20.63 metres (67.67 feet) where a maximum building depth of 18.3 metres (60 feet) is permitted;
- b) a front yard depth of 9 metres (29.5 feet) where a minimum front yard depth of 11.95 metres (39.2 feet) is required based on front yard averaging. (Zone R1)

3.4 BOV #6402 - 6840 Stanley Street (5:45 p.m.)

APPELLANT: Rina Dhillon

REGISTERED OWNER OF PROPERTY: Rina Dhillon

CIVIC ADDRESS OF PROPERTY: 6840 Stanley Street

LEGAL DESCRIPTION OF PROPERTY: Lot: 183 DL: 92 Plan: NWP25335

33

42

APPEAL: An appeal for the relaxation of Section 105.9 (Front Yard) of the Burnaby Zoning Bylaw which, if permitted, would allow for a new single family dwelling with a secondary suite and detached garage at 6840 Stanley Street. This relaxation would allow for a front yard depth of 9.47 metres (31.08 feet) where a minimum front yard depth of 12.14 metres (39.84 feet) is required based on front yard averaging. (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, **2020 February 06** at 6:00 p.m.

1. CALL TO ORDER

PRESENT: Mr. Stephen Nemeth, Chair

Ms. Jacqueline Chan, Citizen Representative

Mr. Rana Dhatt, Citizen Representative Ms. Brenda Felker, Citizen Representative

STAFF: Mr. Maciek Wodzynski, Development Plan Technician

Ms. Eva Prior, Administrative Officer

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

2. ELECTIONS

(a) Election of Chair

Nominations for Chair of the Burnaby Board of Variance were called for.

Mr. Rana Dhatt nominated Mr. Stephen Nemeth for the position of Chair of the Board of Variance from 2020 February 06 to 2020 December 31.

There were no further nominations received.

MOVED BY MS. FELKER SECONDED BY MS. CHAN

THAT Mr. Stephen Nemeth be appointed as Chair of the Burnaby Board of Variance from 2020 February 06 to 2020 December 31.

CARRIED UNANIMOUSLY

The Chair, Mr. Nemeth recognized the ancestral and unceded homelands of the həndəminəm and Skwxwú7mesh speaking peoples, and extended appreciation for the opportunity to hold a meeting on this shared territory.

3. MINUTES

(b) Minutes of the Board of Variance Hearing held on 2020 January 09

MOVED BY MS. FELKER SECONDED BY MR. DHATT

THAT the minutes of the Burnaby Board of Variance Hearing held on 2020 January 09 be adopted.

CARRIED UNANIMOUSLY

4. <u>APPEAL APPLICATIONS</u>

(a) APPEAL NUMBER: B.V. 6393

APPELLANT: Gurjot Punia

REGISTERED OWNER OF PROPERTY: Ginder and Harbans Kainth

CIVIC ADDRESS OF PROPERTY: 7775 14th Avenue

LEGAL DESCRIPTION OF PROPERTY: Lot: 14 DL: 28 Plan: NWP627

APPEAL: An appeal for the relaxation of Section 105.8 (1) (Depth of Principal Building) 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 7775 14th Avenue. This relaxation would allow a building depth of 19.51 metres (64.00 feet) where a maximum building depth of 18.21 metres (59.74 feet) is permitted. Zone R5

APPELLANT'S SUBMISSION:

Gurjot Punia, on behalf of the property owner, submitted an application to allow for the construction of a new single family dwelling with a secondary suite and attached garage at 7775 14th Avenue.

Ranjit and Ginder Kainth, and Gurjot Punia appeared before the 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 Edmonds neighbourhood in which the age and condition of single and two-family dwellings vary. This rectangular, interior lot, fronting 14th Avenue, is approximately 15.24 metres (50.00 feet) wide and 36.42 metres (119.48 feet) deep. The subject site is surrounded by single family dwellings on all sides. Vehicular access to the attached garage is provided from 14th Avenue; no lane access is available.

The subject site is proposed to be improved with a new single family dwelling with secondary suite and attached garage.

The appeal requests a "Depth of Principal Building" of 19.51 metres (64.00 feet) where a maximum of 18.21 metres (59.74 feet) is required based on 50% depth of the lot.

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

In this case, the requested variance occurs at the northeast corner of the proposed dwelling where the 4.47 metres (14.66 feet) covered, partially recessed, deck projects 2.34 metres (7.66 feet) beyond the front face of the house. 1.2 metres (3.94 feet) of those 2.34 metres (7.66 feet) is an allowable projection. The remaining 1.14 metres (3.74 feet) is the encroachment and subject of this variance request.

The requested variance is the result of a design choice. The depth of the deck can be easily modified without the necessity of redesigning the proposed dwelling. The proposed excess length of the building faces a single storey addition on the neighbouring property (7783 14th Avenue). It is noted that the neighbour's addition was built without a building permit.

ADJACENT OWNER'S COMMENTS:

Correspondence was received from the owner/resident of 7759 14th Avenue in opposition to this appeal.

A form letter was received and signed by owners/residents of 7754, 7766, 7776, 7782, 7783 and 7790 14th Avenue and 7774 15th Avenue. The letter read as follows:

I have read the variance application and reviewed the site plan for the new dwelling at 7775 14th Avenue Burnaby. I am supportive of the required variance as requested by the owner for BOV 6393.

The owner/resident of 7782 14th Avenue appeared at the Board of Variance in support of the requested appeal.

The owner/resident of 7759 14th Avenue appeared at the Board of Variance, advising that they are now in favour of the appeal.

MOVED BY MR. DHATT SECONDED BY MS. CHAN

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

FAILED (Opposed: Mr. Nemeth, Ms. Chan)

BOARD MEMBER COMMENTS:

Mr. Nemeth found that no hardship had been identified.

Ms. Chan found that no hardship had been identified.

<u>Mr. Dhatt</u> found that hardship was evident due to personal characteristics of the applicant and voted to approve the variance. Mr. Dhatt found that the applicant had made an effort to minimize the effect on neighbouring properties.

<u>Ms. Felker</u> found that hardship was evident due to physical site characteristics and voted to approve the variance. Ms. Felker found that the applicant had made an effort to minimize the effect on neighbouring properties.

(b) <u>APPEAL NUMBER:</u> B.V. 6394

<u>APPELLANT:</u> Dan Perreault

REGISTERED OWNER OF PROPERTY: Rino Cioffi

CIVIC ADDRESS OF PROPERTY: 5360 Venables Street

LEGAL DESCRIPTION OF PROPERTY: Lot: D DL: 127 Plan: 23241

APPEAL:

An appeal for the relaxation of Section 6.6(1)(c) (Accessory Building and Uses) 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 5360 Venables Street. This relaxation would allow a minimum rear yard depth for an accessory building to the lane of 0.67 metres (2.23 feet) where a minimum depth of 1.20 metres (3.94 feet) is required. Zone R4

APPELLANT'S SUBMISSION:

Dan Perreault, on behalf of the property owner, submitted an application to allow for the construction of a new single family dwelling with a secondary suite and attached garage at 5360 Venables Street.

Dan Perreault, Rino Cioffi, and Kristy Bombini-Cioffi appeared before the members of the Board of Variance.

BURNABY PLANNING AND BUILDING DEPARTMENT COMMENTS:

The subject site is zoned R4 Residential District and is located in the Parkcrest-Aubrey neighbourhood where the age and condition of the existing single and two family dwellings varies. This interior lot is approximately 20.12 meters (66.00 feet) wide and 37.19 metres (122.00 feet) deep and fronts Venables Street to the north. The subject site abuts a single family lot to the west and a two family lot to the east. Vehicular access to the subject site is provided from Venables Street to the north. The site is sloped approximately 3.08 metres (10.10 feet) from the north-east to the south-west.

The construction of a two storey, single family dwelling with a secondary suite, basement recreational area, attached double car garage and accessory pool bar is under way under

Building Permit BLD18-00562. The extension of the pool bar to accommodate an enclosed bathroom is the subject of this appeal.

The appeal proposes a rear yard setback of 0.67 metres (2.23 feet) from the south property line to the accessory building, with no further roof overhangs, where a minimum rear yard setback for accessory building of 1.20 metres (3.94 feet) is required.

The intent of the bylaw is to mitigate the impacts of building massing on neighbouring properties.

In this case, the approved building permit drawings include a 5.89 metres (19.33 feet) wide by 2.74 metres (9.00 feet) deep Pool Bar in the south-east corner of the site, approximately 1.22 metres (4.00 feet) from the rear, south, property line. The structure is open to the north, facing the main dwelling and to the west, facing a future pool. There is an exterior shower area, on the south pool bar wall facing the lane, flanked by a 1.01 metres (3.33 feet) wall on the east side and wall with a door protruding the same distance on the west side of the shower area. There is an additional 0.61 metres (2.00 feet) roof overhang permitted encroachment into the 1.20 metres (3.94 feet) required setback.

The proposal is to create a bathroom in place of the outdoor shower area by extending the area 0.61 metres (2.00 feet) further to the south and enclosing the area with walls under the already built, permitted roof overhang. It was noted that there is a foundation in place for the enclosed proposed bathroom which is the subject of this variance.

Near the proposed addition in the south-east corner of the subject site, in the south-west corner of the adjacent property to the east (5386 Venables Street), there is a wooden structure, overgrown with vines, also built close to the rear property line. Although the structure will cover the view of the proposed addition from the east neighbor, such a structure could be removed in the future, increasing the impact of the proposed variance.

It is noted that the proposed extension is a design choice rather than a hardship.

ADJACENT OWNER'S COMMENTS:

No comments were received regarding this appeal.

MOVED BY MS. CHAN SECONDED BY MR. DHATT

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

CARRIED (Opposed: Mr. Nemeth)

BOARD MEMBER COMMENTS:

Mr. Nemeth found that no hardship had been identified.

<u>Ms. Chan</u> found that hardship was evident due to physical site characteristics and voted to approve the variance.

Mr. Dhatt found that hardship was evident and voted to approve the variance.

<u>Ms. Felker</u> found that hardship was evident due to physical site characteristics and voted to approve the variance.

(c) <u>APPEAL NUMBER:</u> B.V. 6395

APPELLANT: Vikram Tiku

REGISTERED OWNER OF PROPERTY: Paramijit Virk

CIVIC ADDRESS OF PROPERTY: 8602 Armstrong Avenue

LEGAL DESCRIPTION OF PROPERTY: Lot:1 DL: 13 NWP3046

APPEAL:

An appeal for the relaxation of Section 103.8 (Front Yard) 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 8602 Armstrong Avenue. This relaxation would allow a front yard depth of 10.67 metres (35.00 feet) where a minimum front yard depth of 12.09 metres (39.68 feet) is required based on front yard averaging. Zone R3

APPELLANT'S SUBMISSION:

Vikram Tiku, on behalf on the homeowners, submitted an application to allow for the construction of a new single family dwelling with a secondary suite and detached garage at 8602 Armstrong Avenue.

Vikram Tiku appeared before the members of the Board of Variance.

BURNABY PLANNING AND BUILDING DEPARTMENT COMMENTS:

An application to the Board of Variance for the subject site was made in November for the December hearing proposing a variance to the front yard setback. However, prior to the hearing date the application was withdrawn. The current, revised, application reduces the front yard setback encroachment from 2.95 metres (9.68 feet) to 1.48 metres (4.68 feet). The written response to the December variance request is *attached* for reference.

The appeal is to vary Section 103.8 – "Front Yard" of the Zoning Bylaw from 12.09 metres (39.68 feet) to 10.67 metres (35.00 feet) to allow the construction of a new single family dwelling and secondary suite.

The lot is rectangle in shape, relatively flat. There are no environmental, topographic or legal constraints. The lot is wider by 3.88 metres (12.73 feet) than the smallest lot on the block (8660 Armstrong Avenue). Neighbouring lots having similar flanking street conditions are narrower by 1.68 metres (5.51 feet) (8596 Armstrong Avenue across Coquitlam Street) and 2.44 metres (8.01 feet) (8603 12th Avenue across the lane). The subject lot is also deeper by 7.15 metres (23.46 feet) than the 8596 Armstrong Avenue, corner lot across Coquitlam Street.

It is also worth noting that there is an 8.31 metre (27.25 feet) wide garage and paved parking area in the rear of the property, providing room for 6 cars. The 9.72 metres (31.92 feet) by full width of the rear of the property, which is devoted to the cars storage, takes much more potential outdoor space than the 1.48 metres (4.68 feet) front yard encroachment would create.

The siting of the subject dwelling is clearly a design choice, and can be easily adjusted to conform to the requirements of the zoning bylaw, therefore past Planning Department comments remain unchanged.

ADJACENT OWNER'S COMMENTS:

No comments were received regarding this appeal.

MOVED BY MS. FELKER SECONDED BY MS. CHAN

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

CARRIED

(Opposed: Ms. Chan)

BOARD MEMBER COMMENTS:

<u>Mr. Nemeth</u> found that hardship was evident due to physical site characteristics (existing utility pole) and voted to approve the variance.

Ms. Chan found that no hardship had been identified.

<u>Mr. Dhatt</u> found that hardship was evident due to physical site characteristics and voted to approve the variance.

<u>Ms. Felker</u> found that hardship was evident due to physical site characteristics and voted to approve the variance.

(d) <u>APPEAL NUMBER:</u> B.V. 6396

APPELLANT: Kapil Nanalal

REGISTERED OWNER OF PROPERTY: Sipra Gohel and Kapil Nanalal

CIVIC ADDRESS OF PROPERTY: 7775 Kentwood Street

LEGAL DESCRIPTION OF PROPERTY: Lot: 9 DL: 42 Plan: NWP23102

APPEAL: An appeal for the relaxation of Section 101.8 (Front Yard) 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 7775 Kentwood Street. This relaxation would allow a front yard depth of

6.08 metres (19.94 feet) where a minimum front yard depth of 9.0 metres (29.50 feet) is required based on front yard averaging. Zone R1

This appeal was **WITHDRAWN** prior to the Board of Variance Hearing.

- 8 -

B.V. 6397 (e) APPEAL NUMBER:

> APPELLANT: Bhupinder Singh

Mei-Ying Liu REGISTERED OWNER OF PROPERTY:

CIVIC ADDRESS OF PROPERTY: 6929 Marlborough Avenue

LEGAL DESCRIPTION OF PROPERTY: Lot: 93 DL: 98 Plan:44478

APPEAL:

An appeal for the relaxation of Section 105.9 (Front Yard) 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 6929 Marlborough Avenue. This relaxation would allow a front yard depth of 11.05 metres (36.24 feet) where 14.19 metres (46.57 feet) is required

based on front yard averaging. Zone R5

APPELLANT'S SUBMISSION:

Bhupinder Singh, submitted an application to allow for the construction of a new single family dwelling with a secondary suite and detached garage at 6929 Marlborough Avenue.

Jose Chu and Mei Ying Liu appeared before the 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 Sussex-Nelson neighbourhood, in which the age and condition of single family dwellings vary. The site is a rectangular shaped interior lot which fronts onto Marlborough Avenue to the east and abuts a lane to the west. This rectangular, relatively flat lot is 46.47 metres (152.46 feet) deep and has a frontage of 15.24 metres (50.01 feet). To the north, south and west across the lane and across Marlborough Avenue to the east are single family dwellings. Vehicular access to the subject site is proposed to remain via the lane to the rear (west).

A new single family dwelling with a secondary suite and a detached garage are proposed for the subject site, for which the following variance is requested.

The appeal is to vary Section 105.9 – "Front Yard" of the Zoning Bylaw requirement from 14.19 metres (46.57 feet), based on front yard averaging, to the proposed 11.05 metres (36.24 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 south: 6949 and 6957 Marlborough Avenue and the neighbouring property directly to the north (6909 Marlborough Avenue). These front yard setbacks are 10.98 metres (36.04 feet), 11.14 metres (36.56 feet), and 20.46 metres (67.11 feet), respectively. The two neighbouring properties to the south are aligned with the rest of the properties on this side of Marlborough Avenue. The proposed front yard setback of the subject dwelling at 11.05 metres (36.24 feet) is in between the two southern properties' setbacks and therefore aligned with the rest of the block. However, the property to the north is pie shaped with a narrower 16.66 metres (54.66 feet) frontage and a much wider 29.07 metres (95.37 feet) rear property line. To fit a large dwelling within this irregular property, the dwelling was located at the wider rear portion of the lot, 20.46 metres (67.11 feet) from the front property line, which directly contributes to the average front yard setback calculations.

However, in this case, following the front yard averaging requirement would contradict the intent of this Zoning Bylaw regulations, which is to create a consistent and the harmonious streetscape rather than adding to the aberration of the one extreme setback on the block. This extreme setback is a response to the irregular pie-shaped dimensions of the neighbouring property, which thus causes the distortion of the front yard average calculations that govern the subject site.

In view of neighbouring properties, there is an established block frontage along the west side of Marlborough Avenue. The proposed variance is in line with the neighbouring dwellings to the south and would therefore have no negative impacts on the streetscape.

ADJACENT OWNER'S COMMENTS:

Form letters in support of the requested variance were received from owners/residents of 6909, 6949, 6957, and 6959 Marlborough Avenue.

No further correspondence was received regarding this appeal.

MOVED BY MS. CHAN SECONDED BY MR. DHATT

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

CARRIED UNANIMOUSLY

BOARD MEMBER COMMENTS:

<u>Mr. Nemeth</u> found that hardship was evident due to the physical site characteristics of an abutting site and voted to approve the variance.

<u>Ms. Chan</u> found that hardship was evident due to the physical site characteristics and voted to approve the variance.

<u>Mr. Dhatt</u> found that hardship was evident due to the physical site characteristics of an abutting site and voted to approve the variance.

Ms. Felker found that hardship was evident due to the physical site characteristics of an abutting site and voted to approve the variance.

5. NEW BUSINESS

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

6. <u>ADJOURNMENT</u>

MOVED BY MR. DHATT SECONDED BY MS. FELKER

THAT this Hearing do now adjourn.

CARRIED UNANIMOUSLY

The Hearing adjourned at 7:10 p.m.

Mr. S. Nemeth, CHAIR

Ms. J. Chan

Mr. R. Dhatt

Ms. E. Prior
ADMINISTRATIVE OFFICER



2020 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	JERRY LEE		
Mailing Address	6789 CHATEA	U COURT	
City/Town	DELTA		Postal Code V4E3M7
Phone Number(s)	(H)	(C)	778-388-8637
Email	J.LEE@GAIU	SGROUP. COM	1
Property			
Name of Owner Civic Address of Prop		IR KA LVAR SELMA AJE	-, BURNABY
best of my knowledge, tr	ue and correct in a	II aspects, ar	port of this application is, to the not further that my plans have not for with in this application.
Date		Applicar	nt Signature
	Office U	se Only	
Appeal Date 2020	Appril Co Ap	peal Number B	sv# <u>6399</u>
□ Bu □ Ha	e Application Receipt ilding Department Re rdship Letter from Ap e Plan of Subject Prop	plicant	

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

GAIUS DEVELOPMENTS

INC.

HARDSHIP LETTER

Appeal of existing structure and addition allowance

Property Owner: Vladimir Ivanov

Agent: Jerry Lee

Property Address: 6489 - Selma Avenue,

Burnaby, BC V5H 3R3

Legal description: Lot 4 Block 9 Plan NWP1117 District Lot 94 Land District 1 Land

Distract 36

Zoning: R5

TO WHOM IT MAY CONCERN:

My name is Jerry Lee, the owner has placed me to the care of this project. I am writing on the behalf of my client, Vladimir Ivanov, owner of property at 6489 Selma Avenue to file an appeal for allowances to keep the existing structure and the proposal of a new addition garage. The subject property was previously subdivided irregularly; bought and built by the owner. The current principal building was approved but now is non-conforming in building depth due to the updated bylaw. The building as of now, has no garage for Vladimir to safely store his vehicle with valuable tools within. The addition also provides extra square footage above for the case of family relatives to return and reside. As the increasing rental market and market value of properties in lower mainland; it is increasingly harder for everyday life. In this regard, Vladimir has proposed a garage addition to his property as a security for his vehicle, valuable job site tools and square footage for family members. Due to the irregular lot, the garage, already a minimum sized proposed, also exceeds in building depth. The improvement will bring convenience and a peace of mind for the job he currently conducts. The city of Burnaby has rejected the request for proposal to the property accordingly based on the current bylaw. This puts a limitation to the use of space for him and his family. My client had thought of this to be an unfair subject matter. Vladimir seeks for help and possible remedies through negotiation in the board of variance.

Sincerely, Jerry Lee

Gaius Developments Inc.

Agent Signature:

Owner's Signature: Muling

Date: P7 mbrch 2020



BOARD OF VARIANCE REFERRAL LETTER

DATE: June 2, 2020			This is not an area in
DEADLINE: Application Pre	viously Submitted		This is <u>not</u> an application. Please submit this letter to
APPLICANT NAME: Vlad Iv	anov		the Clerk's office (ground
APPLICANT ADDRESS: 648	9 Selma, Burnaby, F	BC V5H 3R3	floor) when you make your Board of Variance
TELEPHONE: 604-318-7770	8 05 0 7		application.
PROJECT		电影影响	
DESCRIPTION: Addition to e	xisting single family	dwelling	
ADDRESS: 6489 Selma Avenu	e	5. 20 Val. 2016/00/2016	
LEGAL DESCRIPTION:	LOT: 4	DL: 94	PLAN: 1117

Building Permit application BLD19-00781 will be denied by the Building Department because the design is not in compliance with Burnaby Zoning Bylaw No. 4742:

Zone R5 / Section 105.8(1)

COMMENTS:

The applicant proposes to build an addition 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 105.8(1) – "Depth of Principal Building" of the Zoning Bylaw requirement for the maximum building depth from 18.30m (60.00 ft.) to 21.67m (71.10 ft.). The applicability of this variance, if granted, is limited to the scope of the proposal shown on the attached plans.

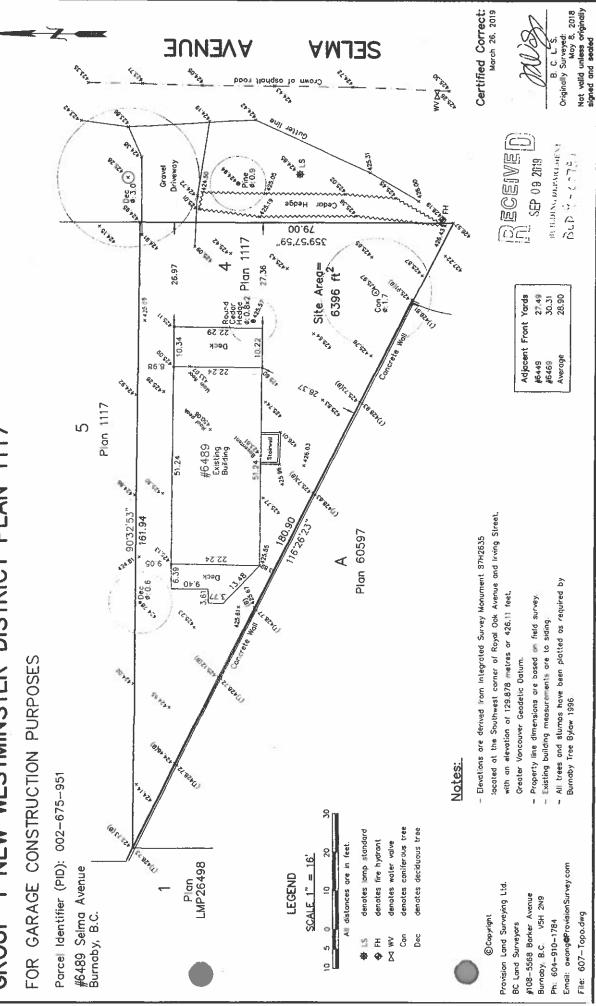
Note:

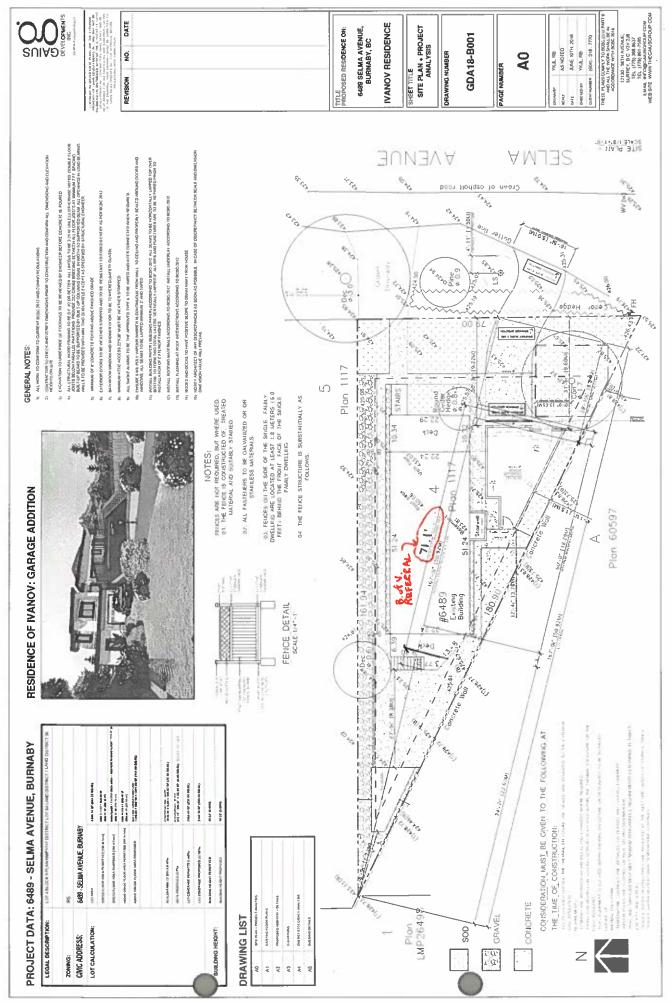
- 1. The applicant recognizes that should the project contain additional characteristics in contravention of the Zoning By-law, a future appeal(s) may be required.
- 2. All new principal building projections into the resulting required yards will conform to the requirements of Section 6.12.
- 3. Fences and retaining walls will conform to the requirements of Section 6.14.

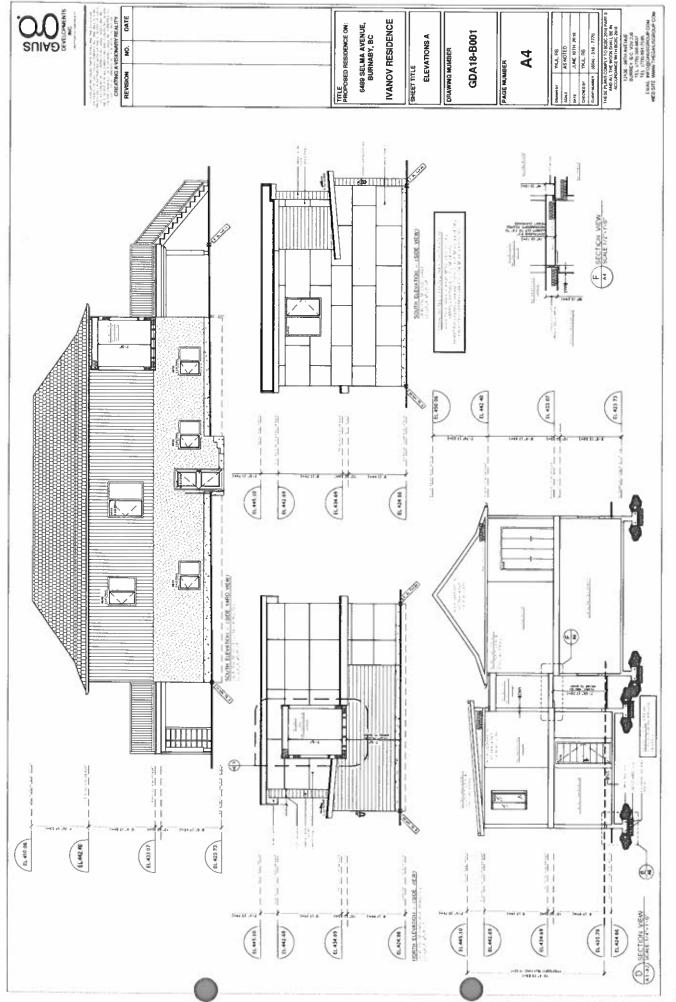
MS

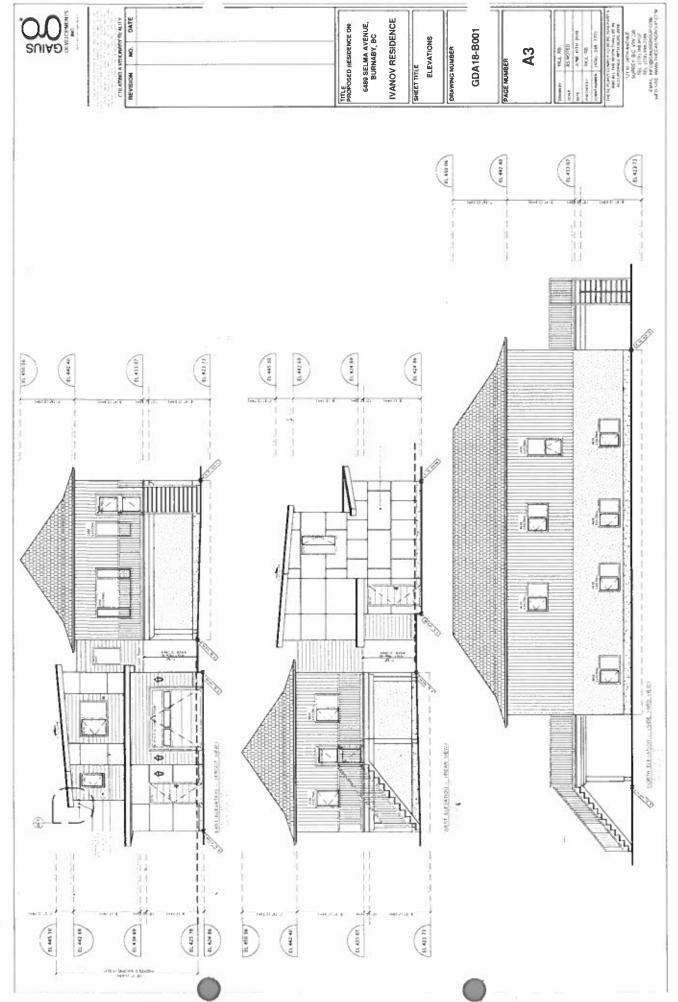
Peter Kushnir
Deputy Chief Building Inspector

TOPOGRAPHIC PLAN OF LOT 4 BLOCK 9 DISTRICT LOT 94 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 1117



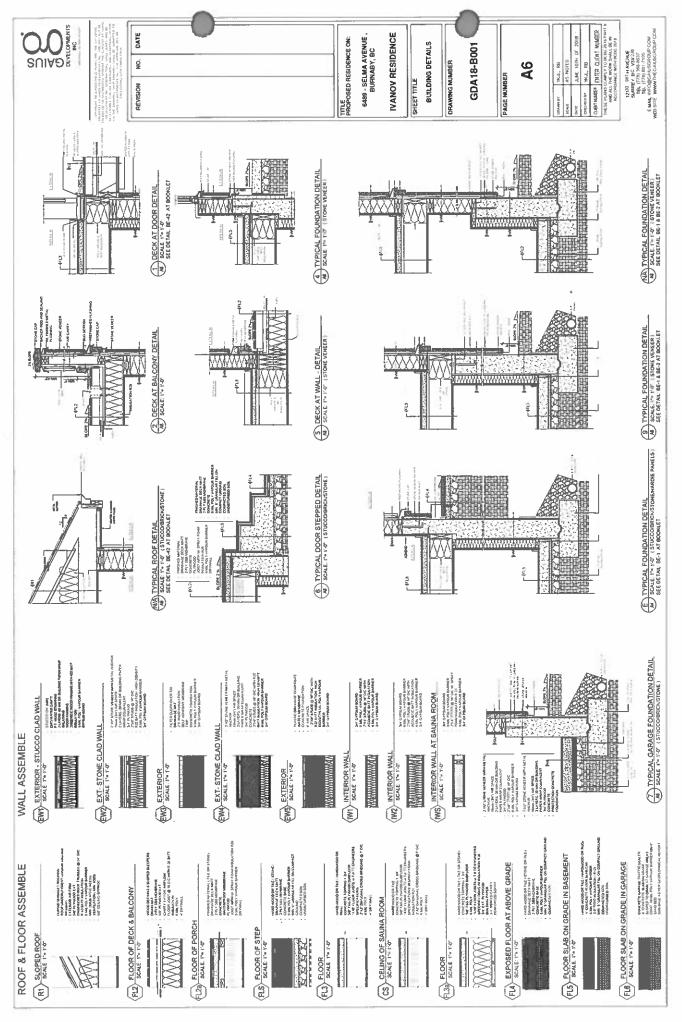


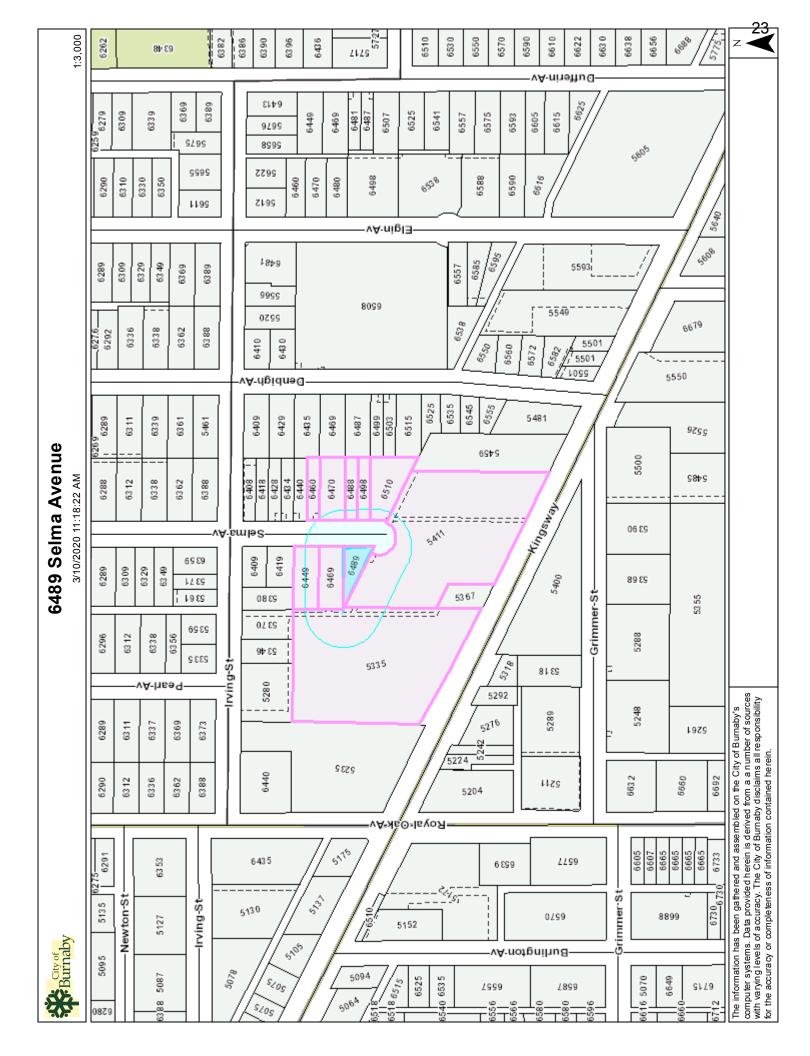




SUIAĐAMINIS NO	WESTON NO. DATE	POSED RESIDENCE ON	BABB SELMA AVENUE, BURNABY, BC	ANOV RESIDENCE	EET TITLE ENERGY EFFICIENCY ANALYSIS	WING NUMBER	JMBER	A5	A MACHINE AND THE AND
	20 S	TIT		≥	¥	8	PAG		2 6 8 8 9 9 P

0 Th		A Deposit who was a second of the first of	a divinity was a	The second secon	The state of the s	Section of the section of the section of	After a physical Physics
ACTION AND EXPECTABLES VALUE	0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0			A COLUMN TO THE PROPERTY OF TH	fil te	The state of the s	100000000000000000000000000000000000000
A STATE OF THE STA	13	Construction for health views construction to the construction of		The state of the s			4 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 -
The state of the s		But also shock the control of the Superior	Seage and Bloods Separition	TSHADSTO BROKEN TSHADSTO BROKEN	CLADONISI SP SPACE	Rel JOST SPACE VAZ READER RUDGES (6 SPACE)	RIODAS Spinich
A Company of the Comp					to the same of the		1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
CONTROL CORNER (1986) TO A TOTAL AND A TOT	aktow s	BELOW UNKER HEATED floods	(14) (14) (14) (14) (14)	History and Artists (1995)	1897 S Re 1798 S	matts belamen date and gravit	
FLOOMS GARL SIMPLESTED SHALES LCERUM, TAR PLOCHMENT	Pubblis mui	FLOORS THE UPPEATED SPACES (CALORY FLOORING)	MI (1998)	Arches Code utangatho goachs contracting Psychologic			8
		1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1		Acres on the second			Y. J
			The state of the s	The second secon		Other to pure notice	,







2020 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 Ap	plicant <u>S</u>	SMINA PATA	71		
Mailing Add	ress <u>333</u>	2 DD000c83	50		_
City/Town	BOR	N8AU.	Postal (Code VBG-SNS	7.
Phone Num	ber(s) (H)	4.657-1596	(c) <u>604-6</u>	344-4758	3
Email	sh	eminape	gnail.«	(A)	_
Property					
Name of Ov	/ner	StaminA	Atom 1		
Civic Addres	s of Property	7160 RIT	GE DR. F	BURNABY.	
		BC 450	314C		_
I hereby declare to best of my knowl conflict with mun	edge, true and	correct in all asp	ects, and furth	er that my plans	have no
Date Date	9,2020	<u> </u>	Applicant Signatu	ure	
		Office Use Or	<u>ıly</u>		
Appeal Date (XACIADNÍ	Appeal N	umber BV#		
Required Doc					
	Fee Applica	ation Receipt epartment Referral I	ottor		
	_	etter from Applicant			
		f Subject Property		2	
				-	

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

Zane and Shemina Patni
7160 Ridge Drive
Burnaby, BC
V5G 3N9
To the Burnaby Board of Variance,
The lot topography and dimensions doesn't allow an attached garage as it does not satisfy the building depth prompting us to make detached garage at the same location as it was before as the lot is not wide enough at the back to satisfy 2/3 width of rear property line so we want to request a variance which will not affect any other property.
We have modified the original plans several times to reduce the number of requested variance to one.
Best Regards,

Zane and Shemina Patni



BOARD OF VARIANCE REFERRAL LETTER

DATE: May 27, 2020 This is not an application. DEADLINE: June 09, 2020 for the July 09, 2020 hearing. Please submit this letter to APPLICANT NAME: Zane Patni the Clerk's office (ground floor) when you make your APPLICANT ADDRESS 5747 HARD WICK ST. V56123 Board of Variance application. TELEPHONE: 604-771-8963 **PROJECT** DESCRIPTION: New single family dwelling with detached garage and secondary suite **ADDRESS: 7160 Ridge Drive** LEGAL DESCRIPTION: LOT: 55 DL: 216 PLAN: NWP11555

Building Permit application BLD20-00012 will be denied by the Building Department because the design is not in compliance with Burnaby Zoning Bylaw No. 4742:

Zone R2 / Section 6.6(2)(c)

COMMENTS:

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

1) To vary Section 6.6(2)(c) – "Accessory Buildings and Uses" of the Zoning Bylaw requirement for the maximum width of an accessory building in a rear yard from 4.07 m (13.34 ft.) as based on two-thirds of the width of the rear yard, to 5.89 m (19.31 ft.). The applicability of this variance, if granted, is limited to the scope of the proposal shown on the attached plans.

Notes:

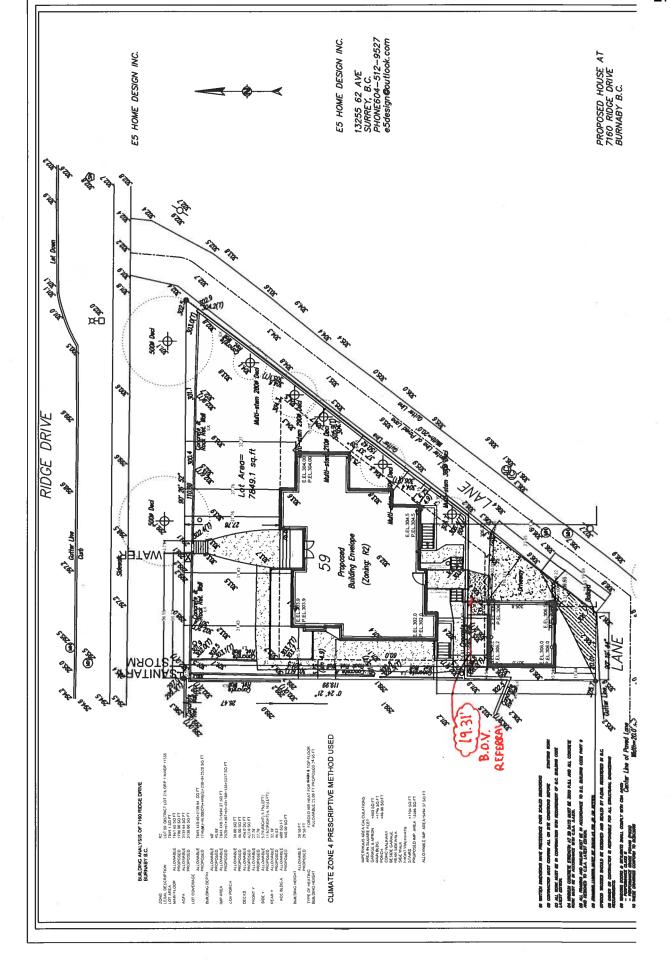
- 1. The applicant recognizes that should the project contain additional characteristics in contravention of the Zoning By-law, a future appeal(s) may be required.
- 2. All new principal building projections into the resulting required yards will conform to the requirements of Section 6.12.
- 3. Fences and retaining walls will conform to the requirements of Section 6.14.

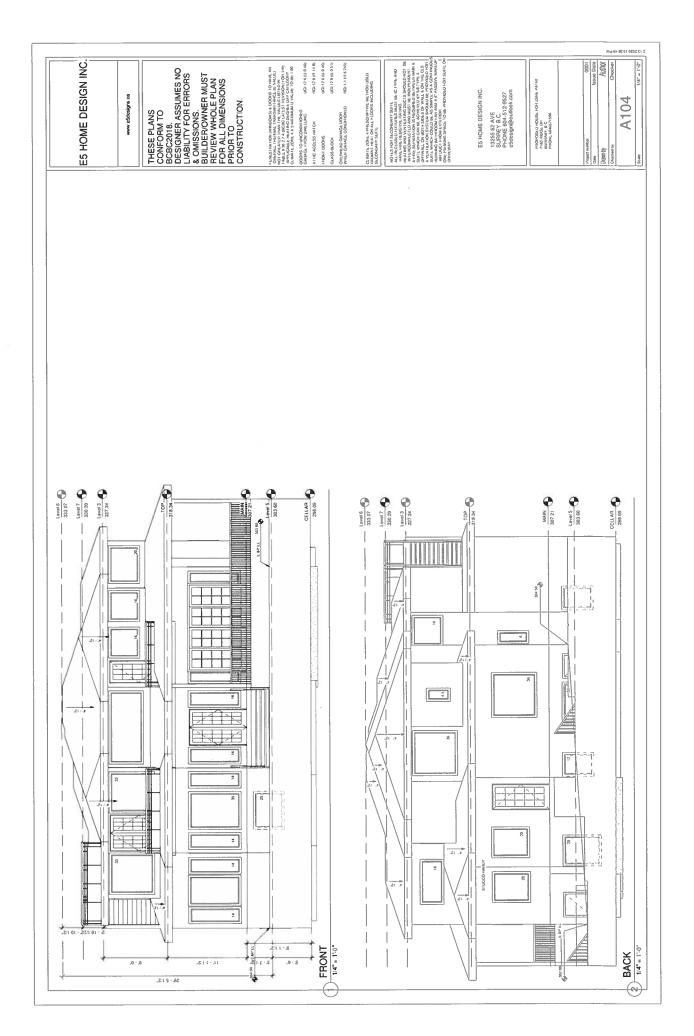
LM

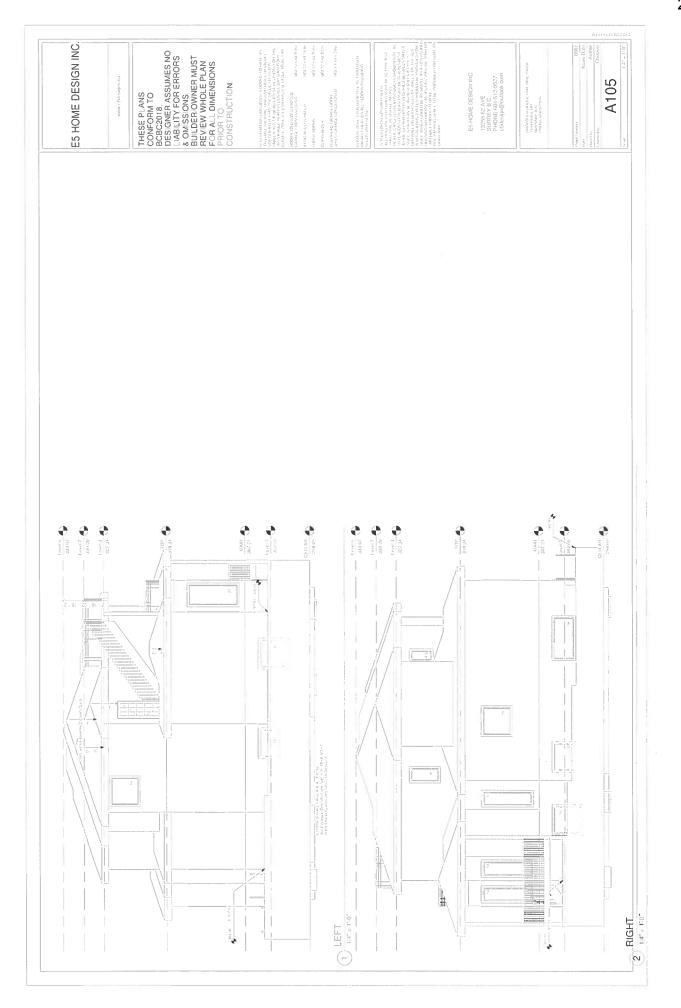
Peter Kushnir

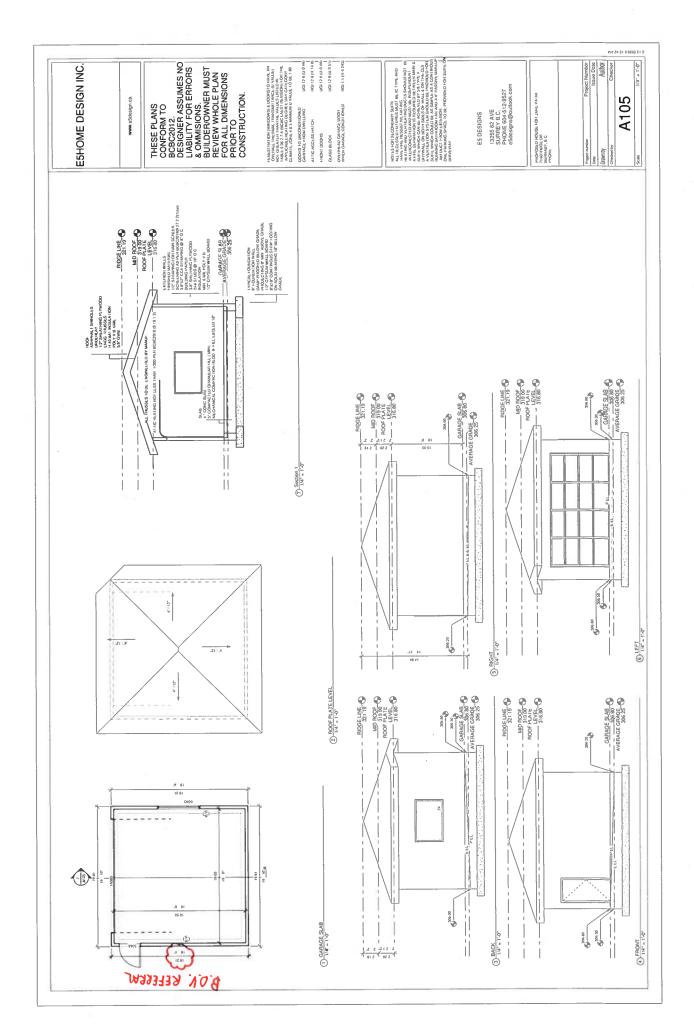
Deputy Chief Building Inspector

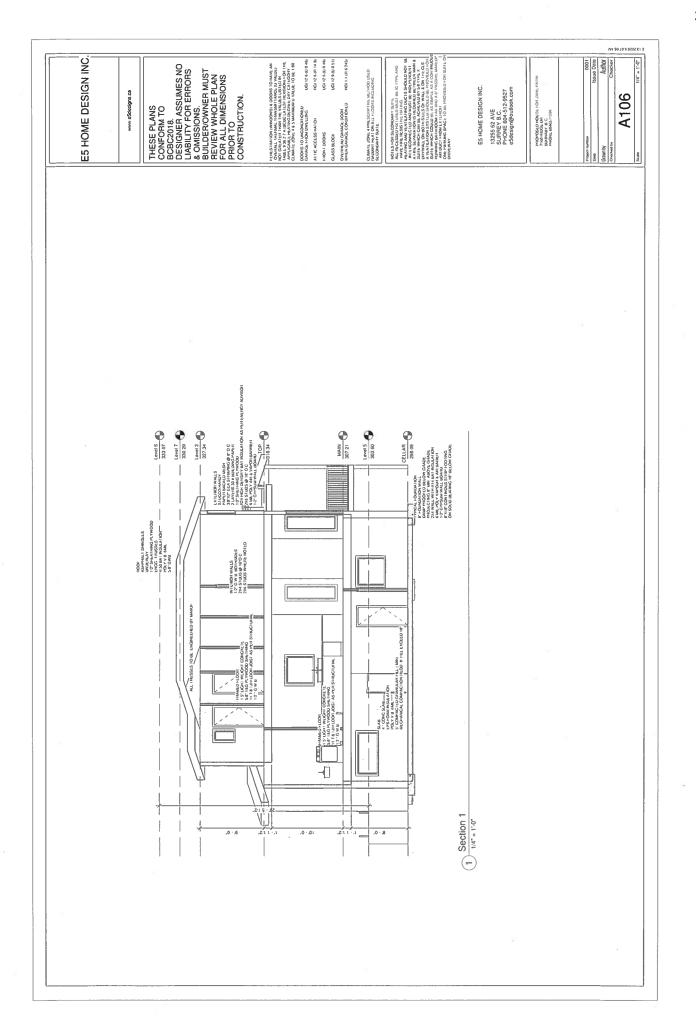
wwwser

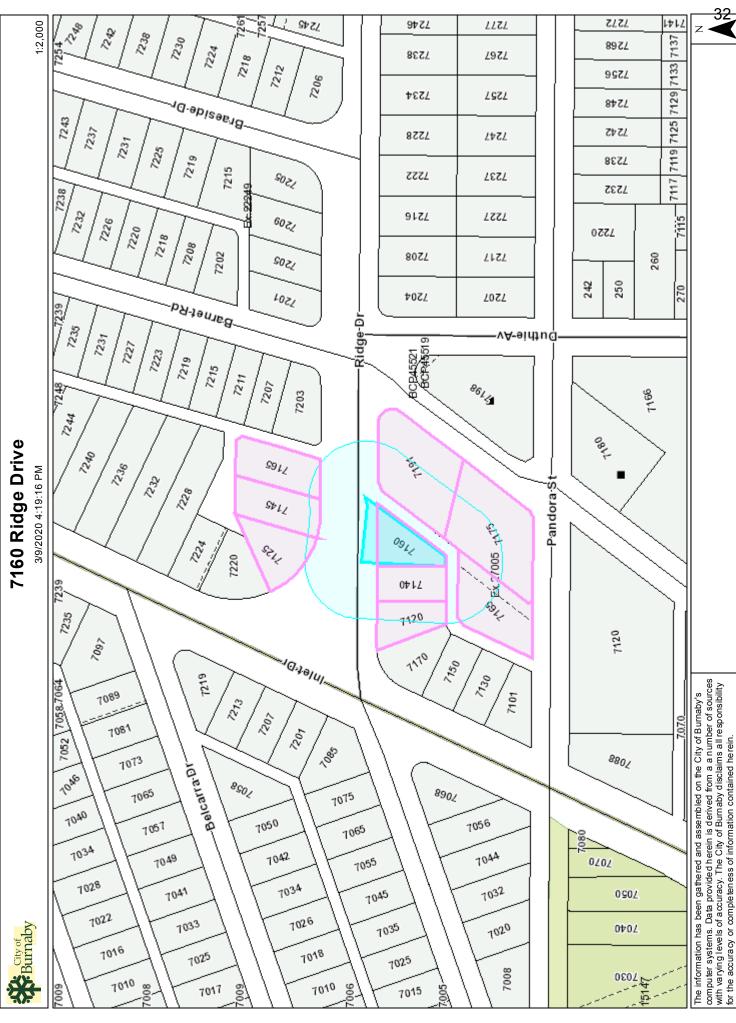














2020 Board of Variance Notice of Appeal Form

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 HARDIP THIND.
Mailing Address 3445 Haversley, Avenue
City/Town
Phone Number(s) (H) 604-468-8600 (C) 604-329-9314
Email deepateshow.co
Property
Name of Owner Hardip Thind.
Civic Address of Property 6160 Goldon Rlace
hereby declare that the information submitted in support of this application is, to the pest 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 Applicant Signature
Office Use Only
Appeal Date 2020 April OZAppeal Number BV#
Required Documents:
Fee Application ReceiptBuilding Department Referral Letter
 ☐ Hardship Letter from Applicant ☐ Site Plan of Subject Property
- Site Fight of Subject Froperty

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

The Board of Variance, City of Burnaby

Re: 6160 Gordon Place

Dear Members of the Board,

We are applying for 2 variances for the construction of a new home at 6160 Gordon Place.

Variance #1- Front Yard Setback

We are asking the Board to relax front yard setback to 29.52 feet (9M).

The average set back is 39.2 feet

<u>Hardship</u>: adjacent property 6229 Gordon Avenue a corner flanking lot, impacts our front yard setback. It is our request to exclude this property from the average setback calculation. Furthermore, thick, mature vegetation including, hedges and trees would limit the amount of sunlight should the front yard setback be at 39.2 feet.

Also, 6172 Gordon Place, the other adjacent house, has a front yard set back of 29.3 feet hence, our home would keep streetscape along Gordon Place should the variance be approved.

Variance #2-Building Depth

We are requesting variance for the building depth of 7.67 feet.

The maximum allowable building depth by the City is 60 feet.

<u>Hardship</u>: irregular (reverse pie) shape lot and the technique in which the City measures building depths on this type of lot.

We trust that the hardship created will be given fair consideration in assessing our application for the above requested variances.

Dr. Hardip Thind owner

Bob Rusbourne from Rusbourne Home Design.



BOARD OF VARIANCE REFERRAL LETTER

DATE: February 14, 2020			This is not an application.
DEADLINE: March 10, 2020	for the April 02, 2020	hearing.	Please submit this letter to
APPLICANT NAME: Wilf Ti	bbs		the Clerk's office (ground floor) when you make your
APPLICANT ADDRESS: 200	- 8661 200th Street L	angley BC V2Y 0G9	Board of Variance
TELEPHONE: 604-862-4106			application.
PROJECT			
DESCRIPTION: New single fa	mily dwelling with at	ttached garage and se	condary suite
ADDRESS: 6160 Gordon Place	е		
LEGAL DESCRIPTION:	LOT: 225	DL: 91	PLAN: NWP36959

Building Permit application BLD19-01012 will be denied by the Building Department because the design is not in compliance with Burnaby Zoning Bylaw No. 4742:

Zone R1 / Section 101.7 and 101.8

COMMENTS:

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

- 1) To vary Section 101.7 "Depth of Principal Building" of the Zoning bylaw requirement for the maximum building depth from 18.3 m (60 ft.) to 20.63 m (67.67 ft.). The applicability of this variance, if granted, is limited to the scope of the proposal shown on the attached plans.
- 2) To vary Section 101.8 "Front Yard" of the Zoning Bylaw requirement for the minimum front yard depth from 11.95 m (39.2 ft.) based on front yard averaging to 9 m (29.5 ft.). The applicability of this variance, if granted, is limited to the scope of the proposal shown on the attached plans.

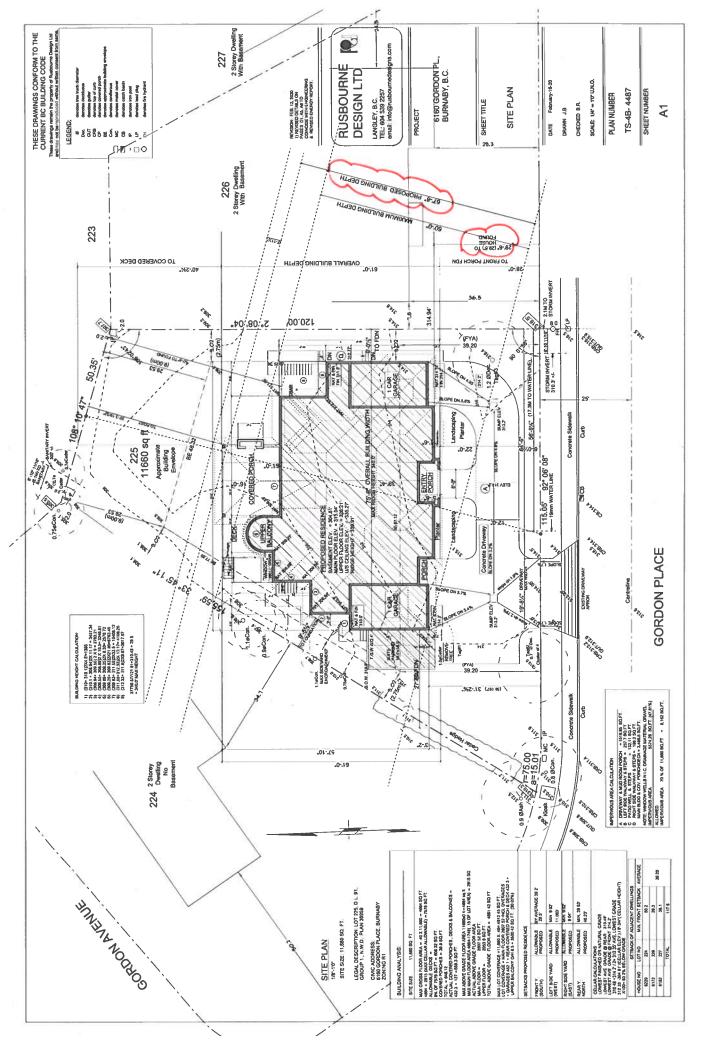
Notes:

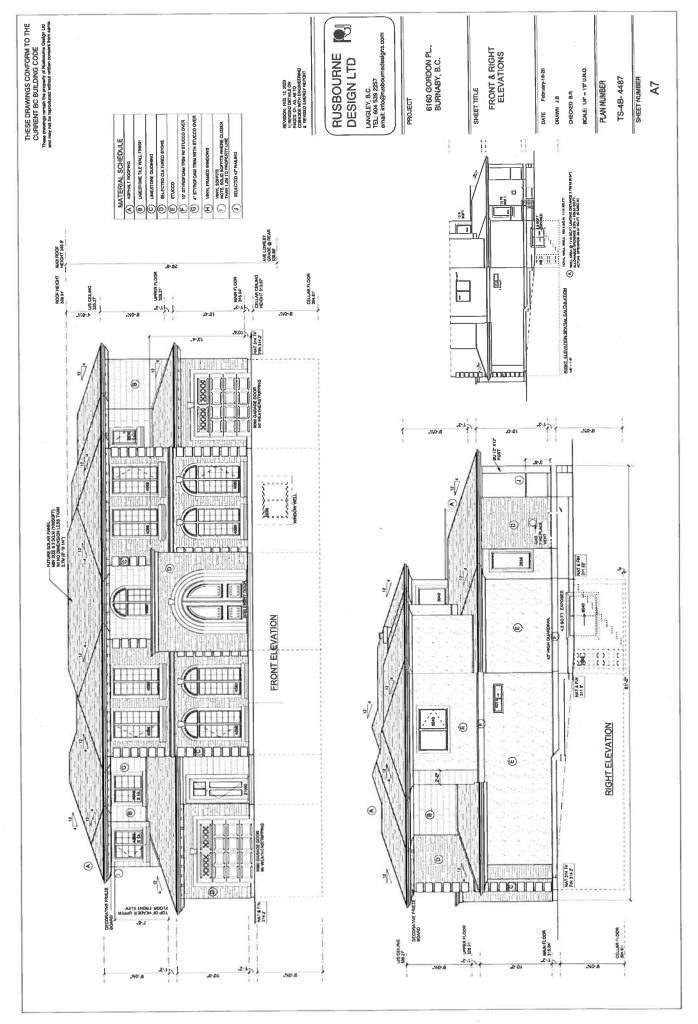
- 1. The applicant recognizes that should the project contain additional characteristics in contravention of the Zoning By-law, a future appeal(s) may be required.
- 2. All new principal building projections into the resulting required yards will conform to the requirements of Section 6.12.
- 3. Fences and retaining walls will conform to the requirements of Section 6.14.

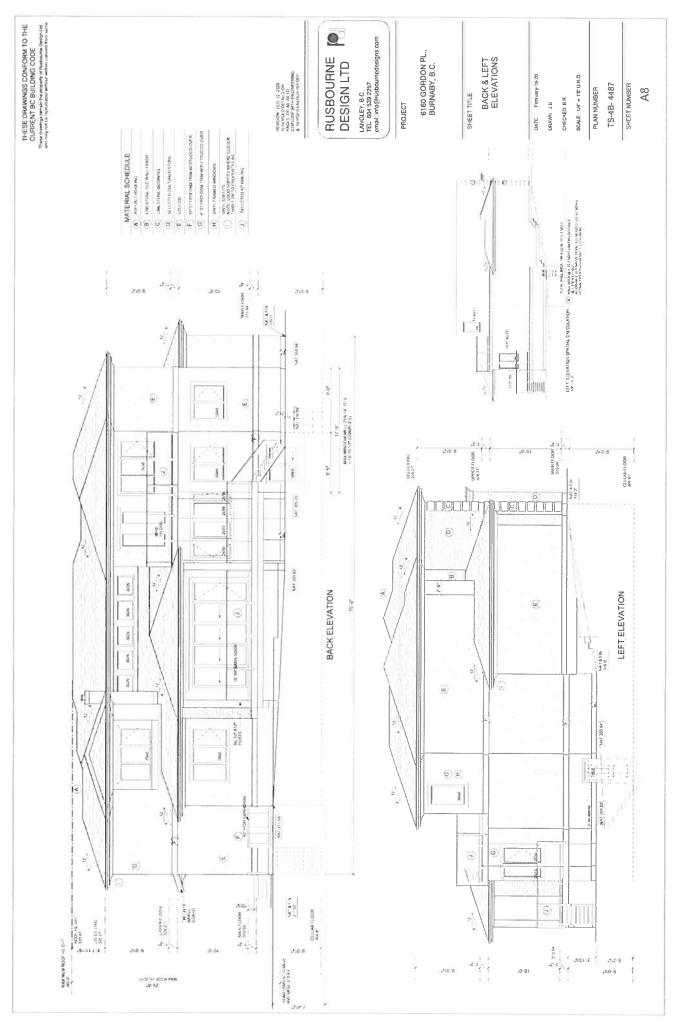
LE

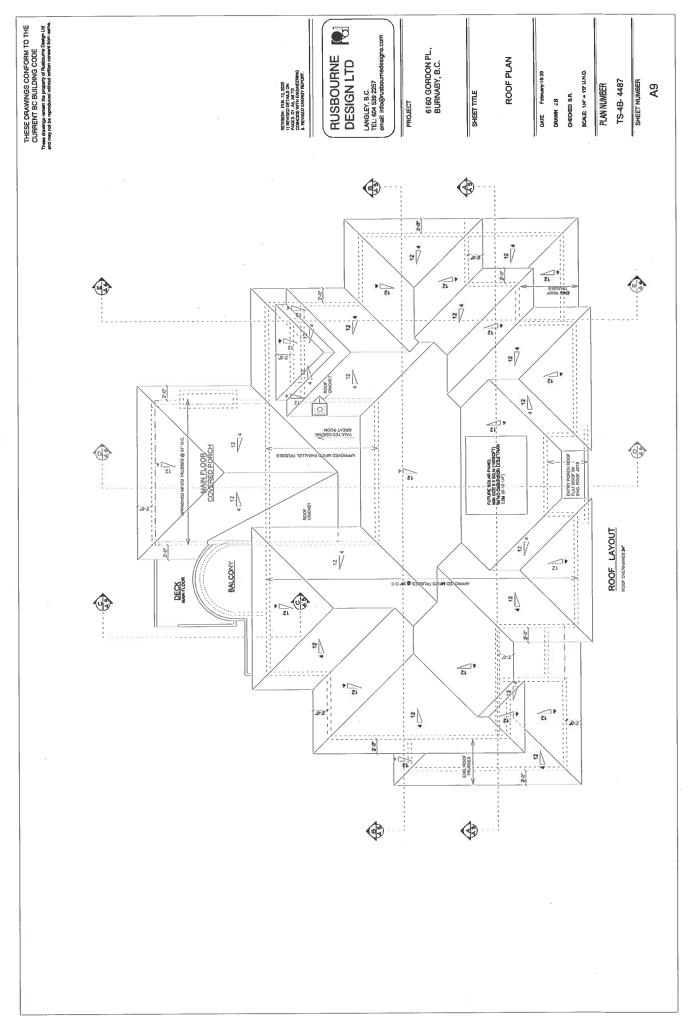
Peter Kushnir

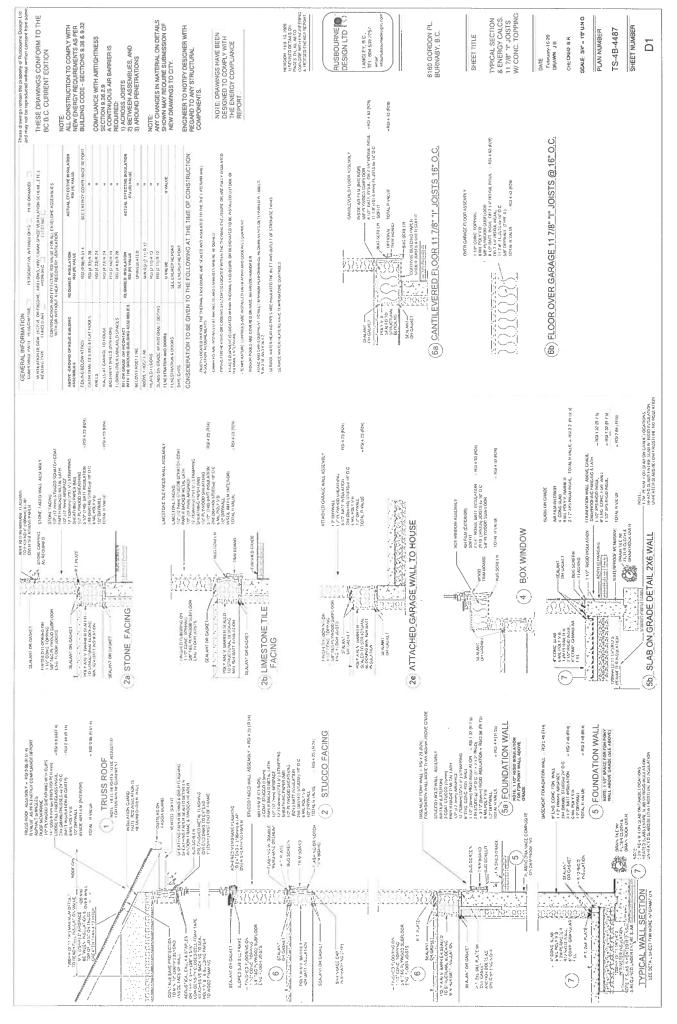
Deputy Chief Building Inspector

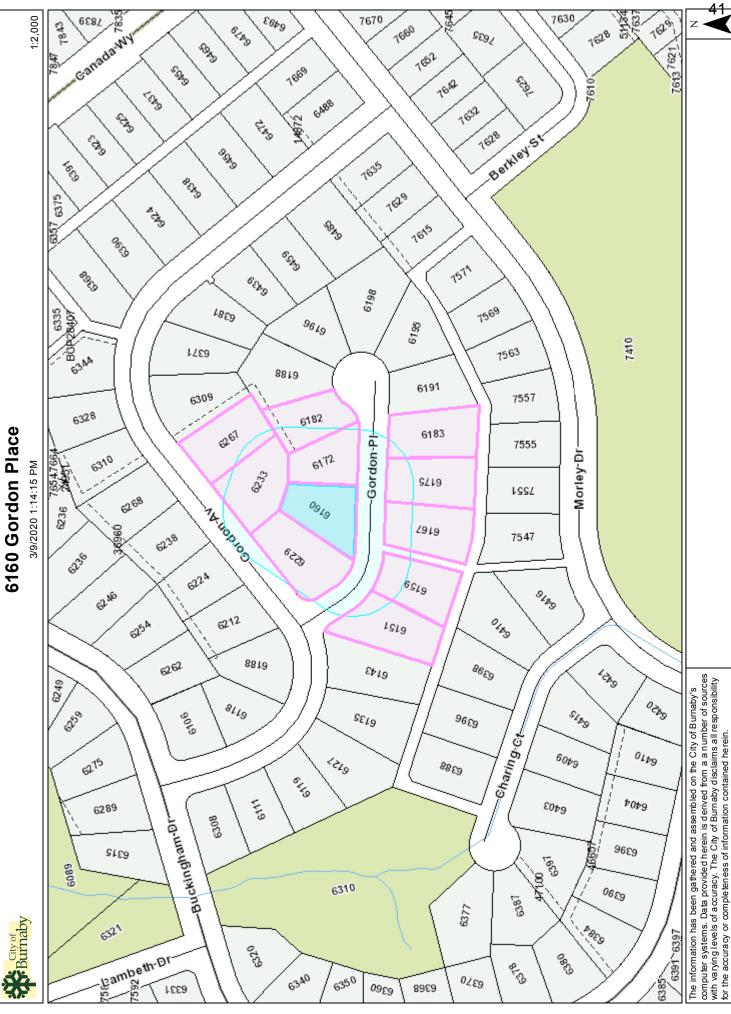
















2020 Board of Variance Notice of Appeal Form

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	Rina Dhillon				
Mailing Address	6061 Empress Ave				
City/Town	Burnaby BC Postal Code V5 = 254				
Phone Number(s)	(H) (C) <u>178-991-4623</u>				
Email	ring atwal @ hotmail. com				
Property					
Name of Owner	Rina Phillon				
Civic Address of Property 6846 Stanley St					
	Burnaby BC V5E IV3				
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.					
May 11, 2020	Applicant Signature				
	Office Use Only				
Appeal Date <u>2020</u>	67/09 Appeal Number BV# 640 2				
□ Bu □ Ha	e Application Receipt ilding Department Referral Letter ordship Letter from Applicant e Plan of Subject Property				

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

May 11, 2020

To: The Board of Variance City of Burnaby

Owner: Rina Dhillon

House Address: 6840 Stanley St, V5E 1V3, Burnaby BC

I'm the owner of 6840 Stanley St. and we are in the process of building and designing our home. We would like to make a request to move the front setback forward.

Right now, the front setback according to the house next door is 39.84 ft. (6860 Stanley St.). We are proposing a setback distance of 31.08 ft. In the plans that we submitted to the City of Burnaby Planning and Building Department, the house is set back 31.08 ft and that is where we would like to have it. The reason why we are proposing this variance is to give us a decent size backyard. One house on the block disproportionally affects the setback for our project and reduces our backyard space, which is already smaller than the neighbouring lot due to the nature of our lot. Please take into consideration that our house has a back lane and therefore the garage is located at the back, which also limits our backyard space. 6860 Stanley St. does not have the back lane and their garage is in the front, which makes their backyard larger. My husband and I have two small kids and a dog, and it would be wonderful to have a bigger backyard for them to play in. If the set back does not get approved the front yard would be 39.84 ft and the back yard would be left very small, which would not be big enough for anyone to play in. We feel that the front yard would not be ideal and unsafe for our children and pet to play in.

6860 Stanley St. is the only house that has a setback of 39.84 ft on our block and that is why our setback has been established at 39.84 ft. This older house has a lot size that is slightly longer than our house, so it gives them a slightly bigger backyard. But in the future if they decide to build a new house on that lot, they will potentially have the same problem as we do with the setback issue. The two other houses on both sides of our property, 6820 Stanley St. and 6888 Stanley St., are much closer to Stanley St. and have shorter front setbacks. According to the city of Burnaby bylaws, in a R5 zone the minimum set back point is approximately 20ft. We are only asking for a 31.84 ft setback.

There is a possibility that this change would help us make the grade to connect the house drainage to the cities existing drains without installing a pump or lowering the cities drainage. As well, 6860 Stanley St. has a large tree on their side of the property at 25ft from the back. If the setback is not moved forward, we may have an issue with digging close to the tree. It would be extremely disappointing if this request is not accepted due to following the setback of one older house on our block. We would be much obliged if you would consider this request and hopefully change the front setback for our house.

We appreciate your attention to this matter and remain available should more information be required.

Sincerely,

Rina Dhillón

BOARD OF VARIANCE REFERRAL LETTER

PLEASE NOTE THAT BOARD OF VARIANCE HEARINGS HAVE BEEN SUSPENDED IN SUPPORT OF THE PROVINCE'S CONVID-19 RESPONSE.

IT IS RECOMMENDED THAT YOU MAKE YOUR BOARD OF VARIANCE APPLICATION PROMPTLY. UPON RECONVENING THE BOARD, APPLICATIONS WILL BE HEARD ON A FIRST COME FIRST SERVED BASIS.

DATE: May 6, 2020			This is not an application.
DEADLINE: June 9, 2020 for	Please submit this letter to the Clerk's office (ground floor) when you make your Board of Variance application.		
APPLICANT NAME: Harmin			
APPLICANT ADDRESS: 6061 Empress Ave., Burnaby BC V5E 2S4			
TELEPHONE: 604-644-7765			
PROJECT			
DESCRIPTION: New Single F	amily Dwelling with	Secondary Suite and	Detached Garage
ADDRESS: 6840 Stanley Stree	t		
LEGAL DESCRIPTION:	LOT: 183	DL: 92	PLAN: NWP25335

Building Permit application BLD20-00060 will be denied by the Building Department because the design is not in compliance with Burnaby Zoning Bylaw No. 4742:

Zone R5 / Section 105.9

COMMENTS:

The applicant proposes to build a new single family dwelling with secondary suite 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 105.9 – "Front Yard" of the Zoning Bylaw requirement for the minimum front yard depth from 12.14 m (39.84 feet) (based on front yard averaging) to 9.47 m (31.08 feet). The applicability of this variance, if granted, is limited to the scope of the proposal shown on the attached plans.

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.

LE

Peter Kushnir
Deputy Chief Building Inspector

