



BOARD OF VARIANCE A G E N D A

Thursday, September 3, 2020, 5:00 p.m.

Council Chamber, City Hall

4949 Canada Way, Burnaby, BC

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APPELLANT: Bruno Tortolano	
REGISTERED OWNER OF PROPERTY: Antonio and Maria Liberatore	
CIVIC ADDRESS OF PROPERTY: 2011 Jordan Drive	
LEGAL DESCRIPTION OF PROPERTY: LOT: 27 DL: 34 PLAN: NWP25419	
APPEAL: An appeal for the relaxation of Section 102.10 (Rear Yard) of the Burnaby Zoning Bylaw which, if permitted, would allow a new bedroom addition to an existing single family dwelling at 2011 Jordan Drive. This relaxation would allow for a minimum rear yard depth of 8.08 metres (26.5 feet) where a minimum rear yard depth of 9.00 metres (29.50 feet) is required. Zone R2	
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APPELLANT: Harley Smith

REGISTERED OWNER OF PROPERTY: Harley Smith

CIVIC ADDRESS OF PROPERTY: 124 North Delta Avenue

LEGAL DESCRIPTION OF PROPERTY: LOT:11 DL: 189 PLAN:
NWP4953

APPEAL: An appeal for the relaxation of Section 105.6 (1) (b) (Height of Principal Building) of the Burnaby Zoning Bylaw which, if permitted, would allow construction of a new single family dwelling with secondary suite and detached garage at 124 North Delta Avenue. This relaxation would allow for a maximum building height of 8.00 metres (26.28 feet) measured from the front average grade for a family dwelling with a flat roof, where a maximum building height of 7.4 metres (24.3 feet) is permitted. The principal building height measured from the rear average grade would be 6.19 metres (20.31 feet). Zone R5

3.3 **BOV #6408 - 3760 Southwood Street (5:30 p.m.)**

59

APPELLANT: Yalan Yang and Guoliang Ma

REGISTERED OWNER OF PROPERTY: Yalan Yang and Guoliang Ma

CIVIC ADDRESS OF PROPERTY: 3760 Southwood Street

LEGAL DESCRIPTION OF PROPERTY: LOT: F DL: 175 PLAN:
NWP1210

APPEAL: An appeal for the relaxation of Section 6.6 (2) (d) (Accessory Buildings and Uses) of the Burnaby Zoning Bylaw which, if permitted, would allow an alteration to an existing detached garage at 3760 Southwood Street. This relaxation would allow for a minimum setback from the side property lines of 0.30 metres (1.00 foot) where a minimum setback of 1.20 metres (3.94 feet) is required when an accessory building is situated within 29.53 feet to the rear of the lot. Zone R2

3.4 **BOV #6409 - 7340 Imperial Street (5:45 p.m.)**

69

APPELLANT: Hussein Hawili and Dalal Jaber

REGISTERED OWNER OF PROPERTY: Hussein Hawili and Dalal Jaber

CIVIC ADDRESS OF PROPERTY: 7340 Imperial Street

LEGAL DESCRIPTION OF PROPERTY: LOT: B DL: 91 PLAN:
NWP14836

APPEAL: An appeal for the relaxation of Section 105.11 (Rear Yard) of the Burnaby Zoning Bylaw which, if permitted, would allow for interior alterations, new secondary suite and addition to an existing single family dwelling at 7340 Imperial Street. This relaxation would allow for a rear yard depth of 6.36 metres (20.88 feet) where a minimum depth of 7.5 metres (24.6 feet) is required.

3.5 BOV #6410 - 7466 Whelen Court (6:00 p.m.)

81

APPELLANT: Qi Li

REGISTERED OWNER OF PROPERTY: Xing Shi

CIVIC ADDRESS OF PROPERTY: 7466 Whelen Court

LEGAL DESCRIPTION OF PROPERTY: LOT: 396 DL: 86 PLAN: NWP58102

APPEAL: An appeal for the relaxation of Sections 101.7(1)(b) (Depth of Principal Building) and 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 detached garage at 7466 Whelen Court. The following variances are being requested: (a) depth of the principal building would be 21.53 metres (70.64 feet) where a maximum building depth of 18.29 metres (60.00 feet) is permitted; and (b) a front yard depth of 7.30 metres (23.94 feet) where a minimum front yard depth of 9.00 metres (29.50 feet) is required.

3.6 BOV #6411 - 7572 Burris Street (6:15 p.m.)

96

APPELLANT: Parminder Saran

REGISTERED OWNER OF PROPERTY: Rupinder Kaila and Parminder Saran

CIVIC ADDRESS OF PROPERTY: 7572 Burris Street

LEGAL DESCRIPTION OF PROPERTY: LOT: 02 DL: 194 PLAN: 20229

APPEAL: An appeal for the relaxation of Sections 101.8 and 6.12 (2.1) (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 7572 Burris Street. This relaxation would allow for a front yard depth of 12.95 metres (42.50 feet) where a minimum front yard depth of 17.68 metres (58.00 feet) is required based on front yard averaging. Zone R1

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., and electronically on Thursday, **2020 June 30** 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
 Mr. Gulam Firdon, Citizen Representative
 Ms. Margaret Malysz, Development Plan Approvals Supervisor

STAFF: Mr. Maciek Wodzinski, Development Plan Technician
 Ms. Eva Prior, Administrative Officer
 Ms. Lauren Cichon, Council Support Assistant

The Chair called the meeting to order at 5:00 p.m.

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

The Chair reviewed the purpose of the Board of Variance Hearing and reviewed participation instructions for any members of the public participating through teleconference.

2. MINUTES

(b) Minutes of the Board of Variance Hearing held on 2020 February 06

MOVED BY MS. FELKER
SECONDED BY MR. DHATT

THAT the minutes of the Burnaby Board of Variance Hearing held on 2020 February 06 be adopted.

CARRIED UNANIMOUSLY

3. APPEAL APPLICATIONS

3.1 BOV #6399 - 6489 Selma Avenue

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)

APPELLANT'S SUBMISSION:

Mr. Jerry Lee, on behalf of Vladimir Ivanov, submitted an application to allow for the addition to an existing family dwelling at 6489 Selma Avenue.

Mr. Jerry Lee, developer, and Mr. Vladimir Ivanov, homeowner, appeared before the members of the Board of Variance.

BURNABY PLANNING AND BUILDING DEPARTMENT COMMENTS:

The subject site is zoned R5 Residential District and is located in the Windsor neighbourhood, of the Council adopted Royal Oak Community Plan Area. The property is designated for consolidation and rezoning for low rise multiple family development under the CD (RM3) District. The property is sited on the Selma Avenue cul-de-sac just north of a commercial zone along Kingsway. This small interior lot is triangular in shape, and approximately 24.08 metres (79.0 feet) wide, along the Selma Avenue front property line to the east, and approximately 49.36 metres (161.94 feet) deep, along the north side property line. Single family dwellings abut the subject site to the north and to the east across Selma Avenue. Large commercial developments surround the site to the west and southwest, along the angled side property line. The subject lot is essentially flat with a downward slope of approximately .30 metres (1.0 foot) in the east-west direction. Vehicular access to the site will be from the Selma Avenue cul-de-sac; there is no lane access.

The subject property contains a single family dwelling which was originally constructed in 1920. The site was further improved around 2004/2005 with

various additions and alterations, some of which were subject of four successful appeals to the Board (BV5247, BV5303, BV5340 and BV5380).

In summary, the Board of Variance has previously granted: a front yard setback of 8.75 metres (28.70 feet) where 8.82 metres (28.94 feet) is required (based on front yard averaging) to permit construction of a front deck; a south side yard setback of 1.14 metres (3.75 feet) where a minimum setback of 1.50 metres (4.90 feet) is required to allow raising of the existing single family dwelling (to accommodate a full height basement); and a building depth of 19.93 metres (65.40 feet) where a maximum building depth of 18.83 metres (60.0 feet) is permitted to allow the construction of a rear deck.

The current proposal is to further improve the subject site with a side addition to the existing single family dwelling, for which the following variance is required.

The appeal is to vary Section 105.8(1) – “Depth of Principal Building” of the Zoning Bylaw requirement for the maximum building depth from 18.3 metres (60.0 feet) to 21.67 metres (71.10 feet) to allow for the construction of a two storey addition on the south side of the existing single family dwelling.

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

The existing dwelling is currently only 6.78 metres (22.24 feet) wide. The proposed addition would contain a one car garage on the lower level (currently there is no garage on this property) and recreational space on the main floor. The addition would be linked with the existing dwelling by a small corridor between the new recreational area and the existing living room on the main floor. The siting of the addition would be generally in line with the frontage of the existing dwelling to the north, just slightly behind the outermost face of the existing front deck. The siting will continue with a “parallel” footprint along the angled southwest property lines, extending for approximately fifty percent of the existing dwelling length.

The requested variance is related to the sites geometry, which affects the building depth calculation. In this case, the building depth calculation is based on the building depth as projected onto the lot depth, which is the line joining the center points of the front and rear property lines (in this case it is a rear point). Due to the triangular shape of the lot, this line is angled in relation to the front and side property lines. The siting of the proposed addition and the existing dwelling is also rotated in relation to the lot depth line.

Measured along this line, the overall building depth exceeds the maximum permitted building depth by 3.38 metres (11.10 feet). (This measurement does not include the existing rear deck projection of 1.20 metres (3.90 feet), which is an allowable projection into a required yard.) The proposed addition contributes approximately 1.74 metres (5.70 feet) to this measurement, due to the rotated orientation with respect to the projected building depth line, as compared to the building depth previously granted by the Board. With the same design on a rectangular lot, the proposed addition would not increase the previously granted depth of the building.

With respect to massing impacts on the neighbouring properties, the proposed addition on the south side of the dwelling would not be visible from the neighbouring residence to the north. Therefore, no negative impacts would be created. On the other side, considering the “staggered” appearance of the proposed addition and the existing dwelling, the proposal would not create a long “wall” effect as viewed from the southwest angled property line. Further, given the scale of the addition in the context of the adjacent large commercial property to the southwest, little impact is expected on this property.

In summary, the requested variance is greatly related to the geometry of the subject site. There are no apparent negative impacts of the proposal on the neighbouring properties.

ADJACENT OWNERS' COMMENTS:

No submissions were received regarding this appeal.

MOVED BY MR. DHATT
SECONDED BY MS. CHAN

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

CARRIED UNANIMOUSLY

BOARD MEMBER COMMENTS:

Mr. Nemeth found that hardship was evident due to physical site characteristics and voted to approve the variance.

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

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

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

Mr. Firdos found that hardship was evident due to physical site characteristics and voted to approve the variance.

3.2 BOV #6400 - 7160 Ridge Drive

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)

APPELLANT'S SUBMISSION:

Mr. and Mrs. Patni submitted an application to allow for the addition to an existing family dwelling at 6489 Selma Avenue.

Mr. Paul, designer for the project, and Ms. Patni, homeowner, appeared before the members of the Board of Variance.

BURNABY PLANNING AND BUILDING DEPARTMENT COMMENTS:

The subject site, zoned R2 Residential District, is located in the Lochdale Village area of the Council adopted Lochdale Community Plan. The property is currently designated for single family development. The age and condition of single family dwellings in this neighbourhood may vary. The site is a trapezoid shaped interior lot, approximately 33.8 metres (110.9 feet) wide along the Ridge Drive (front) property line to the north and approximately 36.6 metres (120.0 feet) deep along the west (side) property line. Single family dwellings abut the subject site to the west and across Ridge Drive to the north. The subject site is surrounded by lanes along the east (side) and south (rear) property lines, and across these lanes are large multi-residential developments. Vehicular access to the site is provided

from the side lane to the east. The subject site is relatively flat with a downward slope of approximately 1.3 metres (4.2 feet) in the south-north direction.

The side lane (along the eastern property line) is angled 53 degrees inward in relation to the front property line. This angle creates a much shorter rear property line (6.1 metres (20.0 feet) wide), as compared to the front property line (33.8 metres (110.9 feet) wide).

The subject site is proposed to be redeveloped with a new single family dwelling with a secondary suite and a detached garage, for which the following variance has been requested.

The appeal is 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 metres (13.34 feet), as based on two-thirds of the width of the rear yard, to 5.89 metres (19.31 feet) to allow the construction of a detached garage.

The intent of this Bylaw provision is to mitigate the massing impacts of accessory buildings and prevent a sense of confinement and crowding.

The requested variance is directly related to the site geometry; the length of the rear property line essentially matches a standard two-car garage width. In this case, the proposed accessory building is 5.89 metres (19.31 feet) wide and 6.03 metres (19.81 feet) deep. The proposed garage is generously set back 3.48 metres (11.41 feet) from the rear property line to provide the necessary vision clearance area where the two lanes intersect at the south-east corner. The proposed placement would be consistent with the two car detached garage currently existing on the subject site.

All nearby lots contain detached garages and/or surface parking areas adjacent to the rear lanes. Therefore, the placement of a detached garage in this location would be consistent with the existing development pattern in the subject block.

The proposed open area between the garage and residence would be generally consistent with the current conditions, and with the partly offset placement of the garage in the relation to the house would provide sufficient outdoor living space for the residents, without creating a sense of crowding and confinement.

The request for this variance could potentially be eliminated if surface parking was provided instead of a two car detached garage. However, this would result in decreased utility and security for the future residents, as compared to the existing condition. Alternatively, a single car detached garage could be proposed, with the second parking stall requirement satisfied by providing a parking pad. However,

this option would necessitate relocating the site access to the rear lane, which is unlikely to be supported by the Engineering Department.

Overall, the site geometry is challenging, and this variance, if permitted would have little negative impact on the subject site and the neighbouring properties.

ADJACENT OWNERS' COMMENTS:

Correspondence was received from the owner/occupant of 7165 Pandora Street in opposition to this appeal.

No further 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 UNANIMOUSLY

BOARD MEMBER COMMENTS:

Mr. Nemeth found that hardship was evident due to physical site characteristics and voted to approve the variance.

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

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

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

Mr. Firdos found that hardship was evident due to physical site characteristics and voted to approve the variance.

3.3 BOV #6401 - 6160 Gordon Place

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)

APPELLANT'S SUBMISSION:

Dr. Thind, homeowner, and Mr. Rusbourne, architect, submitted an application to allow for a new single family dwelling at 6160 Gordon Place.

Dr. Thind and Mr. Rusbourne appeared before the members of the Board of Variance.

BURNABY PLANNING AND BUILDING DEPARTMENT COMMENTS:

The subject site, zoned R1 Residential District, is located in the Morley-Buckingham area where the majority of single family dwellings were built in the late 1970s. The site is a rough trapezoid shaped interior lot, approximately 39.6 metres (130.0 feet) wide along the Gordon Place (front) property line to the south and 36.5 metres (120.0 feet) deep along the east (side) property line. Single family dwellings surround the subject site in all directions. The subject lot observes a downward slope of approximately 3.0 metres (10.0 feet) in the southeast-northwest direction. Vehicular access to the site is provided from Gordon Place; there is no lane access.

Gordon Place turns at approximately 45 degrees immediately west of the subject lot, resulting in the immediate neighbouring lot oriented at an angle with the subject lot. To the east, Gordon Place terminates in a cul-de-sac, so that the second lot to the east is also oriented at a similar angle with the subject site.

A new single family dwelling with a secondary suite and an attached garage is proposed on the subject site, for which two variances are requested.

The first a) appeal is to vary Section 101.7 – “Depth of Principal Building” of the Zoning Bylaw requirement for the maximum building depth from 18.3 metres (60.0 feet) to 20.6 metres (67.7 feet) to allow for the construction of a new single family dwelling.

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

The requested variance is related to the site geometry which affects the building depth calculation. In this case, the building depth calculation is based on the building depth as projected onto the lot depth, which is the line joining the center points of the front and rear property lines. Due to the trapezoid shape of the lot, this line is angled in relation to the front and side property lines. The siting of the proposed dwelling is also rotated in relation to the lot depth line; the proposed dwelling would be generally oriented to the Gordon Place (front) property line, with a “staggered” footprint along the northwest (side) and east (side) property lines.

Measured along this line, the proposed projected building depth exceeds the maximum permitted building depth by 2.3 metres (7.7 feet). This measurement does not include the rear porch projection of 1.2 metres (3.9 feet), which is an allowable projection into a required yard.

With the same design on a regular lot, the proposed building length would be approximately 18.1 metres (59.5 feet), as measured from the outermost front face (south) to the rear porch posts (north), and would not require a variance.

The excess building depth is contributed mainly by the covered rear porch; approximately half of the rear porch area is within the excess building depth zone. The centrally located rear porch, although substantial in size, approximately 6.1 metres (20.0 feet) wide and 4.9 metres (16.0 feet) deep, is proposed to be generally open on three sides, and as such, would not create the same massing impacts as a solid form would.

The proposed “staggered” footprint of the principal building along the northwest (side) property line is a response to the site geometry. As a result, the proposed dwelling would observe varying west (side) yard setbacks, varying from 2.9 metres (9.4 feet) at the closest building face, to approximately 7.0 metres (23.0 feet) at the farthest building face. The rear porch would observe the northwest (side) setback of approximately 5.8 metres (19.0 feet) as measured to the closest post.

Given this design and the rotated orientation of the subject dwelling with respect to the northwest (side) property line, the proposal would not create a long “wall” effect as viewed from the immediately adjacent property. The “staggered” massing of the dwelling would help to mitigate the massing impacts of the excess building depth along this property line.

Similarly, the proposal would not create a long “wall” effect as viewed from the neighbouring properties to the east. The outermost face of the dwelling parallel to the shared east (side) property line would be only 8.7 metres (28.7 feet) long,

which is substantially less than the permissible building depth. The generous distance of more than 9.1 metres (30.0 feet), between the portion of the deck, where the excess depth occurs, and the shared east (side) property line, would essentially eliminate any massing impacts on the neighbouring property to the east.

The second b) appeal is to vary Section 101.8 – “Front Yard” of the Zoning Bylaw from 11.9 metres (39.2 feet), based on front yard averaging, to 9.0 metres (29.5 feet) to allow the construction of a new single family dwelling encroaching into the required front yard abutting Gordon Place.

In 1991, Council responded to the public concerns with respect to the bulk and massing of the newer and larger homes that were being constructed in 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 intent of the amendment was to harmonize the siting of new dwellings within the existing building setbacks on the block and to minimize massing impacts.

In this case, the front yard averaging calculations are based on the front yard setback of the dwelling at 6229 Gordon Avenue, immediately west of the subject site, and on the front yard setbacks of the two dwellings at 6172 and 6182 Gordon Place, immediately east of the subject site. These front yard setbacks are 15.3 metres (50.2 feet), 8.9 metres (29.3 feet) and 11.6 metres (38.1 feet), respectively.

However, only the neighbouring property immediately east of the subject site would be impacted, due to the angled orientation of the other two lots in relation to the subject site.

With respect to the residence immediately to the east, the proposed siting would place the subject dwelling essentially in line with this residence. It should be noted that the siting of the proposed dwelling would be also consistent with the placement of the existing dwelling on the subject site.

Furthermore, the proposed “staggered” form of the front façade helps to alleviate the massing impacts of the reduced front yard on the neighbours. Although the centrally located porch projects slightly from the front elevation, the main body of the dwelling is slightly set back at both front corners, and is reduced to one storey in height.

With regard to the broader neighbourhood context, the proposed siting would be consistent with the existing streetscape.

In summary, the requested two variances are greatly related to the geometry of the subject site and the development pattern in the subject block. There are no apparent negative impacts of the proposal on the neighbouring properties.

ADJACENT OWNERS' COMMENTS:

Correspondence was received from the owners/occupants of 6159 Gordon Place in opposition to the appeal.

Correspondence was received from homeowners/occupants of 6175 Gordon Place requesting the preservation of the design elements of the neighbourhood.

Correspondence was received from owners/residents of 6191 Gordon Place in opposition to the appeal.

The owner/occupant of 6233 Gordon Avenue appeared before the members of the Board of Variance, expressing privacy and exterior lighting concerns.

The owner/occupant of 6175 Gordon Avenue appeared before the members of the Board of Variance, expressing concerns regarding diminished sunlight to the west, and that the design of the proposed home is not in keeping with the design elements of the neighbourhood.

No further comments were received regarding this appeal.

MOVED BY MS. CHAN
SECONDED BY MR. DHATT

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

CARRIED UNANIMOUSLY

BOARD MEMBER COMMENTS:

Mr. Nemeth found that hardship was evident due to the physical site characteristics of both the subject and the abutting sites and voted to approve the variance.

Ms. Chan found that hardship was evident due to physical site characteristics of the subject site and voted to approve the variance.

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

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

Mr. Firdos found that hardship was evident due to physical site characteristics and voted to approve the variance.

MOVED BY MS. CHAN
SECONDED BY MR. DHATT

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

CARRIED UNANIMOUSLY

BOARD MEMBER COMMENTS:

Mr. Nemeth found that hardship was evident due to the physical site characteristics of both the subject and the abutting sites and voted to approve the variance.

Ms. Chan found that hardship was evident due to physical site characteristics of the subject site and voted to approve the variance.

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

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

Mr. Firdos found that hardship was evident due to physical site characteristics and voted to approve the variance. Mr. Firdos also cited that the requested variance would not impact the neighbours.

3.4 BOV #6402 - 6840 Stanley Street

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

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)

APPELLANT'S SUBMISSION:

Ms. Dhillon submitted an application to allow for a new single family dwelling and detached garage at 6160 Gordon Place.

Ms. Dhillon, homeowner and Mr. Manpreet Atwal appeared before the members of the Board of Variance.

BURNABY PLANNING AND BUILDING DEPARTMENT COMMENTS:

The subject site is zoned R5 Residential District and is located in the Kingsway-Beresford neighbourhood, where the age and condition of the existing single and two family dwellings vary. This interior lot, approximately 15.23 metres (49.97 feet) wide and 37.18 metres (121.97 feet) deep, fronts onto Stanley Street to the north and a lane to the south. Immediately around the subject site are single family dwellings. The subject site observes a downward slope of approximately 1.87 metres (6.14 feet) in the south (rear) - north (front) direction. Vehicular access to the site is proposed to be relocated from Stanley Street to the rear lane to the south.

A new single family dwelling with a secondary suite and a detached three car garage is proposed on the subject site. The appeal is to vary Section 105.9 – “Front Yard” of the Zoning Bylaw from 12.14 metres (39.84 feet), based on front yard averaging, to 9.47 metres (31.08 feet) to allow the construction of a new single family dwelling encroaching into the required front yard abutting Stanley Street.

In 1991, Council responded to the public concerns with respect to the bulk and massing of the newer and larger homes that were being constructed in 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 intent of the amendment was to harmonize the siting of new dwellings within the existing building setbacks on the block and to minimize massing impacts.

In this case, the front yard averaging calculations are based on the front yard setback of a single property. The subject block consists of four lots. The two lots at the west and east terminus, front onto different streets, Ashworth Place and Griffiths Avenue, respectively, and therefore, are not used in computing the front yard average. These two corner properties observe much shorter side yard setbacks flanking Stanley Street. Consequently, the averaging calculation is determined by the front yard setback at 6860 Stanley Street, immediately east of the subject site. This front yard setback is 12.14 metres (39.84 feet). The existing dwelling on the subject site observes a front yard setback similar to 6860 Stanley Street. It is noted that the adjacent property is approximately 3.03 metres (9.94 feet) deeper than the subject lot.

In this proposal, the requested variance is measured to the eastern half of the front elevation, which is closest to the front property line. The western half of the façade would be set slightly farther back in relation to the front property line.

With respect to the neighbouring residence immediately to the west (which fronts onto Ashworth Place), the subject dwelling would be placed approximately 3.38 metres (11.08 feet) behind this residence. Although the proposed siting would be closer to the front (north) property line, the new dwelling would be farther away from the shared side (west) property line, compared to the placement of the existing dwelling. The proposed 2.02 metres (6.62 feet) western side yard is wider than the minimum required side yard setback of 1.5 metres (4.9 feet), which would help to improve the massing relationship between the new dwelling and the existing residence to the west.

With respect to the residence immediately to the east, the proposed siting would place the subject dwelling 2.67 metres (8.75 feet) in front of this residence. Here, the two-storey solid structure proposed within the front yard encroachment would change the existing massing relationship between the two properties. The massing impacts of the new residence, however, would be alleviated by the fact that the neighbouring residence does not feature windows facing the subject site. Also, any front yard impacts would be “absorbed” by an approximately 6.0 metres (19.69 feet) wide paved driveway, which runs along the shared side (east) property line within the neighbouring front yard.

With regard to the broader neighbourhood context, there is no unified frontage established in the subject block. The two corner lots observe much shorter front yard setbacks, approximately 6.10 metres (20.00 feet) at the western terminus and 3.03 metres (9.93 feet) at the eastern terminus. The two interior lots, including the subject lot, observe front yard setbacks of approximately 12.14 metres (39.84 feet). Therefore, the proposed front yard setback of 9.47 metres (31.08 feet) would not be out of context with the existing streetscape.

With respect to the overall design, the distance between the principal dwelling and the detached garage is proposed to be 6.92 metres (22.71 feet), where the required minimum distance between buildings is 4.5 metres (14.8 feet). Therefore, there is an opportunity to reduce the distance between the two structures, which would place the dwelling nearer to the required front yard depth. However, it should be noted that the principal building is proposed to be only 14.02 metres (46.0 feet) deep, which is significantly less than the allowed maximum building depth of 18.3 metres (60 feet). As such, it appears that the design intent is to transfer the “unused” allowed building depth to accommodate a larger rear yard.

In summary, the requested relaxation is a result of an unusual development pattern where one lot determines front yard averaging calculations. The proposal successfully balances the site conditions with the development needs, creating little impact on the adjacent properties and the existing streetscape.

ADJACENT OWNERS' COMMENTS:

One item of correspondence was received in opposition to this appeal. The writers requested anonymity.

No further submissions were received.

MOVED BY MR. DHATT
SECONDED BY MS. CHAN

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

CARRIED UNANIMOUSLY

BOARD MEMBER COMMENTS:

Mr. Nemeth found that hardship was evident due to physical site characteristic of the abutting site and voted to approve the variance.

Ms. Chan found that hardship was evident due to physical site characteristic and voted to approve the variance.

Mr. Dhatt found that hardship was evident due to physical site characteristics of the subject site, abutting site, and personal characteristics of the applicant and voted to approve the variance.

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

Mr. Firdos found that hardship was evident due to physical site characteristics and voted to approve the variance. Mr. Firdos also cited that the variance would not impact the neighbours.

5. NEW BUSINESS

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

6. ADJOURNMENT

MOVED BY MR. FIRDOS
SECONDED BY MS. CHAN

THAT this Hearing do now adjourn.

CARRIED UNANIMOUSLY

The Hearing adjourned at 6:30 p.m.

Mr. S. Nemeth, CHAIR

Ms. J. Chan

Mr. R. Dhatt

Ms. B. Felker

Ms. E. Prior
ADMINISTRATIVE OFFICER

Mr. G. Firdos



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., and electronically on Thursday, **2020 July 09** 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
 Mr. Gulam Firdos, Citizen Representative
 Ms. Margaret Malysz, Development Plan Approvals Supervisor

STAFF: Mr. Maciek Wodzinski, Development Plan Technician
 Ms. Eva Prior, Administrative Officer
 Ms. Lauren Cichon, Council Support Assistant

1. LAND ACKNOWLEDGEMENT

The Chair called the meeting to order at 5:00 p.m.

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

The Chair reviewed the purpose of the Board of Variance Hearing and provided instructions for any members of the public participating through teleconference.

2. APPEAL APPLICATIONS

2.1 BOV #6403 - 4240 Gilpin Crescent

APPELLANT: Michael Lu

REGISTERED OWNER OF PROPERTY: Michelle Wong and Henry Wong

CIVIC ADDRESS OF PROPERTY: 4240 Gilpin Crescent

LEGAL DESCRIPTION OF PROPERTY: LOT: 15 DL: 34 PLAN: 14146

APPEAL:

An appeal for the relaxation of Section 6.3.1 (Distance between Buildings on the same Lot) of the Burnaby Zoning Bylaw which, if permitted, would allow for the construction of a new single family home with a secondary suite and detached garage at 4240 Gilpin Crescent. This relaxation would allow for the minimum distance between buildings of 2.10 metres (6.89 feet) where a minimum distance of 4.5 metres (14.8 feet) is required. Zone R10

APPELLANT'S SUBMISSION:

Mr. Lu, architect, submitted an application on behalf of the homeowners for a new single family home and detached garage at 4240 Gilpin Crescent.

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

BURNABY PLANNING AND BUILDING DEPARTMENT COMMENTS:

The subject site, zoned R10 Residential District, is located in the Garden Village neighbourhood, characterized by low-scale single family dwellings, the majority of which were built in the mid-1950s. The R10 District in this area was established through an area rezoning process in 1996 at the request of residents to control the form and character of new development. This short interior lot, approximately 17.71 metres (58.12 feet) wide by 33.53 metres (110.00 feet) deep, fronts onto Gilpin Crescent to the northeast. To the southwest the site is flanked by a lane which provides vehicular access to the site. Along the southeast property line the subject site is restricted by a 3.05 metres (10.0 feet) wide statutory right-of-way for the utility purposes. Single family dwellings abut the subject site on all sides. The site observes a moderate downward slope of approximately 2.5 metres (8.2 feet) from west to east.

The subject site is proposed to be redeveloped with a new single family dwelling with a secondary suite and a detached carport, for which the following variance has been requested.

The appeal is to vary Section 6.3.1 - "Distance between Buildings on the same Lot" of the Zoning Bylaw requirement for the minimum distance from 4.5 metres (14.8 feet) to 2.1 metres (6.89 feet) to allow the construction of a new single family dwelling and a detached garage.

The Bylaw requires a separation between a principal building and a detached garage on the same lot to ensure that the overall massing of the buildings does not have a negative impact on the subject site and neighbouring properties, as well as to provide for sufficient outdoor space.

The siting of the new single family dwelling and the new detached garage would be consistent with the placement of the existing dwelling and the existing detached garage on the subject site. The new dwelling would observe a 9.41 metres (30.88 feet) front yard setback, which meets the front yard averaging requirement of 9.37 metres (30.73 feet). The new dwelling would observe a depth of 14.86 metres (48.75 feet), where a maximum building depth of 15.09 metres (49.5 feet) is permitted. The existing dwelling observes a depth of approximately 9.3 metres (30.5 feet).

The new two car detached garage is shown closely within the footprint of the existing detached garage in the southwest corner of the lot.

The 2.1 metres (6.87 feet) distance between two structures is measured from the interior (northeast) face of the new garage to the posts of the small covered deck at the western rear corner of the new dwelling. This deck projects 1.22 metres (4.00 feet) from the main body of the dwelling. There is also a second covered deck proposed at the opposite rear corner of the dwelling; the closest distance from the garage to the post of this deck would be 2.56 metres (8.41 feet). With the exception to these two covered decks, the distance between the new garage and the main body of the new dwelling would be 3.32 metres (10.89 feet) at the main floor level. The upper floor is generously set back from the rear façade of the main floor, by 2.82 metres (9.25 feet) at its eastern portion and by 5.72 metres (18.75 feet) at its western portion. This “stepped” design would help prevent overshadowing of the outdoor space in the area where the separation between two structures is reduced.

With respect to the impacts on the neighbouring properties, little impacts are expected, considering the mature hedges along both shared side property lines. Again, the proposed “stepped” design would help mitigate any sense of overcrowding on the neighbouring property to the northwest.

With respect to outdoor space, sufficient recreational area will be provided by the more than 92.9 square metres (1,000 square feet) of green space available in the rear yard, and the generous southeast side yard of at least 3.81 metres (12.5 feet).

In summary, the proposed relaxation would not create negative massing impacts on the neighbouring properties and the subject site. The proposal successfully balances the development needs with the site restrictions.

ADJACENT OWNERS' COMMENTS:

No submissions were received regarding this appeal.

MOVED BY MR. DHATT
SECONDED BY MS. CHAN

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

DENIED

Opposed: Ms. Chan, Ms. Felker and Mr. Firdos

BOARD MEMBER COMMENTS:

Mr. Nemeth found that hardship was evident due to physical site characteristics and voted to approve the variance. The required front yard set-back is significant.

Ms. Chan found that hardship was evident due to the right-of-way on the site; however, it is not a minor variance and voted against allowing the variance.

Mr. Dhatt found that hardship was evident due to physical site characteristics and voted to approve the variance. The required front yard set-back is significant.

Ms. Felker found that no hardship was evident, and that the variance was based on a design choice. Ms. Felker voted against allowing the variance.

Mr. Firdos found that no hardship was evident and this was a major variance. Mr. Firdos voted against allowing the variance.

2.2 BOV #6404 - 7181 Golden Street

APPELLANT: Maksim Mihic

REGISTERED OWNER OF PROPERTY: Maksim Mihic

CIVIC ADDRESS OF PROPERTY: 7181 Golden Street

LEGAL DESCRIPTION OF PROPERTY: LOT: 168 DL: 136 PLAN: 40376

APPEAL:

An appeal for the relaxation of Section 102.7 (Depth of Principal Building) of the Burnaby Zoning Bylaw which, if permitted, would allow for the construction of a new single family home with a secondary suite and detached garage at 7181 Golden Street. This relaxation would allow for a building depth of 20.43 metres (67.03 feet) where a maximum building depth of 18.3 metres (60 feet) is permitted. Zone R2

APPELLANT'S SUBMISSION:

Mr. and Ms. Mihic submitted an application for a new single family home and detached garage at 7181 Golden Street.

Mr. and Ms. Mihic appeared before the members of the Board of Variance.

BURNABY PLANNING AND BUILDING DEPARTMENT COMMENTS:

The subject site, zoned R2 Residential District, is located in the Sperling-Broadway area where the majority of single family dwellings were built in the late 1960s and the early 1970s. This site is a trapezoidal shaped interior lot located to the east of the Golden Street and Gerald Avenue intersection. The two streets meet at the intersection but do not continue further to the east and north, respectively; the intersection is a partial cul-de-sac along its north-eastern boundaries. The subject lot has an curving frontage of 15.27 metres (50.09 feet) along the cul-de-sac property line to the west and is 42.65 metres (139.94 feet) deep along the south (side) property line. Single family dwellings surround the subject site in all directions, except the lot immediately to the northwest (7171 Golden Street). The existing dwelling on this lot has been recently demolished and the site is now in early stages of the construction for a new single family dwelling with a secondary suite and a detached garage in accordance with BLD19-00748 issued in 2019. The subject lot observes a gentle upward slope of approximately 1.95 metres (6.4 feet) in the west (front) - east (rear) direction. Vehicular access to the site is provided from the rear lane to the west.

The subject property is proposed to be redeveloped with a new single family dwelling with a secondary suite and a detached garage, for which the following variance has been requested.

The appeal is to vary Section 102.7 – “Depth of Principal Building” of the Zoning Bylaw requirement for the maximum building depth from 18.3 metres (60.0 feet) to 20.43 metres (67.03 feet) to allow for the construction of a new single family dwelling.

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

The requested variance is strongly related to the site geometry which affects the building depth calculation. In this case, the calculation is based on the building depth as projected onto the lot depth, which is the line joining the center points of the front (curved) and rear property lines. The projection is measured from the closet points of the building face to the front (curved) and the rear property lines.

Due to the trapezoidal shape of the lot, this line is angled in relation to the front and side property lines. The siting of the proposed dwelling is also rotated in relation to the lot depth line; the proposed dwelling would be generally oriented to the Golden Street (front) property line, with a “parallel” footprint along the south (side) property line and with a “staggered” footprint along the angled northwest (side) property lines.

Measured along this line, the proposed projected building depth is 20.43 metres (67.03 feet), which exceeds the maximum permitted building depth by 2.14 metres (7.03 feet).

With the same design on a rectangular lot, the proposed building length would be approximately 17.65 metres (57.92 feet), as measured from the outermost front face (west) to the outermost rear face (east), and would not require a variance. However, the proposed building width of 22.99 metres (75.42 feet), as measured between the outermost side (south and north) faces, could not be accommodated on a rectangular lot of the same area.

With respect to the massing impacts on the neighbouring lots, the proposal would not create a long “wall” effect as viewed from the neighbouring property to the south. The outermost face of the dwelling, parallel to the shared south (side) property line, would be approximately 13.56 metres (44.5 feet) long, which is substantially less than the permitted building depth. The generous distance of more than 13.72 metres (45.0 feet), between the portion of the building, where the excess depth occurs, and the shared south (side) property line, would mitigate any massing impacts on the neighbouring property to the south.

The proposed “staggered” footprint of the principal building along the angled northwest (side) property line is strongly related to the trapezoid shape of the site. As a result, the proposed dwelling would observe northwest (side) yard setbacks varying from 2.04 metres (6.7 feet) at the outermost point of the “jagged” northwest elevation, to approximately 5.79 metres (19.0 feet) at the innermost point at the northwest corner of the dwelling. The overall length of the northwest elevation, if measured between the outermost points, would be only approximately 13.41 metres (44.0 feet). Further, the substantial distance of more than 17.32 metres (56.8 feet), between the one-storey high portion of the building, where the excess depth occurs, and the shared northwest (side) property line, would mitigate any massing impacts on the neighbouring property to the northwest.

Given this design and the rotated orientation of the subject dwelling with respect to the northwest (side) property line, the proposal would not create a long “wall” effect as viewed from the immediately adjacent property to the northwest. The

“staggered” massing of the dwelling would help to mitigate the massing impacts of the excess building depth along the northwest (side) property line.

However, the requested variance is not solely the result of the restrictive geometry of the site. The proposed main floor area is approximately 244.61 square metres (2,633.0 square feet) and the proposed second floor area is approximately 79.25 square metres (853 square feet), which is less than one third of the main floor area. Therefore, design choices have been made to provide a larger building footprint, which affects the building depth. Perhaps, by re-distributing some area from the lower to the upper floor, the request for this variance could be eliminated.

Further, with large lots, such as the subject lot, of more than 1,021.93 square metres (11,000.0 square feet) in area, it should be possible to provide a design in compliance with the Bylaw. The neighbouring property to the northwest (under construction) could serve as an example, where, despite a similar challenging lot geometry, the building permit was issued for a proposal in full compliance with the Zoning Bylaw.

In summary, the requested variance is partly related to the geometry of the subject site and partly related to the design choices. There are no apparent negative impacts of the proposal on the neighbouring properties.

ADJACENT OWNERS' COMMENTS:

Correspondence was received from the owner/occupant of 2141 Gerald Avenue in support of the appeal.

Correspondence was received from the owner/occupant of 2100 Gerald Avenue in support of this appeal.

Correspondence was received from the owner/occupant of 7141 Golden Street in support of this appeal.

Correspondence was received from the owner/occupant of 7161 Golden Street in support of this appeal.

One item of correspondence was received in opposition to this appeal. The writer requested anonymity.

No further 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: Ms. Chan, and Mr. Firdos

BOARD MEMBER COMMENTS:

Mr. Nemeth found that hardship was evident due to physical site characteristics and voted to approve the variance. The required front yard set-back is significant.

Ms. Chan found that hardship was evident on the site; however, advised it was a design choice and the variance could not be considered minor. Ms. Chan voted against allowing the variance.

Mr. Dhatt found that hardship was evident due to physical site characteristics and voted to approve the variance. The variance would not impact the neighbours.

Ms. Felker found that hardship was evident due to physical site and personal characteristics and that the owners had mitigated the impact on the neighbours. Ms. Felker voted to allow the variance.

Mr. Firdos found that no hardship was evident and that permitting this appeal would defeat the intent of the bylaw. Mr. Firdos voted against allowing the variance.

2.3 BOV #6405 - 7775 Kentwood Street

APPELLANT: Kapil Nanalal

REGISTERED OWNER OF PROPERTY: Sipra Gohel and Kapil Nanalal

CIVIC ADDRESS OF PROPERTY: 7775 Kentwood Street

LEGAL DESCRIPTION OF PROPERTY: LOT: 98 DL: 42 PLAN: NWP23102

APPEAL:

An appeal for the relaxation of Sections 101.6(1)(a) and 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. The following variances are being requested:

a) Height of the principal building of 9.30 metres (30.52 feet), measured from the rear average grade for a proposed single family dwelling with a sloped roof, where a maximum height of 9.00 metres (29.50 feet) is permitted. The principal

building height measured from the front average grade will be 9.21 metres (30.22 feet); and

b) A front yard depth of 7.50 metres (24.59 feet) where a minimum front yard depth of 9.00 metres (29.50 feet) is required based on front yard averaging. Zone R1

APPEAL:

An appeal for the relaxation of Sections 101.6(1)(a) and 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. The following variances are being requested:

a) Height of the principal building of 9.30 metres (30.52 feet), measured from the rear average grade for a proposed single family dwelling with a sloped roof, where a maximum height of 9.00 metres (29.50 feet) is permitted. The principal building height measured from the front average grade will be 9.21 metres (30.22 feet); and

b) A front yard depth of 7.50 metres (24.59 feet) where a minimum front yard depth of 9.00 metres (29.50 feet) is required based on front yard averaging. Zone R1

APPELLANT'S SUBMISSION:

Dr. Gohel and Mr. Nanalal submitted an application for a new single family home at 7775 Kentwood Street.

Mr. Nanalal, and Mr. Chen, designer, appeared before the members of the Board of Variance.

BURNABY PLANNING AND BUILDING DEPARTMENT COMMENTS:

This property was the subject of an appeal to the Board on 2020 February 06. A single variance was sought to allow for the construction of a new single family dwelling with an attached garage and secondary suite, observing a front yard depth of 6.08 metres (19.94 feet) where a minimum 9.00 metres (29.53 feet) front yard depth is required. The appeal was withdrawn before the hearing.

The subject site, which is zoned R1 Residential District, is located in the Government Road neighbourhood in which the age and condition of single family dwellings vary. This regular interior lot is approximately 36.01 metres (118.17 feet) deep and has a frontage of 22.49 metres (73.79 feet) onto the north side of Kentwood Street. The site is bordered by single family dwellings on all sides. In the north-west corner, the property is restricted by a 0.61 metres (20.00 feet) wide by 3.66 metres (12 feet) deep statutory right-of-way for BC Hydro access.

Additionally, the natural condition of the property constrains the siting of the proposed residence. Eagle Creek is located in the north-east portion of the property and the Streamside Protection and Enhancement Area (SPEA) is 10.00 metres (32.81 feet) from the top of bank in the north (rear) portion of the property. As per the Environmental Review Committee Decision from May 30, 2012, no buildings or structures are allowed within the SPEA, leaving almost half of the property in the rear undevelopable.

Vehicular access to the subject site is proposed to be retained from the Kentwood Street (southern) frontage; there is no lane access. The site observes an approximately 3.04 metres (10.00 feet) drop in grade in the north-east portion of the property, near Eagle Creek.

The first a) appeal is to vary Section 101.6(1)(a) – “Height of Principal Building” of the Zoning Bylaw requirement for the maximum building height from 9.00 metres (29.53 feet) to 9.30 metres (30.52 feet) measured from the rear average grade for a proposed single family dwelling with a sloping roof. The principal building height measured from the front average grade will be 9.21 metres (30.22 feet).

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

It appears that the building height relaxation request is related to the design choices. In this case, the height calculation is based on the proposed average grade at the rear elevation. The 0.30 metres (0.98 feet) height encroachment is the effect of the chosen floor to ceiling height in the rooms below encroaching portion of the roof. Floor, above ground floor Family, Dining and Living Rooms, is raised by three steps to provide the 3.58 metres (11.75 feet) floor to ceiling height. Three bedrooms located above observe a 2.74 metres (9.00 feet) floor to ceiling height. There is no substantial grade difference between the front and the rear of the dwelling that would affect the vertical building envelope where construction is permitted. It is noted that the proposed dwelling would observe a height of 9.21 metres (30.22 feet) when viewed from the front property line, which also exceeds the maximum height allowed by the Zoning Bylaw by 0.21 metres (0.67 feet).

Although there is consideration to be a lack of hardship related to the height, and that the requested variance is a design choice with the existence of other options, the encroaching peak of the roof is insignificant when viewed from the street as it is obscured completely from properties to the rear by the extensive foliage cover near the creek.

The second b) appeal is to vary Section 101.8 – “Front Yard” of the Zoning Bylaw requirement for the minimum front yard depth from 9.00 metres (29.53

feet) based on the minimum required front yard depth to 7.50 metres (24.59 feet) to allow the construction of the new single family dwelling. The proposed depth has been reduced by 1.42 metres (4.66 feet) from the original appeal made in February.

The intent of the Bylaw is to mitigate the massing impacts of new buildings and structures on neighbouring properties and to preserve a unified streetscape.

This variance is directly related to the placement of a dwelling of this size on a site with a limited building envelope. Due to the constraints of the Eagle Creek SPEA, the allowable depth for the new dwelling varies from approximately 10.5 metres (34.45 feet) to the 9.50 metres (31.17 feet) in the most restricted area. The proposed depth of the dwelling is 11.63 metres (38.17 feet) and the requested encroachment into the required front yard is 1.5 metres (4.92 feet).

It is noted that the neighbouring dwellings observe deeper setbacks than are required by the Bylaw, but not sufficiently deeper (greater than 1.50 metres (4.90 feet)) to trigger front yard averaging requirements. Therefore, the proposed dwelling, with the requested front yard of 7.50 metres (24.59 feet), will be 3.72 metres (12.20 feet) in front of the neighbour to the west and 2.29 metres (7.51 feet) in front of the neighbour to the east. Therefore, the desired unified streetscape will not be preserved. However, it should be noted that the massing impact on the neighbouring properties was reduced by 1.42 metres (4.66 feet), from the original application made in February, and the subject site presents significant natural hardship in the form of the creek and its preservation area in the rear yard of the property.

It is also worth noting that the similar conditions were observed on the property to the south west at 7842 Kerrywood Crescent which was considered by the board on June 04, 2015 and the variance of front yard relaxation was allowed.

ADJACENT OWNERS' COMMENTS:

An undated petition was submitted by the homeowners. The petition read as follows:

'I understand that Board of Variance will be hearing an appeal for 7775 Kentwood Street for the relaxation of the front yard from 29.50 feet to 19.94 feet pursuant to Section 101.8 of the Burnaby Zoning Bylaw. After reviewing the information provided by the Owner, I am in support of the Appeal.'

The petition was signed by owners/occupants of 7617, 7730, 7781, 7789 Kentwood Street and 3221 Ingleside Court.

Correspondence was received from owners/occupants of 7735 Kentwood Street in opposition to this appeal.

Correspondence was received from owners/occupants of 7738 Kentwood Street in opposition to this appeal.

Correspondence was received from owners/occupants of 7745 Kentwood Street expressing concern for the salmon that inhabit the stream which borders the property.

The owner/occupant of 7765 Kentwood Street appeared before the members of the Board of Variance in opposition to the appeal.

MOVED BY MS. FELKER
SECONDED BY MR. DHATT

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

CARRIED UNANIMOUSLY

BOARD MEMBER COMMENTS:

Mr. Nemeth found that hardship was evident due to physical site characteristics and voted to approve the variance.

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

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

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

Mr. Firdos found that hardship was evident due to physical site characteristics and voted to approve the variance.

MOVED BY MS. FELKER
SECONDED BY MS. CHAN

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

CARRIED
Opposed: Mr. Nemeth

BOARD MEMBER COMMENTS:

Mr. Nemeth found that hardship was evident due to physical site characteristics; however, indicated that other design choices were available. Mr. Nemeth voted against approval of this variance.

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

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

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

Mr. Firdos found that hardship was evident due to physical site characteristics and voted to approve the variance.

3. **NEW BUSINESS**

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

4. **ADJOURNMENT**

MOVED BY MS. FELKER
SECONDED BY MS. CHAN

THAT this Hearing do now adjourn.

CARRIED UNANIMOUSLY

The Hearing adjourned at 6:30 p.m.

Mr. S. Nemeth, CHAIR

Ms. J. Chan

Mr. R. Dhatt

Ms. B. Felker

Ms. E. Prior
ADMINISTRATIVE OFFICER

Mr. G. Firdos



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 BRUNO TORTOLANO
 Mailing Address 5290 GEORGIA ST.
 City/Town BURNABY Postal Code V5B 1V4
 Phone Number(s) (H) 604 250 1322 (C) 604 250-1322
 Email bruno@abtdesigngroup.com

Property

Name of Owner TONY LIBERATORE
ADRIANA LIBERATORE
 Civic Address of Property 2011 JORDAN DRIVE
B64 BC V5B 4E7

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.

July 31/2020
 Date

[Signature]
 Applicant Signature

Office Use Only

Appeal Date 2020 Sept 03 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

Owner:

Tony and Adriana Liberatore
 6934 Kitchener Street, Burnaby BC
 V5B2J9

July 29, 2020

Re: 2011 Jordan Drive, Burnaby BC

- **Requesting relaxation to rear yard setback from 29.5' to 26.5'**
- **Zoning R2**
- **Lot 27, District Lot 131, Group 1 NWD, Plan 25419**

To the members of the Board of Variance.

We are appealing to the board of variance for the consideration and relaxation of the following:

Relaxation of required minimum rear yard setback from a required minimum of 29.5 ft. to reduce to a setback of 26.5 ft. (a relaxation of 3.0 ft.)

We are the owner's of 2011 Jordan Drive and for the past ten years our daughter and husband have been living there and planning for their growing family.

Our daughter and Husband now have two wonderful children and we are blessed to be part of their lives.

We look forward to seeing our grandchildren everyday and being part of their lives as we are able to help care for them, take them to school and help pick them up when needed.

The existing house is a 3 bedroom two storey house with approx. 1200 sq. ft on the 2nd floor where all 3 bedrooms are situated. The existing bedrooms are not very large as the house was built in the 1960's and the average bedroom size in that era was approx.. 10 ft x 10 ft. In order to provide a better and larger space for our [REDACTED] we are looking to enlarge his bedroom in order for him to have more space where he can feel comfortable and also to provide space for additional learning tools and equipment where he can excel.

The extension of his bedroom can only be done toward the rear of the building as this is where his bedroom is and as per zoning limitations will allow.

The existing lot length is 113.0 ft. This is shorter than conventional properties usually at 120 ft long. The 7 feet difference does make it difficult to develop or design a home when factoring in all the required set backs.

The overall sq. ft of the proposed extension is an additional 190 sq ft. which when added to the existing house is well under the allowable square footage allowed if building a new home.

We feel that the additional 3.0 ft that the building will encroach into the rear yard has little impact as the house itself is small relative to what is built new in the neighborhood and also we would be still setback significantly more than our immediate neighbor to the north.

Thank-you for your consideration on this matter.

Sincerely, Tony and Adriana Liberatore

ANTONIO P
 Tony Liberatore
 M.C.A. Liberatore

BOARD OF VARIANCE REFERRAL LETTER

DATE: July 13, 2020		<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: August 4, 2020 for the September 3, 2020 hearing.			
APPLICANT NAME: Bruno Tortolano			
APPLICANT ADDRESS: 5290 Georgia Street, Burnaby, BC V5B 1V4			
TELEPHONE: 604-250-1322			
PROJECT			
DESCRIPTION: New Bedroom Addition to ESFD			
ADDRESS: 2011 Jordan Drive			
LEGAL DESCRIPTION:	LOT: 27	DL: 131	PLAN: NWP25419

Building Permit application BLD20-00345 will be denied by the Building Department because the design is not in compliance with Burnaby Zoning Bylaw No. 4742:

Zone R2 / Section 102.10

COMMENTS:

The applicant proposes to build a bedroom 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 102.10 – “Rear Yard” of the Zoning Bylaw requirement for the minimum rear yard depth from 9.00 m (29.50 ft.) to 8.08 m (26.5ft.). 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

ANY TANGIBLE SITE AREA	P2 (64.00' x 113.00')	7232.00 SQ FT	EXISTING	ALLOWABLE	PROPOSED
LOT COVERAGE	40% x 7232.00' =	2892.80 SQ FT	N/A	2892.00 SF	1300.00 SQ FT
BASEMENT FLOOR	40% x 7232.00' =	2892.80 SQ FT	N/A	2892.00 SF	2177.00 SQ FT
DECK OVERAGE	125.00 SF				
DECK OVERAGE	125.00 SF				
DECK OVERAGE	125.00 SF				
TOTAL	2177.00 SF				
DECK AREA	2892.80 SF x 8%	231.00 SF	N/A	231.00 SF	305.00 SF
MAX BUILDING HEIGHT	AVG. LOWER 2 CORNERS = EL. 100.75' + 29.5'		N/A	130.25 FT	123.95 FT
GARAGE	452.10 SQ FT MAX			452.10 SQ FT	354.00 SQ FT
FRONT YARD SET BACK	29.50 FT MIN		29.6'	29.50'	29.6'
REAR YARD SET BACK	29.50 FT MIN		29.30'	29.50'	26.00'
FRONT LOT CORNER LOT	MIN 11.50 FT		N/A	11.50 MIN	4.92'
REAR LOT CORNER LOT	MIN 11.50 FT		N/A	11.50 MIN	15.00'

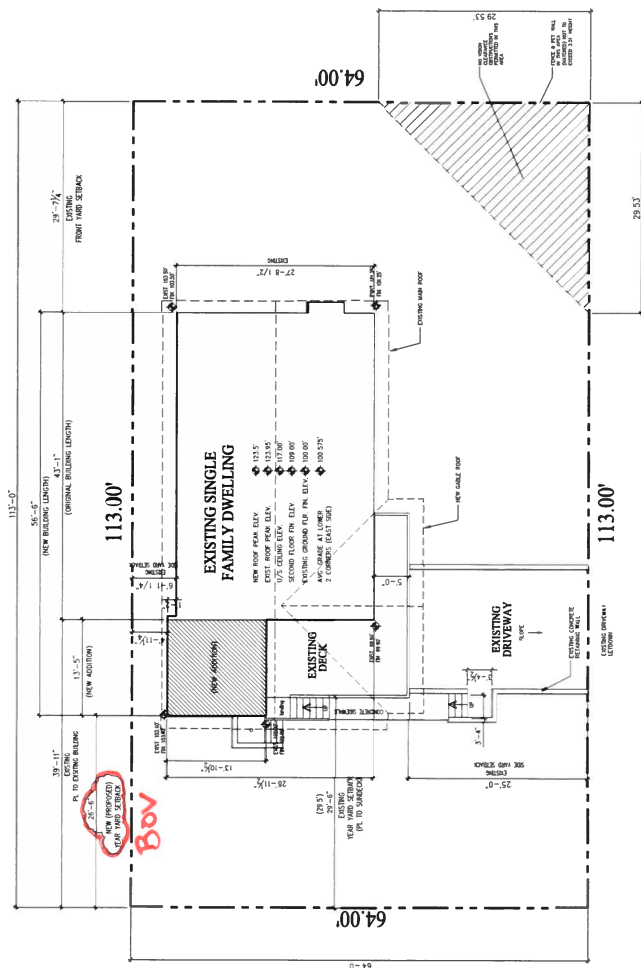
2011 JORDAN DRIVE
ZONE R2
LOT 27
DISTRICT LOT 131
GROUP 1, NEW WESTMINSTER DISTRICT
PLAN 25419

SCALE 1/8"=1'-0"

LEGEND

EXIST = EXISTING GRADE
FINISH = FINISH GRADE
GRADES ARE CALCULATED BY USING LOWEST GRADE AT

SPERLING AVE.



Design Group Inc.
Associated Building Technologists Design Group Inc.

A COPYRIGHT REMAINS AT ALL TIMES WITH THE ARCHITECT/CONSULTANT USE OR REPRODUCTION OF THIS DRAWING SHALL NOT BE MADE WITHOUT THE ARCHITECT'S/CONSULTANT'S CONSENT

EXISTING
SINGLE FAMILY
DWELLING LOCATED AT
2011 JORDAN DR.
BURNABY, B.C.
REAR ADDITION AND
INTERIOR ALTERATIONS

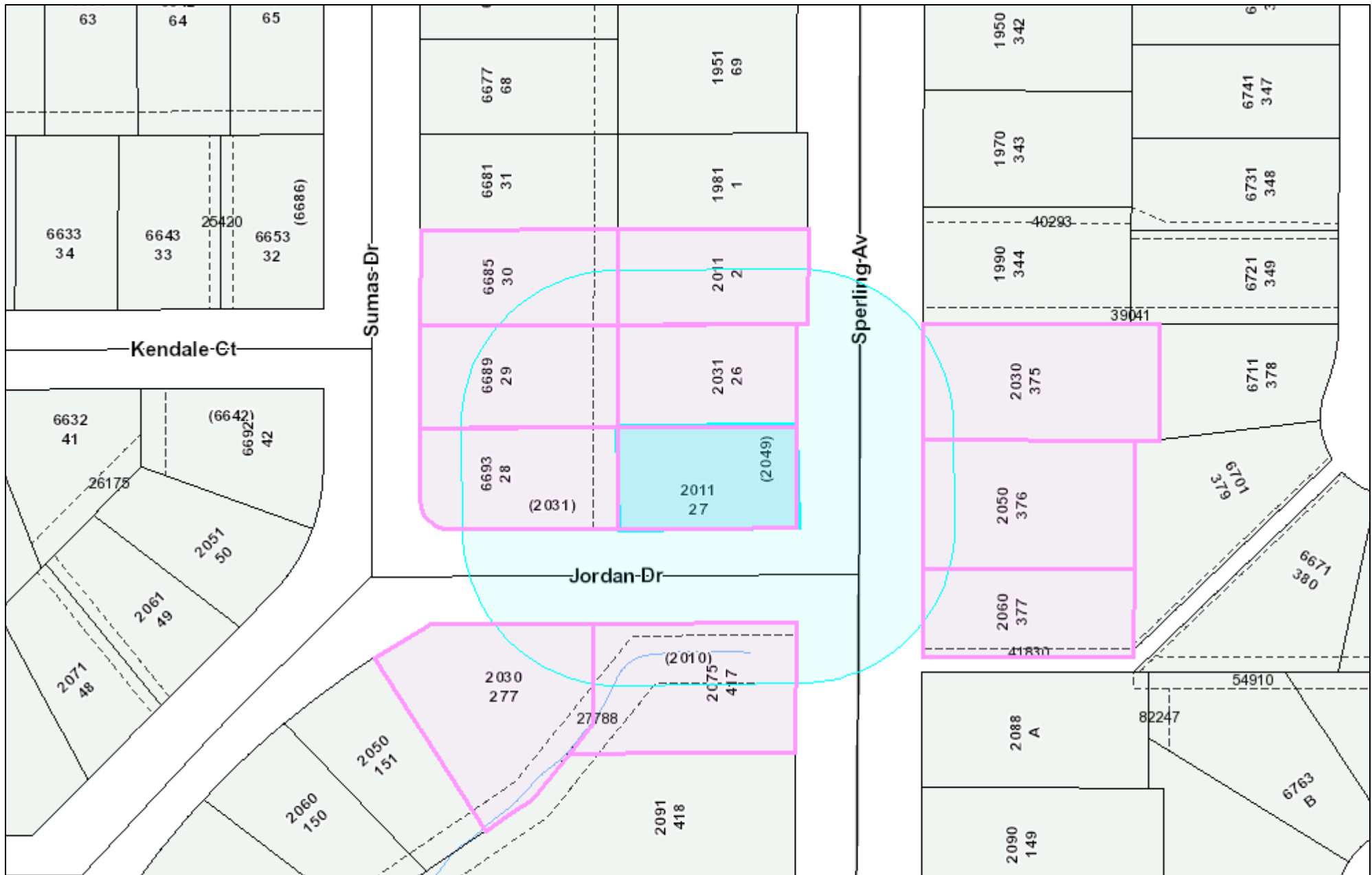
DRAWING

SITE PLAN AND
CONSTRUCTION NOTES

DESIGNED BY	DATE
BT	
DRAWN BY	SCALE
MT	AS NOTED
JOB N°	DWG No.
SST N°	

7/29/2020 3:34:32 PM

1:1,000



The information has been gathered and assembled on the City of Burnaby's computer systems. Data provided herein is derived from a number of sources with varying levels of accuracy. The City of Burnaby disclaims all responsibility for the accuracy or completeness of information contained herein.





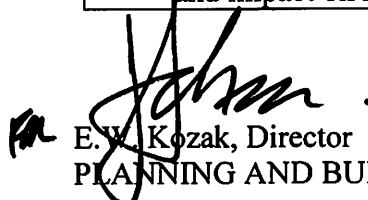
BOARD OF VARIANCE PLANNING COMMENTS SUMMARY SHEET

BV #	6406	Address	2011 Jordan Drive
X-Reference	BOV # 20-00014	Hearing	2020 September 03

Project	A new addition to an existing single family dwelling
Zoning	R2 Residential District
Neighbourhood	Sperling - single family neighbourhood
Appeal to vary:	Section 102.10 – “Rear yard” from 9.00 m (29.50 ft.) to 8.08 m (26.50 ft.) to allow for the construction of a new addition.
Zoning Bylaw intent:	Rear yard setbacks help to mitigate the massing impacts of new buildings and structures on neighbouring properties and to ensure sufficient outdoor living area in the rear yard.
Variance Description:	A two storey addition (ground floor storage and second floor bedroom extension) is proposed in the northwest (rear) corner of the existing dwelling. The addition would extend 0.92 m (3.00 ft.) into the required rear yard with its entire width of 4.23 m (13.87 ft.).

Comments

Subject Site Considerations
<ul style="list-style-type: none"> ○ The property is a corner rectangular lot, approximately 34.40 x 19.50 m (113.00 x 64.00 ft.), on the west side of Sperling Avenue (front) and on the north side of Jordan Drive (flanking street). ○ The property is relatively flat, with gentle north-south slope of approximately 0.60 m (2.00 ft.). ○ The siting of the existing dwelling on the property limits the options for an addition without requiring a variance.
Neighbourhood Context Considerations
<ul style="list-style-type: none"> ○ To the north, there is a detached garage in the southwest corner of the neighbouring property with an approximately 1.82 m (6.00) ft. rear yard setback and almost zero side yard setback. The portion of the proposed addition, encroaching in the rear yard, would be screened by this garage, thus any negative massing impact would be mitigated. To the west, the neighbouring dwelling features a generous rear yard setback of approximately 13.70 m (45.00 ft.) that would help mitigate massing impacts.
Specific Project Considerations
The proposed extension of the addition is a design choice that would be limited in scale and impact on neighbouring properties.


 E. V. Kozak, Director
 PLANNING AND BUILDING
 MRW:ll

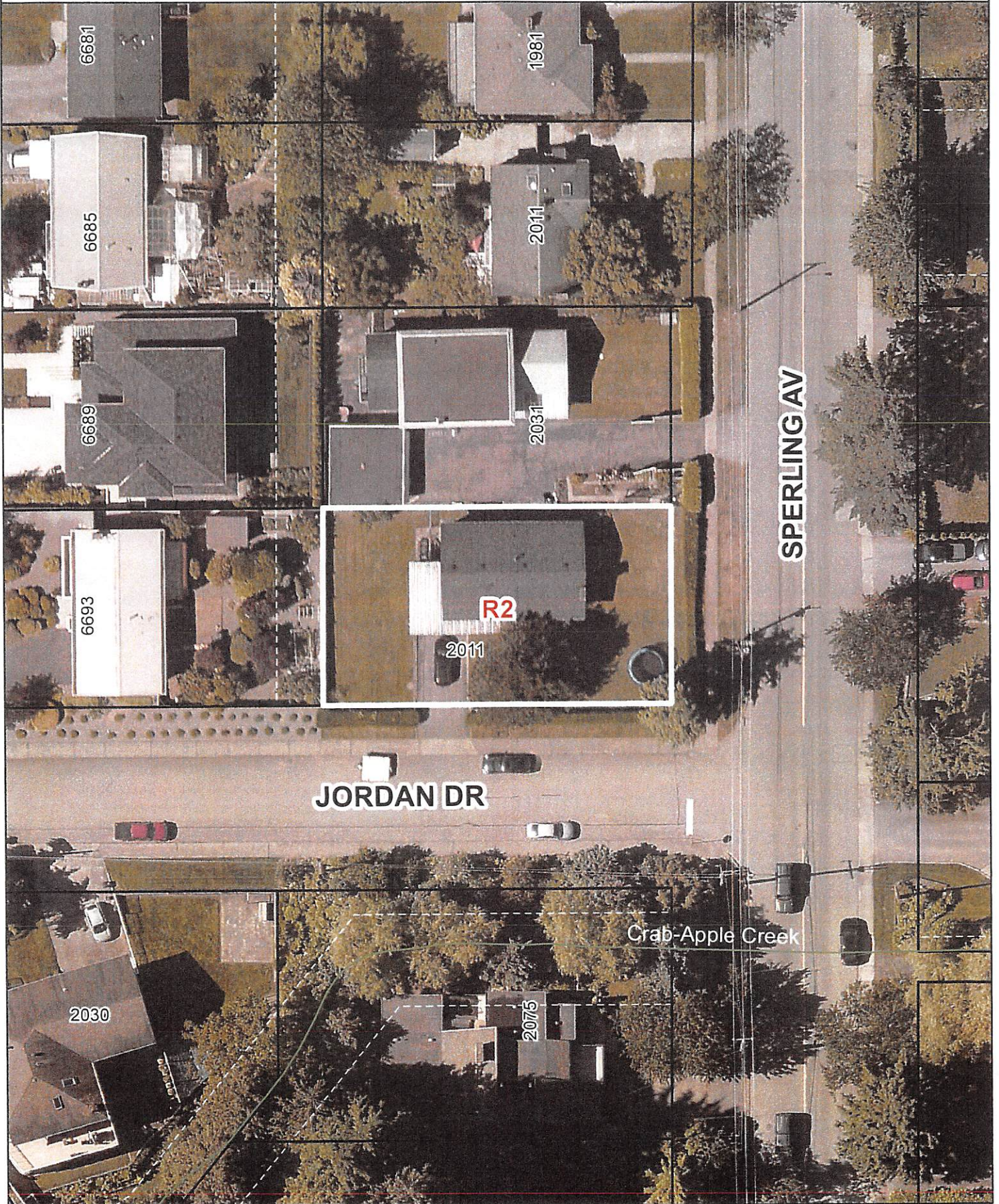


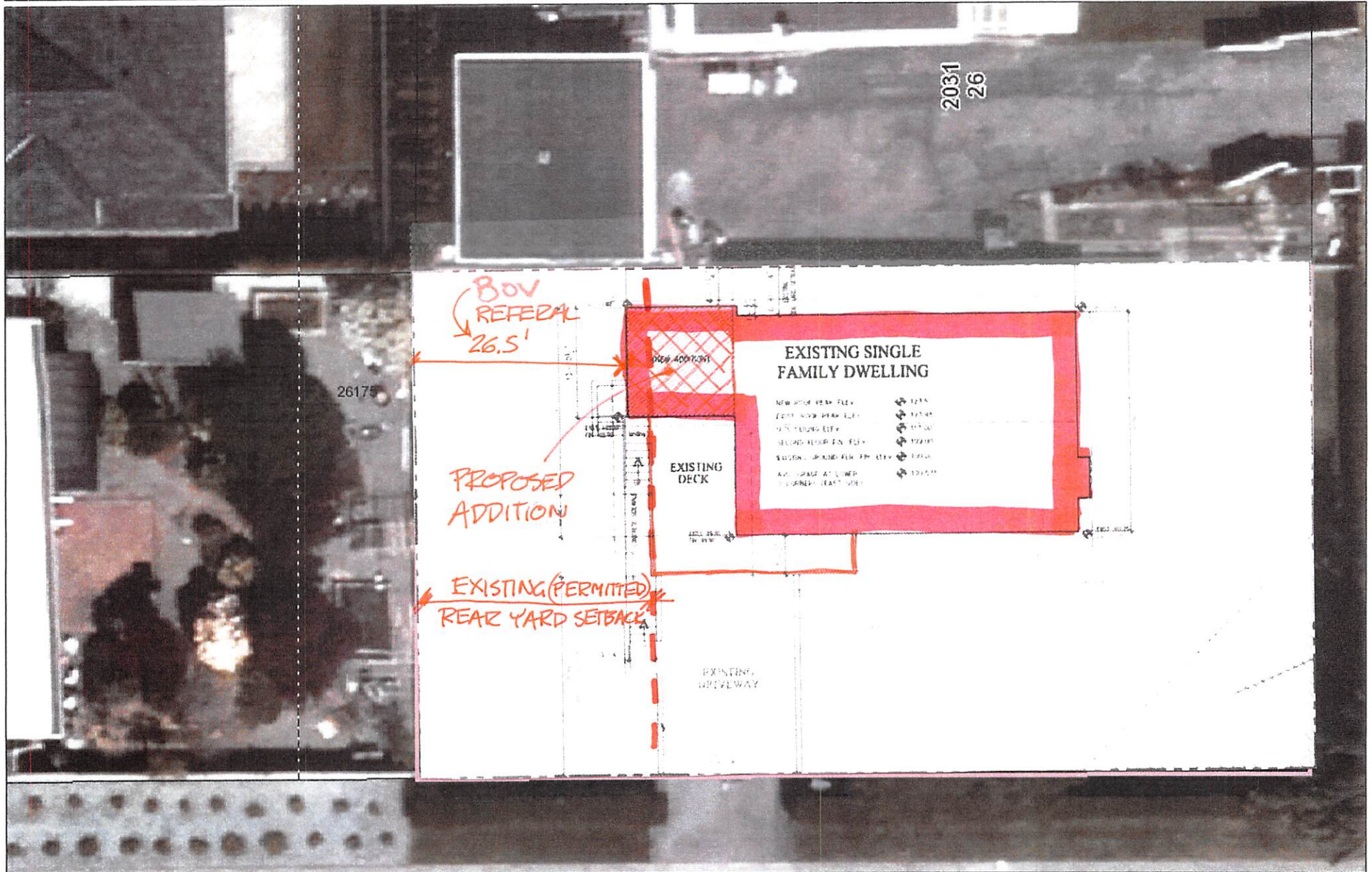
BV 6406

2011 JORDAN DRIVE

2020 SEPT 03

August 12, 2020







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 HARLEY SMITH
 Mailing Address 3815 CLARK DR
 City/Town VANCOUVER Postal Code V5V 4Y7
 Phone Number(s) (H) _____ (C) 778 882-5969
 Email HARLEY.SMITH@TELUS.NET

Property

Name of Owner HARLEY SMITH
 Civic Address of Property 124 N DELTA

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.

AUG 5, 2020
 Date

[Signature]
 Applicant Signature

Office Use Only

Appeal Date 03 Sept 2020 Appeal Number BV# 6407

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

Harley Smith

3815 Clark Drive, Vancouver , B.C. V5V 4Y7

Board of Variance
City of Burnaby
4949 Canada Way
Burnaby B.C.

Dear Sirs

Re: 124 N. Delta Ave

In designing the home that is the subject of this application, in addition to addressing my living situation, it has been my goal to design a house that complements the neighbourhood, adds value to the neighbourhood through the quality of design and adds to the rental stock with livable accommodation. Our goal is to achieve this without adversely affecting the livability of neighbouring properties.

The challenge in achieving this goal has been the topography of the lot which slopes steeply from front (West) to back (East), a total of 10' over the depth of the house. The hardship created by this extreme grade difference relates to the future suite bedroom's exit window, the general livability of the suite (the amount of daylight) and construction risks associated with the depth of the required excavation at the rear of the house.

Without the height variance the cellar floor elevation would be 2' lower, resulting in a grade difference between floor and exterior grade at the bedroom window of +/- 9' and 10' to the top of the window well, requiring a 5' climb to the bottom sill of the window and a further 5' climb to get out of the window well. Aside from the exiting difficulty, the top sill of the bedroom window would be 2' lower than the top of the window well, blocking most of the natural light to the bedroom. As well, the window to the basement suite living room would be reduced to 1' vertically with a bottom sill height 7' above the floor, severely limiting natural light and eliminating any view of the outside to anyone other than an NBA player.

Lastly, the depth of the excavation at the rear of the house to underside of the footings, while deep based on the existing design, would exceed 16' if the cellar floor elevation were lowered. This extra depth, even with the extra support that would likely be required by the geotechnical engineer, would unnecessarily increase the risk of the failure of the banks supporting the adjacent houses.

In our design we have taken steps to mitigate the impact of our higher roofline. The front yard setback has been increased by 5' and the roof has been set back a further 4' to ensure the site lines of the properties to the east (Hythe Street) are not negatively affected. By increasing the front setback, we have also improved the site lines of the adjacent properties.

I thank you for considering my variance and trust that you appreciate the efforts made to mitigate the effects of the increased height on my neighbours and recognize how we have attempted to respect the intent of the zoning bylaw.

Yours truly

Harley Smith



BOARD OF VARIANCE REFERRAL LETTER

DATE: July 9, 2020			<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: August 04, 2020 for the September 03, 2020 hearing.			
APPLICANT NAME: Harley Smith			
APPLICANT ADDRESS: 3815 Clark Drive, Vancouver, V5V4Y7			
TELEPHONE: 778-882-5969			
PROJECT			
DESCRIPTION: New single dwelling with secondary suite and detached garage			
ADDRESS: 124 North Delta Ave			
LEGAL DESCRIPTION:	LOT: 11	DL: 189	PLAN: NWP4953

Building Permit application BLD19-00908 will be denied by the Building Department because the design is not in compliance with Burnaby Zoning Bylaw No. 4742:

Zone R5 / Sections 105.6 (1) (b)

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 105.6(1)(b) – "Height of Principal Building" of the Zoning Bylaw requirement for the maximum building height from 7.4m (24.3 ft.) to 8 m (26.28 ft.) measured from the front average grade for the proposed single family dwelling with a flat roof. The principal building height measured from the rear average grade will be 6.19 m (20.31 ft.). The applicability of this variance, if granted, is limited to the scope of the proposal shown on the attached plans.

CL

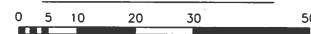
Peter Kushnir
Deputy Chief Building Inspector

**TOPOGRAPHIC SURVEY PLAN OF LOT 11, BLOCK 56,
DISTRICT LOT 189, GROUP 1,
NEW WESTMINSTER DISTRICT,
PLAN 4953**

124 N. Delta Avenue
Burnaby, B.C.

ZONING: R5

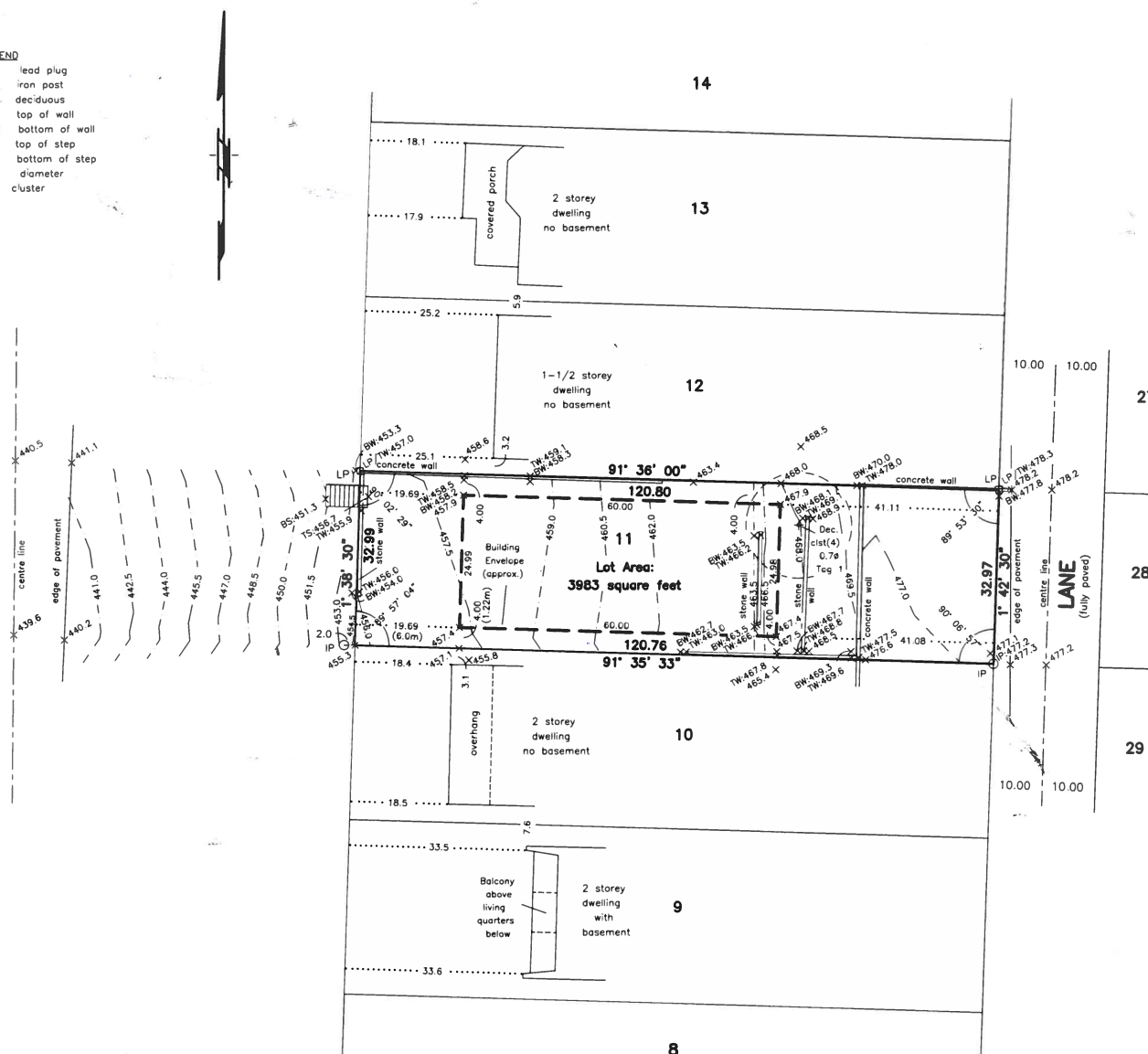
SCALE: 1 INCH = 16 FEET



All distances are in feet and decimals
thereof unless otherwise indicated.
Contour interval: 1.5 feet.

- LEGEND**
- LP lead plug
 - IP iron post
 - Dec. deciduous
 - TW: top of wall
 - BW: bottom of wall
 - TS: top of step
 - BS: bottom of step
 - ø diameter
 - c/st cluster

N. DELTA AVENUE



NOTE:
Elevations are based on geodetic datum.
Bench Mark: Monument 79H9662 located in the NW sidewalk of Bessborough Avenue at the centre of Eton Street.
B.M. Elevation = 369.49 feet
(112.621 metres)

copyright restriction
This document is not valid unless originally signed and sealed.

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

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

FRONT YARD SETBACK CALCULATIONS			
HOUSE	LOT	FRONT YARD	AVERAGE
104	9	33.5	23.73
110	10	18.4	
134	12	25.1	MINIMUM
140	13	17.9	
	TOTAL:	94.9	19.69 (6.0m)

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

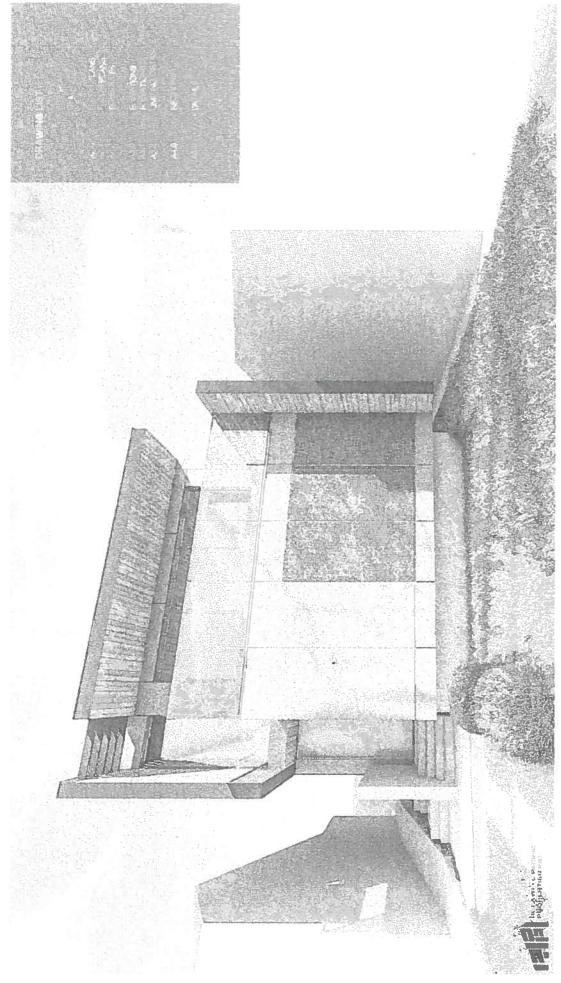
NOTE:
For construction, use lead plugs in sidewalk or City survey monument only for elevation control.

Ken K. Wong and Associates
B.C. Land Surveyor
5624 Hastings Street
Burnaby, B.C. V5B 1R4
Telephone: 604.294.8881
Fax: 604.294.0625
E-mail: wong.associates@shawbiz.ca
180356 FB960 P18-19
R-8983 R-9879A R-3670
Drawn by: TB SI-4722

B.C.L.S.

July 3, 2018

RE-ISSUE FOR BP - MARCH 17, 2020



RANDY BENS
ARCHITECT

DOOR LEGEND

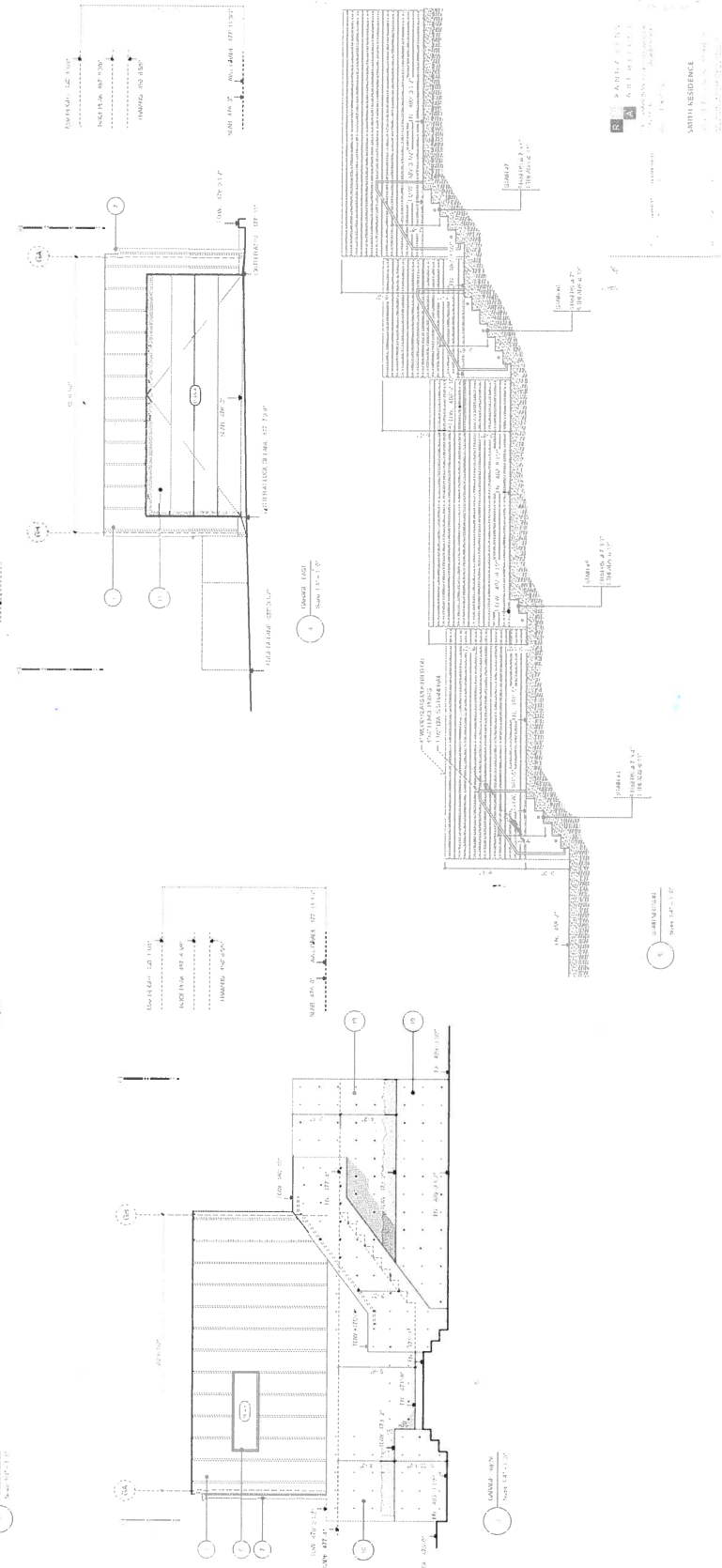
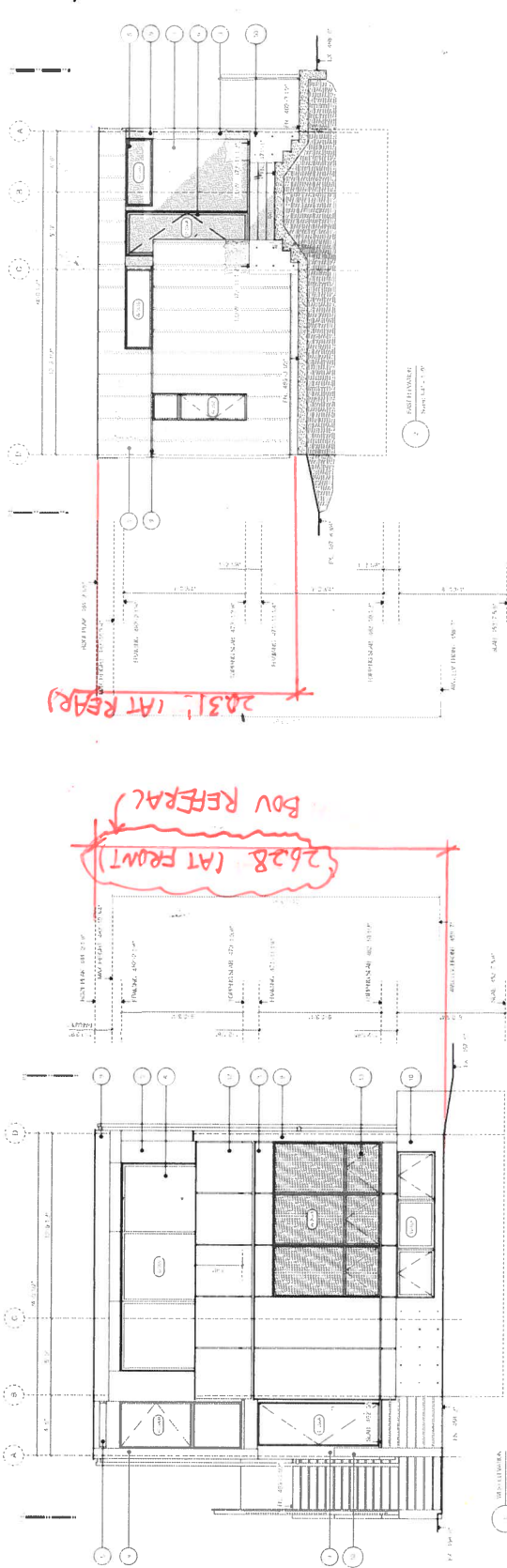
Door	Size	Material	Finish
D-101	3'0" x 7'0"	1/2" Solid Core	White
D-102	3'0" x 7'0"	1/2" Solid Core	White
D-103	3'0" x 7'0"	1/2" Solid Core	White
D-104	3'0" x 7'0"	1/2" Solid Core	White
D-105	3'0" x 7'0"	1/2" Solid Core	White
D-106	3'0" x 7'0"	1/2" Solid Core	White
D-107	3'0" x 7'0"	1/2" Solid Core	White
D-108	3'0" x 7'0"	1/2" Solid Core	White
D-109	3'0" x 7'0"	1/2" Solid Core	White
D-110	3'0" x 7'0"	1/2" Solid Core	White
D-111	3'0" x 7'0"	1/2" Solid Core	White
D-112	3'0" x 7'0"	1/2" Solid Core	White
D-113	3'0" x 7'0"	1/2" Solid Core	White
D-114	3'0" x 7'0"	1/2" Solid Core	White
D-115	3'0" x 7'0"	1/2" Solid Core	White
D-116	3'0" x 7'0"	1/2" Solid Core	White
D-117	3'0" x 7'0"	1/2" Solid Core	White
D-118	3'0" x 7'0"	1/2" Solid Core	White
D-119	3'0" x 7'0"	1/2" Solid Core	White
D-120	3'0" x 7'0"	1/2" Solid Core	White

WINDOW LEGEND

Window	Size	Material	Finish
W-101	3'0" x 7'0"	1/2" Solid Core	White
W-102	3'0" x 7'0"	1/2" Solid Core	White
W-103	3'0" x 7'0"	1/2" Solid Core	White
W-104	3'0" x 7'0"	1/2" Solid Core	White
W-105	3'0" x 7'0"	1/2" Solid Core	White
W-106	3'0" x 7'0"	1/2" Solid Core	White
W-107	3'0" x 7'0"	1/2" Solid Core	White
W-108	3'0" x 7'0"	1/2" Solid Core	White
W-109	3'0" x 7'0"	1/2" Solid Core	White
W-110	3'0" x 7'0"	1/2" Solid Core	White
W-111	3'0" x 7'0"	1/2" Solid Core	White
W-112	3'0" x 7'0"	1/2" Solid Core	White
W-113	3'0" x 7'0"	1/2" Solid Core	White
W-114	3'0" x 7'0"	1/2" Solid Core	White
W-115	3'0" x 7'0"	1/2" Solid Core	White
W-116	3'0" x 7'0"	1/2" Solid Core	White
W-117	3'0" x 7'0"	1/2" Solid Core	White
W-118	3'0" x 7'0"	1/2" Solid Core	White
W-119	3'0" x 7'0"	1/2" Solid Core	White
W-120	3'0" x 7'0"	1/2" Solid Core	White

ELEVATION LEGEND

1. FINISHED GRADE
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DOOR LEGEND

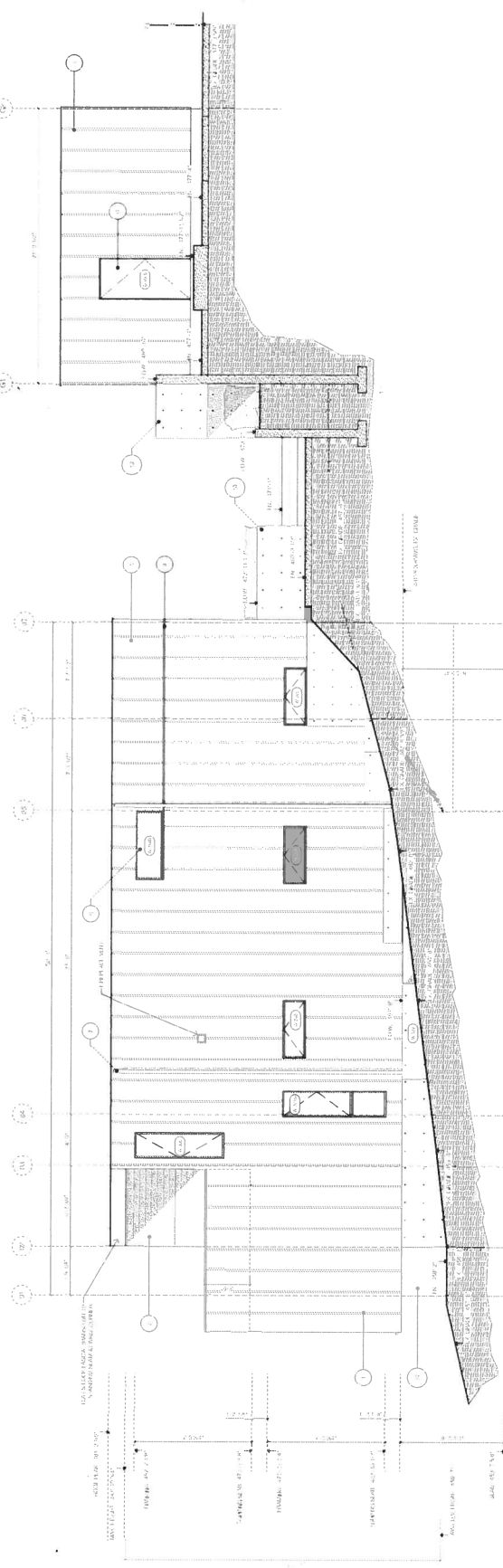
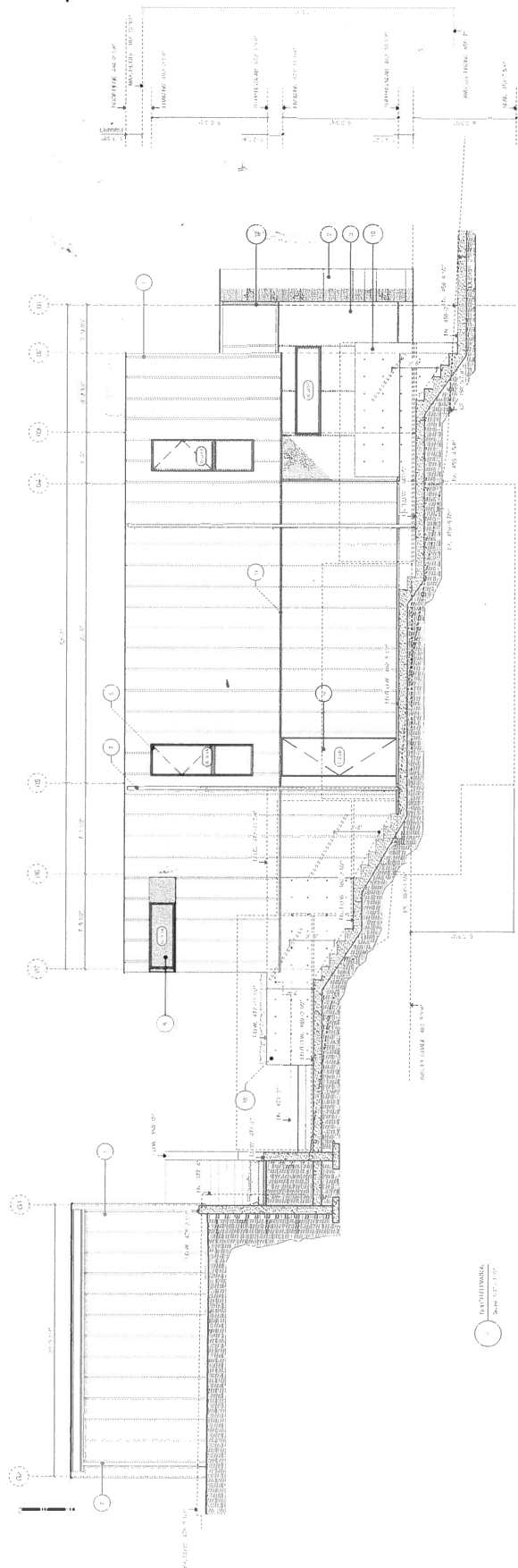
Door	Material	Finish
D-101 A	8" x 8" x 10"	10"
D-102 A	8" x 8" x 10"	10"
D-103 A	8" x 8" x 10"	10"
D-104 A	8" x 8" x 10"	10"
D-105 A	8" x 8" x 10"	10"
D-106 A	8" x 8" x 10"	10"
D-107 A	8" x 8" x 10"	10"
D-108 A	8" x 8" x 10"	10"
D-109 A	8" x 8" x 10"	10"
D-110 A	8" x 8" x 10"	10"
D-111 A	8" x 8" x 10"	10"
D-112 A	8" x 8" x 10"	10"
D-113 A	8" x 8" x 10"	10"
D-114 A	8" x 8" x 10"	10"
D-115 A	8" x 8" x 10"	10"
D-116 A	8" x 8" x 10"	10"
D-117 A	8" x 8" x 10"	10"
D-118 A	8" x 8" x 10"	10"
D-119 A	8" x 8" x 10"	10"
D-120 A	8" x 8" x 10"	10"
D-121 A	8" x 8" x 10"	10"
D-122 A	8" x 8" x 10"	10"
D-123 A	8" x 8" x 10"	10"
D-124 A	8" x 8" x 10"	10"
D-125 A	8" x 8" x 10"	10"
D-126 A	8" x 8" x 10"	10"
D-127 A	8" x 8" x 10"	10"
D-128 A	8" x 8" x 10"	10"
D-129 A	8" x 8" x 10"	10"
D-130 A	8" x 8" x 10"	10"

WINDOW LEGEND

Window	Material	Finish
W-101 A	8" x 8" x 10"	10"
W-102 A	8" x 8" x 10"	10"
W-103 A	8" x 8" x 10"	10"
W-104 A	8" x 8" x 10"	10"
W-105 A	8" x 8" x 10"	10"
W-106 A	8" x 8" x 10"	10"
W-107 A	8" x 8" x 10"	10"
W-108 A	8" x 8" x 10"	10"
W-109 A	8" x 8" x 10"	10"
W-110 A	8" x 8" x 10"	10"
W-111 A	8" x 8" x 10"	10"
W-112 A	8" x 8" x 10"	10"
W-113 A	8" x 8" x 10"	10"
W-114 A	8" x 8" x 10"	10"
W-115 A	8" x 8" x 10"	10"
W-116 A	8" x 8" x 10"	10"
W-117 A	8" x 8" x 10"	10"
W-118 A	8" x 8" x 10"	10"
W-119 A	8" x 8" x 10"	10"
W-120 A	8" x 8" x 10"	10"
W-121 A	8" x 8" x 10"	10"
W-122 A	8" x 8" x 10"	10"
W-123 A	8" x 8" x 10"	10"
W-124 A	8" x 8" x 10"	10"
W-125 A	8" x 8" x 10"	10"
W-126 A	8" x 8" x 10"	10"
W-127 A	8" x 8" x 10"	10"
W-128 A	8" x 8" x 10"	10"
W-129 A	8" x 8" x 10"	10"
W-130 A	8" x 8" x 10"	10"

ELEVATION LEGEND

1. PREPARED BY: [Name]
2. CHECKED BY: [Name]
3. APPROVED BY: [Name]
4. DATE: [Date]
5. PROJECT: [Project Name]
6. SHEET: [Sheet Number]
7. TOTAL SHEETS: [Total Sheets]
8. SCALE: [Scale]
9. NOTES: [Notes]
10. [Note]
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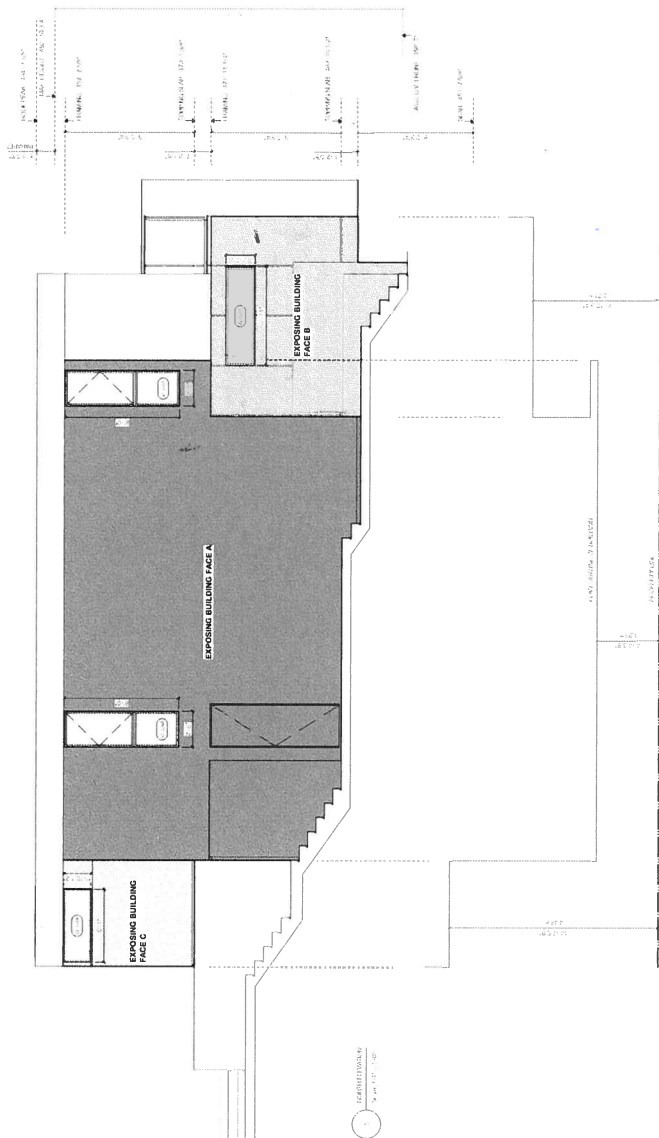


SMITH RESIDENCE
ARCHITECT
1000 10th St. N.
Minneapolis, MN 55412
612.555.1234
www.smithresidence.com

BLANKS
A3.1

WINDOW LEGEND

Window	Size	Area	Perimeter
W-01	1211" x 750"	908.0	3922"
W-02	1211" x 750"	908.0	3922"
W-03	1211" x 750"	908.0	3922"
W-04	1211" x 750"	908.0	3922"
W-05	1211" x 750"	908.0	3922"
W-06	1211" x 750"	908.0	3922"
W-07	1211" x 750"	908.0	3922"
W-08	1211" x 750"	908.0	3922"
W-09	1211" x 750"	908.0	3922"
W-10	1211" x 750"	908.0	3922"
W-11	1211" x 750"	908.0	3922"
W-12	1211" x 750"	908.0	3922"
W-13	1211" x 750"	908.0	3922"
W-14	1211" x 750"	908.0	3922"
W-15	1211" x 750"	908.0	3922"
W-16	1211" x 750"	908.0	3922"
W-17	1211" x 750"	908.0	3922"
W-18	1211" x 750"	908.0	3922"
W-19	1211" x 750"	908.0	3922"
W-20	1211" x 750"	908.0	3922"
W-21	1211" x 750"	908.0	3922"
W-22	1211" x 750"	908.0	3922"
W-23	1211" x 750"	908.0	3922"
W-24	1211" x 750"	908.0	3922"
W-25	1211" x 750"	908.0	3922"
W-26	1211" x 750"	908.0	3922"
W-27	1211" x 750"	908.0	3922"
W-28	1211" x 750"	908.0	3922"
W-29	1211" x 750"	908.0	3922"
W-30	1211" x 750"	908.0	3922"
W-31	1211" x 750"	908.0	3922"
W-32	1211" x 750"	908.0	3922"
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W-100	1211" x 750"	908.0	3922"



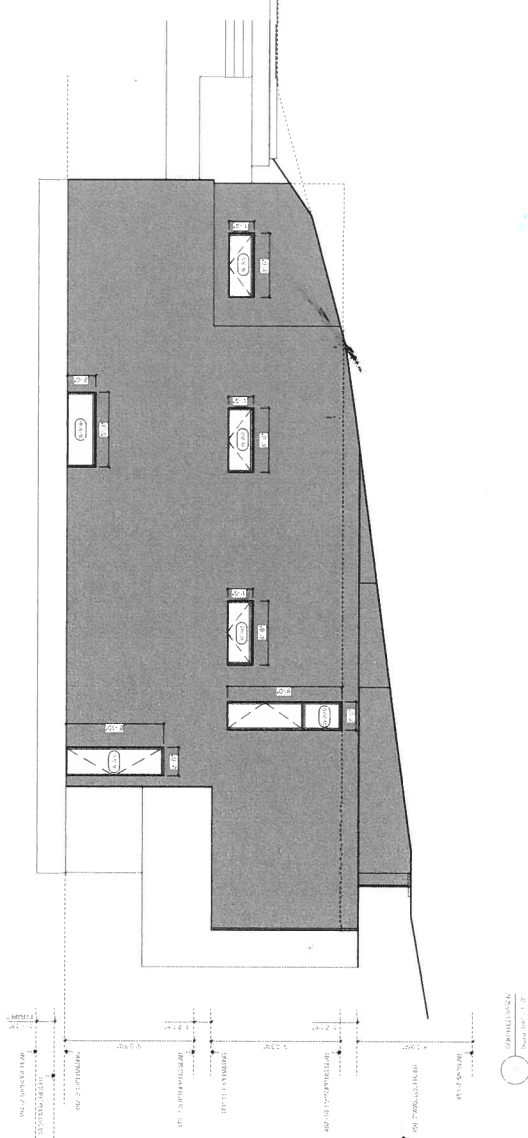
Allowable Openings - NORTH

all openings shall be in accordance with the provisions of the International Building Code, 2015 Edition, Chapter 7, Section 703.5.1, and 703.5.2.

Face	Area	Perimeter	Ratio
FACE A	1,111.0	1,111.0	1.000
FACE B	1,111.0	1,111.0	1.000
FACE C	1,111.0	1,111.0	1.000

Allowable Openings - SOUTH

Face	Area	Perimeter	Ratio
FACE A	1,111.0	1,111.0	1.000
FACE B	1,111.0	1,111.0	1.000
FACE C	1,111.0	1,111.0	1.000





124 North Delta Avenue

8/5/2020 11:33:58 AM

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The information has been gathered and assembled on the City of Burnaby's computer systems. Data provided herein is derived from a number of sources with varying levels of accuracy. The City of Burnaby disclaims all responsibility for the accuracy or completeness of information contained herein.





BOARD OF VARIANCE PLANNING COMMENTS SUMMARY SHEET

BV #	6407	Address	124 Delta Avenue N.
X-Reference	BOV # 20-00015	Hearing	2020 September 03

Project	A new single family dwelling with secondary suite and detached garage.
Zoning	R5 Residential District
Neighbourhood	Capitol Hill - single family neighbourhood
Appeal to vary:	Section 105.6(1)(b) – “Height of Principal Building” from 7.40 m (24.28 ft.) to 8.00 m (26.28 ft.), as measured from the front average grade, to allow construction of a new single family dwelling with a flat roof.
Zoning Bylaw intent:	Height maximums help to mitigate the massing impacts of new buildings and structures on neighbouring properties and preserve surrounding views.
Variance Description:	The entire top 0.6 m (1.97 ft.) of the flat roof at the front elevation of the proposed single family dwelling is above the maximum height permitted.

Comments

Subject Site Considerations	
<ul style="list-style-type: none"> ○ The property is a mid-block rectangular lot, approximately 36.58 x 10.06 m (120 x 33 ft.), on east side of Delta Avenue. ○ The property has an extreme east-west slope of approximately 7.48 m (24.5 ft.) from the lane to the front property line. ○ There is a wide grassed boulevard in the City right-of-way on the east side of Delta Avenue N. The front property line is located 16.7 m (55.0 ft.) from the edge of the Delta Avenue N. asphalt road. 	
Neighbourhood Context Considerations	
<ul style="list-style-type: none"> ○ The property is surrounded by single family residential lots with similar sloped conditions. ○ The city and ocean views from properties to the east (up from the subject site, on west side of Hythe Avenue N.) are not obstructed by the proposed height increase due to the extreme slope. The top of the roof of proposed dwelling is approximately 1.83 m (6.00 ft.) above the lane level and below ground level of the properties on Hythe Avenue N. The proposed front yard setback is 2.75 m (9.00 ft.) more than the required minimum front yard 6.00 m (19.69 ft.), which mitigates the massing impact on the abutting properties to the north and south. The proposed dwelling’s significant 16.76 m (55.00 ft.) setback from the asphalt edge of the fronting road eliminates impacts on the properties to the west on the other side of Delta Avenue N. 	

Comments from the Planning Department


BV # 6407 124 Delta Avenue N.

x-reference: BOV # 20-00015

Hearing: 2020 September 03..... Page 2

Specific Project Considerations

- The modest floor to ceiling heights on all levels: Cellar (Secondary Suite) 2.44 m (8.00 ft.), Main Floor (Master Bedroom) 2.44 m (8.00 ft.), Upper Floor (Living Room) 2.75 m (9.00 ft.), do not contribute to the height encroachment.
- The secondary suite located in the cellar is the only design choice factor contributing to the height encroachment; however, sinking the secondary suite deeper in the ground may adversely impact the livability and access to light in the suite.


 E. W. Kozak, Director
 PLANNING AND BUILDING

MRW:ll



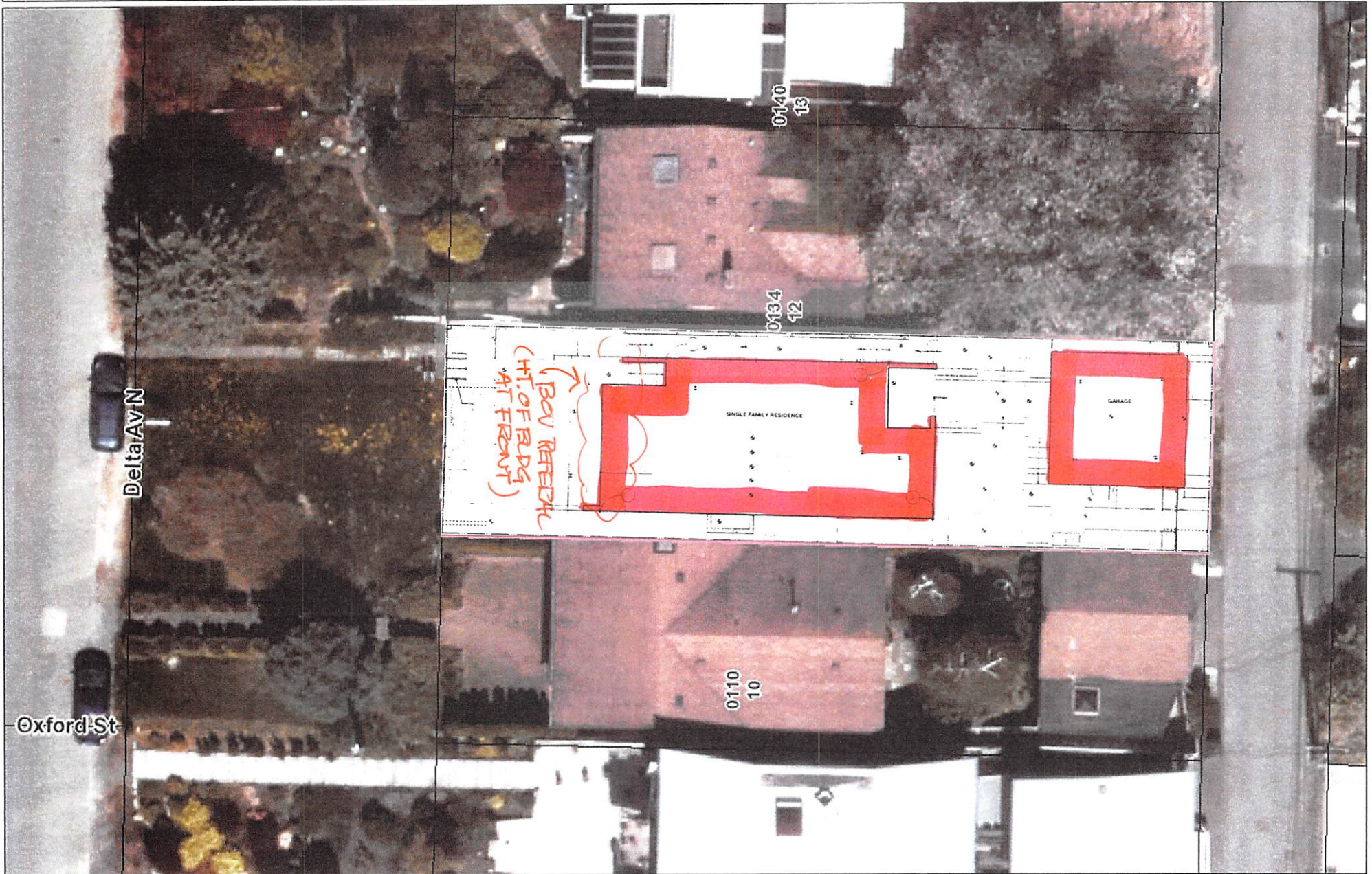
BV 6407

124 DELTA AVENUE NORTH

2020 SEPT 03

August 12, 2020







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 YANG YALIN, MA GUOLIAN
 Mailing Address 3760 SOUTHWOOD ST. BURNABY
 City/Town Bb7 Postal Code V5J-2C9
 Phone Number(s) (H) _____ (C) 236-512 2486
 Email _____

Property

Name of Owner YANG YALIN, MA GUOLIAN
 Civic Address of Property 3760 SOUTHWOOD ST.
Bb7

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.

1048-15-2020
 Date

[Signature]
 Applicant Signature

Office Use Only

Appeal Date 03 Sept 2020 Appeal Number BV# 6408

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

Luis A. Rivas T.
15764 92nd Ave
Surrey, B.C.
V4N 2X1

July 27, 2020

Board of Variance
Burnaby City hall

To whom it may concern:

I am writing this letter because owner just buy the property with a garage shape that no body can fit a car in the garage the idea is to use the existing foundation and erect that wall make more accessible And rise the roof to fit a car for the new owner at this moment only use for storage.

To erect that wall do not affect the neighbour and can be economic solution more on this day.

Thanks

Luis A. Rivas T.
LR DESIGNS LTD.
President
604 727 5320



BOARD OF VARIANCE REFERRAL LETTER

DATE: July 21, 2020			<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: August 4, 2020 for the September 3, 2020 hearing.			
APPLICANT NAME: Yang Yalan, Ma Guolian			
APPLICANT ADDRESS: 3760 Southwood St, Burnaby, V5J2C9			
TELEPHONE: 236-512-2486			
PROJECT			
DESCRIPTION: Alternation to existing detached garage			
ADDRESS: 3760 Southwood St			
LEGAL DESCRIPTION:	LOT: F	DL: 175	PLAN: NWP 1210

Building Permit application BLD20-00545 will be denied by the Building Department because the design is not in compliance with Burnaby Zoning Bylaw No. 4742:

Zone R2 / Sections 6.6 (2) (d)

COMMENTS:

The applicant proposes to rebuild an exterior wall of the detached garage and raised the building height. 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) (d) – “Accessory Buildings and Uses” of the Zoning Bylaw from 1.20 m (3.94 ft.) to 0.30 m (1.00 ft.) for the required minimum setback from the side property lines, when an accessory building is situated within 29.53 ft. to the rear of the lot. The applicability of this variance, if granted, is limited to the scope of the proposal shown on the attached plans.

CL

Kushnir

Peter Kushnir
Deputy Chief Building Inspector

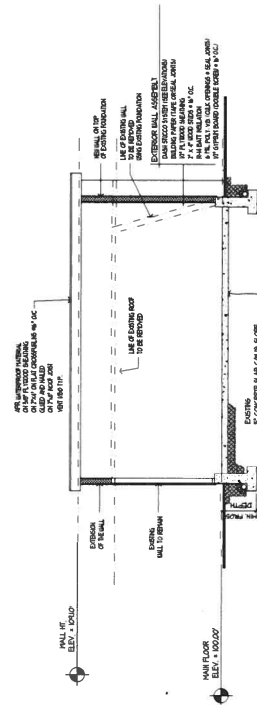
Mrs. YALAN YANG

3760 SOUTHWOOD STREET BURNABY, BC

PROJECT / ZONING DATA:	
LEGAL DESCRIPTION:	LOT 18 PLAN RPT230
PID:	008-46-000
CIVIC ADDRESS:	3760 SOUTHWOOD ST. BURNABY B.C.
ZONING:	R2
SITE AREA:	7,910.00 SQ. FT. (728.66 m ²)

GENERAL NOTES:

1. GENERAL CONTRACTOR TO VERIFY ALL CONDITIONS BEFORE PROCEEDING WITH CONSTRUCTION.
2. ALL CONSTRUCTION SHALL CONFORM TO THE LATEST EDITION OF THE NATIONAL BUILDING CODE.
3. ALL CONSTRUCTION SHALL CONFORM TO THE LATEST EDITION OF THE NATIONAL BUILDING CODE.
4. ALL ELECTRICAL WORK SHALL CONFORM TO THE LATEST EDITION OF THE NATIONAL ELECTRICAL CODE (NEC).
5. ALL MECHANICAL WORK SHALL CONFORM TO THE LATEST EDITION OF THE NATIONAL MECHANICAL CODE (NMC).
6. ALL PLUMBING WORK SHALL CONFORM TO THE LATEST EDITION OF THE NATIONAL PLUMBING CODE (NPC).
7. ALL FIRE PROTECTION WORK SHALL CONFORM TO THE LATEST EDITION OF THE NATIONAL FIRE PROTECTION CODE (NFPC).
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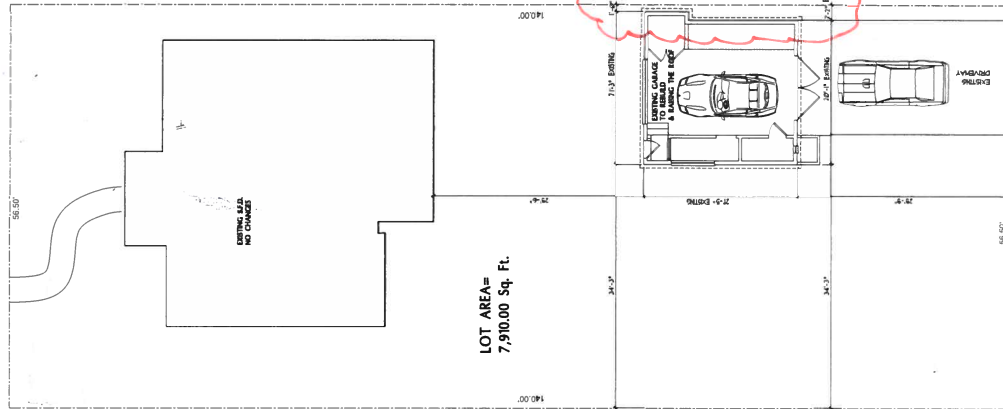


VIEW FROM LANE



VIEW FROM HOUSE

SOUTHWOOD ST.



LANE

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

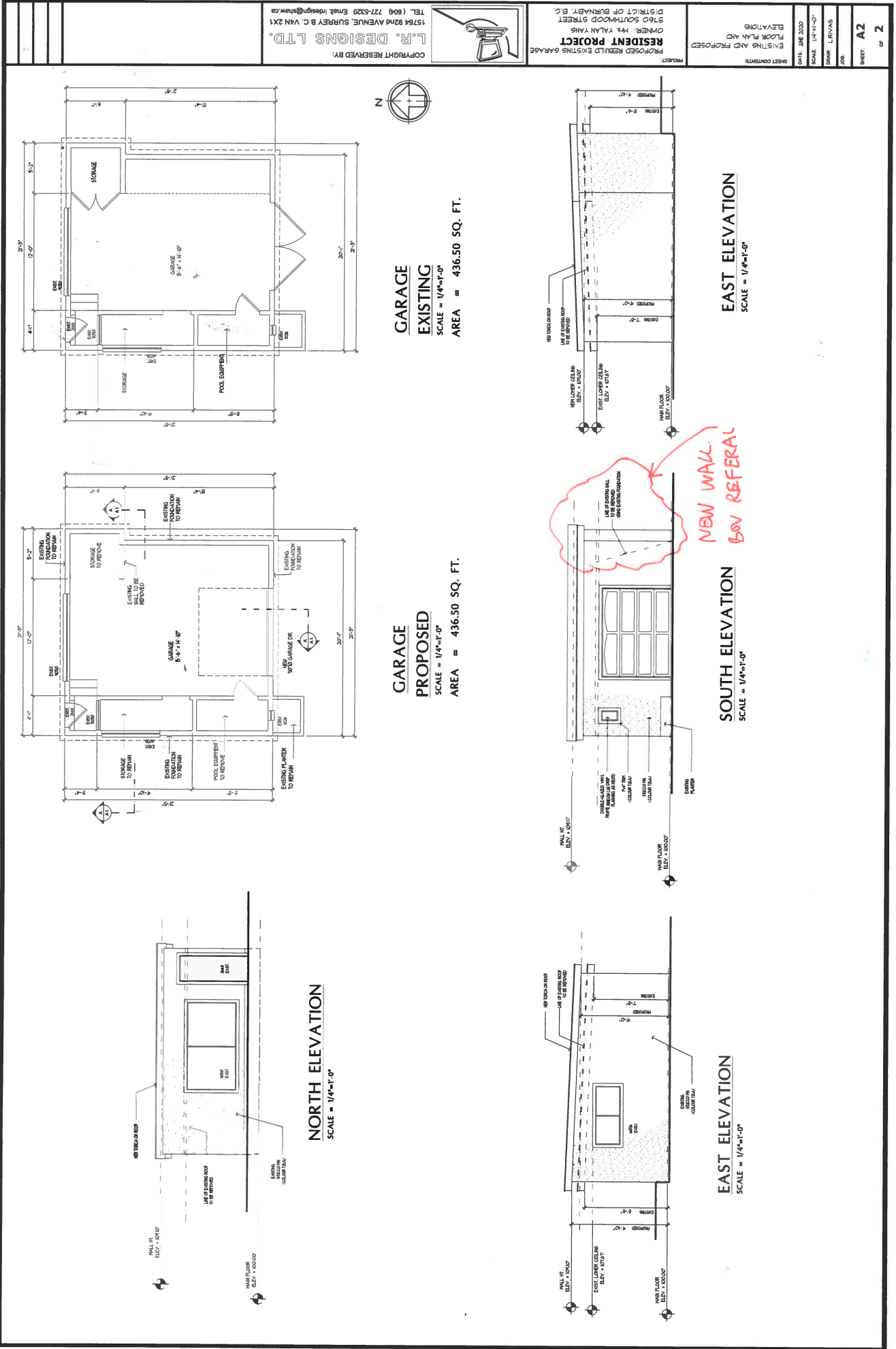
COPYRIGHT RESERVED BY:
L.F. DESIGNS LTD.
15764 82ND AVENUE, SURREY B.C. V4N 2X1
TEL: (604) 727-5320 EMAIL: lfdesigns@lfdesigns.ca



PROJECT: PROPOSED RESIDENT PROJECT
3760 SOUTHWOOD STREET
DISTRICT OF BURNABY B.C.
OWNER: MRS. YALAN YANG

GENERAL NOTES:
AREA CALCULATIONS
DATE: JUNE 2020
SCALE: 1/8" = 1'-0"

SHEET: A1
OF 2

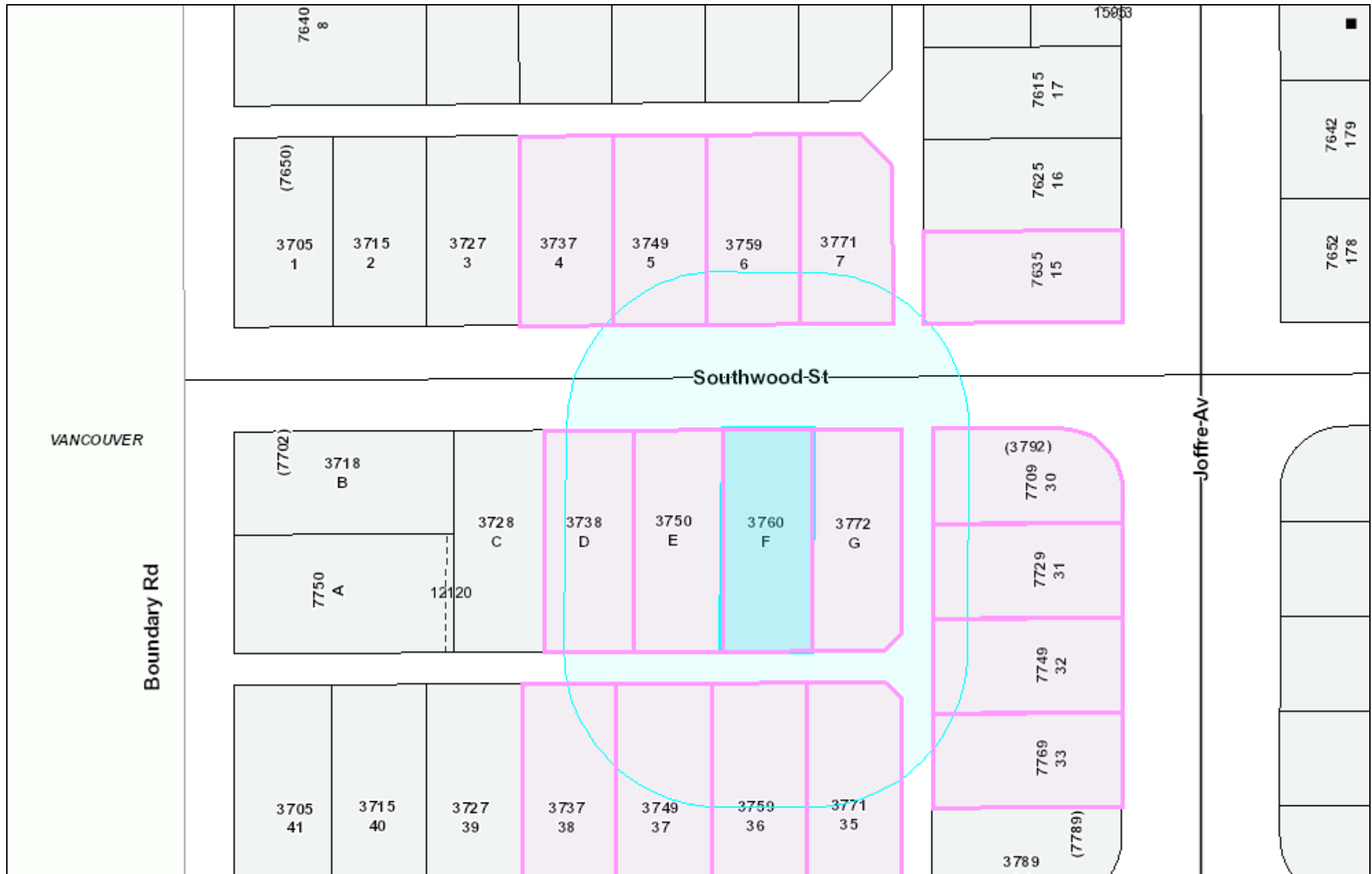




3760 Southwood Street

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The information has been gathered and assembled on the City of Burnaby's computer systems. Data provided herein is derived from a number of sources with varying levels of accuracy. The City of Burnaby disclaims all responsibility for the accuracy or completeness of information contained herein.





BOARD OF VARIANCE PLANNING COMMENTS SUMMARY SHEET

BV #	6408	Address	3760 Southwood Street
X-Reference	BOV # 20-00016	Hearing	2020 September 03

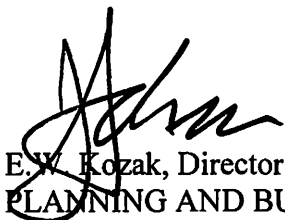
Project	Redevelop the existing detached garage with alterations
Zoning	R2 Residential District
Neighbourhood	Suncrest – Single family neighbourhood
Appeal to vary:	Section 6.6(2)(d) – “Accessory Buildings and Uses” from 1.20 m (3.94 ft.) to 0.30 m (1.00 ft.) for the required minimum setback from the side property lines, when an accessory building is situated more than 9.00 m (29.53 ft.) to the rear of the lot.
Zoning Bylaw intent:	Minimum setbacks from side property lines help to mitigate the massing impacts of new buildings or structures on neighbouring properties.
Variance Description:	The proposal is to rebuild an existing garage within its foundation, but slightly extend the walls and raise the roof. The eastern portion of the existing garage encroaches into the required side yard by approximately 0.90 m (3.00 ft.). The garage to be rebuilt with the same encroachment into the required side yard, however with an increased height, is the subject of this appeal.

Comments

Subject Site Considerations
<ul style="list-style-type: none"> ○ The relatively flat property is a mid block rectangular lot, approximately 42.67 x 17.22 m (140.00 x 56.50 ft.), on the south side of Southwood Street.
Neighbourhood Context Considerations
<ul style="list-style-type: none"> ○ Most of the garages on the north and south side of the lane are all located within 9.00 m (29.53 ft.) of the lane without side yard setbacks. ○ The garage on the abutting property to the east is set back further away from the lane, with an approximate 1.20 m (4.00 ft.) setback from the shared side property line. The proposed garage overlaps this neighbouring garage by approximately half of its width; the remaining width would be exposed to the neighbouring rear yard green space. ○ The proposed wall extension of 0.36 m (1.17 ft.) would not meaningfully change the existing massing in relation to the reduced side yard or property to the east, due to the already existing non-conforming structure in the same location.

Comments from the Planning Department**BV # 6408 3760 Southwood Street****x-reference: BOV # 20-00016****Hearing: 2020 September 03..... Page 2****Specific Project Considerations**

- The existing garage contains an unusual wall configuration: the first southern 4.67 m (15.33 ft.) of the east garage wall, facing the neighbour, is inclined from vertical by approximately 20 degrees. The proposal is to rebuild this wall in a vertical position, which would allow for a more efficient use of the interior space.
- A new garage could be proposed in a location in compliance with the Zoning Bylaw; however, the existing garage contains a pool equipment which may be difficult to relocate.


 E. W. Kozak, Director
 PLANNING AND BUILDING

MRW:ll



BV 6408

3760 SOUTHWOOD STREET

2020 SEPT 03

August 12, 2020





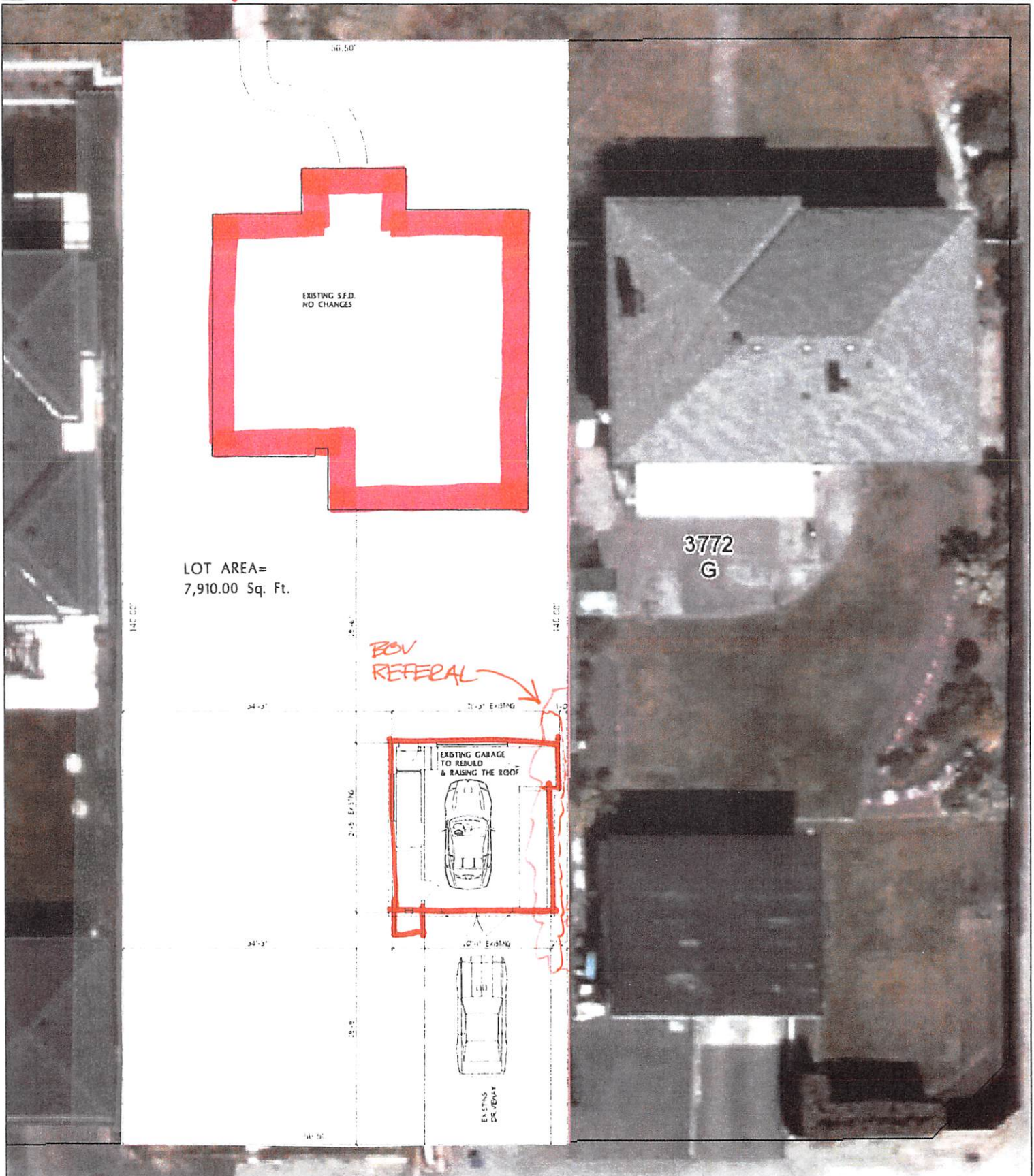
BV 6408

3760 Southwood St

2020-08-12 10:47:27

2020 SEPT 03

1:200



The information has been gathered and assembled on the City of Burnaby's computer systems. Data provided herein is derived from a number of sources with varying levels of accuracy. The City of Burnaby disclaims all responsibility for the accuracy or completeness of information contained herein.





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 Hussein Hawili
 Mailing Address 7340 imperial street
 City/Town Burnaby Postal Code V5E 1N7
 Phone Number(s) (H) 778 891 4457 (C) _____
 Email hhawili15@gmail.com

Property

Name of Owner Hussein Hawili's DALAL Jaber
 Civic Address of Property 7340 imperial street
Burnaby B.C V5E 1N7

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.

AUG 5, 2020

Date

Hussein Hawili

Applicant Signature

Office Use Only

Appeal Date 03 Sept 2020 Appeal Number BV# 6409

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



Letter of Intent in Support of Request for Variance

From: Hussein Hawili – Owner
 Agent: Edward Vega / Canadian Blueprint
 Telephone: (778) 891-4457
 Email: design@canadianblueprint.com
 Project Address: 7340 Imperial Street, Burnaby, BC V5E 1N7
 Date: July 31, 2020

Canadian Blueprint Inc.
 460 Westview Street #1010,
 Coquitlam, V3K 6C9

Attention

City of Burnaby

This Letter of Intent is in support of the request for a variance to the rear setback requirement for an existing lot located in R5 zoning. The intention is to change the front setback location and request a rear setback relaxation of the existing portion of the house.

The current setback location does not leave enough space within the building envelope for a significant addition. Although the lot currently has a nice amount of rear yard (East) this space is unavailable due to the rear setback requirement (24.6'). This is the reason why we have proposed to change the front setback location from Imperial Street (West) to Linden Avenue (North) to turn the rear yard into a side one with a smaller setback requirement (4.90') and allow for a larger addition.

However, once the setbacks have changed to the desired location the existing portion of the house would not comply with the new rear setback at the south creating a 4.0' deep by 27.17' wide encroachment with 109' SF. Therefore, we request a setback relaxation for the existing portion of the building to allow a 20.88' Setback.

At first sight, it seems like the existing portion complies with the setbacks, this led to the city to affirm that it was possible to do the setback location change when we consulted with them.

We visited the building and planning departments and we got positive answers from both. The planning department said that the change made sense since there are more homes in Linden Ave. therefore, it was in their interest to aesthetically enhance it, to have a façade on that avenue that matches the rest of the houses instead of an empty yard.

Once we applied, we were presented with the requirement of a B.O.V audience due to existing planning documents that require Imperial to be the front setback as Linden Ave. did not exist when the house was built.



What we ask the board to consider is:

1. The proposed addition complies with all the setbacks, and the whole proposal complies with lot coverage, building depth and impermeable coverage requirements.
2. The existing encroachment is only 4' deep and 27.17' wide with 108' SF.
3. Only a 4.0' relaxation is requested for the already existing portion to avoid the need of an amendment in the building as this would be costly and could have a negative impact in the structure.
4. The new location of the front setback at Linden Ave. allows for the proposal to align with the front elevation of the rest of the homes in this avenue, improving the aspect of the street.
5. The desired setback location allows for a larger addition which would increase the property value.

Thank you for your consideration.

Edward Vega - Agent

A handwritten signature in blue ink, appearing to read "Edward Vega", written over a horizontal line.

BOARD OF VARIANCE REFERRAL LETTER

DATE: July 13, 2020		<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: August 4, 2020 for the September 3, 2020 hearing.			
APPLICANT NAME: Edward Vega			
APPLICANT ADDRESS: 460 Westview Street, Coquitlam, BC V3K 6C9			
TELEPHONE: 604-200-0377			
PROJECT			
DESCRIPTION: Int. Alteration, New S.S. and Addition to ESFD			
ADDRESS: 7340 Imperial Street			
LEGAL DESCRIPTION:	LOT: B	DL: 91	PLAN: NWP14836

Building Permit application BLD20-00403 will be denied by the Building Department because the design is not in compliance with Burnaby Zoning Bylaw No. 4742:

Zone R5 / Section 105.11

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 105.11 – “Rear Yard” of the Zoning Bylaw requirement for the minimum rear yard depth from 7.5 m (24.6 ft.) to 6.36 m (20.88ft.). 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



1010 - 460 Westview Street,
Coquitlam, BC V3K 6C9
Tel: (604) 230-8377
info@canadianblueprint.com
www.canadianblueprint.com

COMPANY AND ALL PARTIES INVOLVED IN THE CRAFT OF THIS PLAN IN ANY PART

Sheet List

No.	Description	Date
A0.1	Notes & Site Plan	02/05/2020
A1.0	Proposed Basement	Rev. as per client's request 02/05/2020
A1.1	Proposed Main Floor	Rev. as per client's request 02/05/2020
A2.0	Proposed Elevations	Rev. as per client's request 02/05/2020
A2.1	Proposed Section & Details	Rev. as per client's request 02/05/2020
A4.0	Existing Floor Plans	Rev. as per client's request 02/05/2020
A5.0	Existing Elevations	Rev. as per client's request 02/05/2020

No.	Description	Date
A	Started on design	02/05/2020
B	Rev. as per client's request	02/05/2020
C	Rev. as per client's request	03/11/2020
D	Revised as per Eng.	04/02/2020
1	Issued for Permit	04/24/2020
2	Rev. as per Plan Checker LE	06/04/2020

Received

C. Fitch

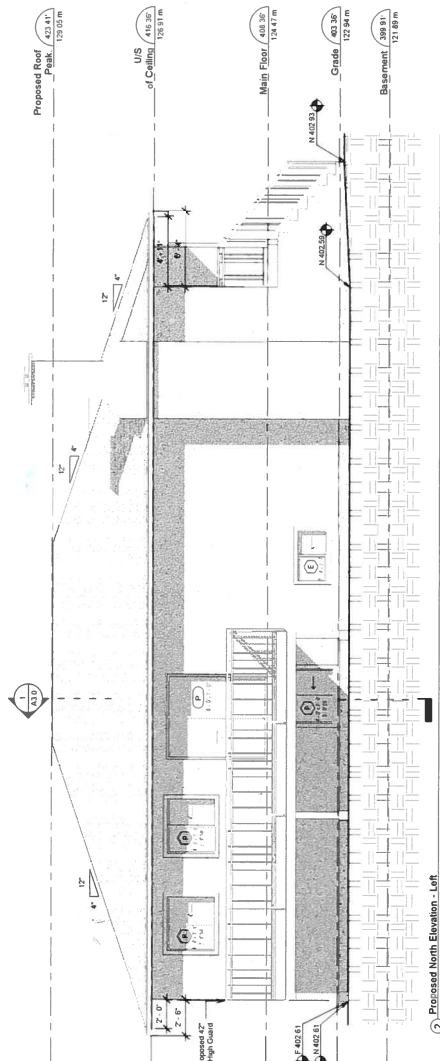
Hawii Residence
Home Renovation

7340 Imperial St,
Burnaby, V5E 1N7
Lot: B Block, District Lot: 91
Plan: NWP14836
PID: 001-740-661

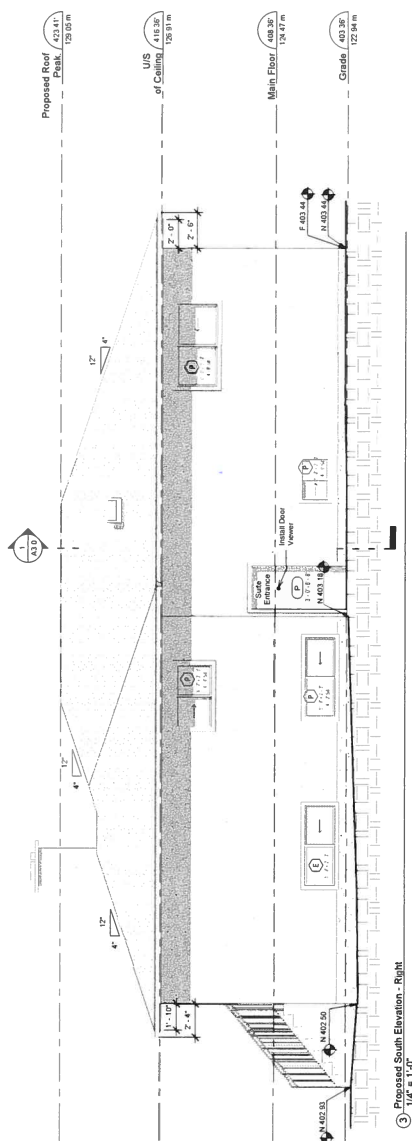
Proposed Elevations

Project number	1121
Date	13-JUN-2020
Drawn by	FZ
Checked by	EV
Scale	1/4" = 1'-0"

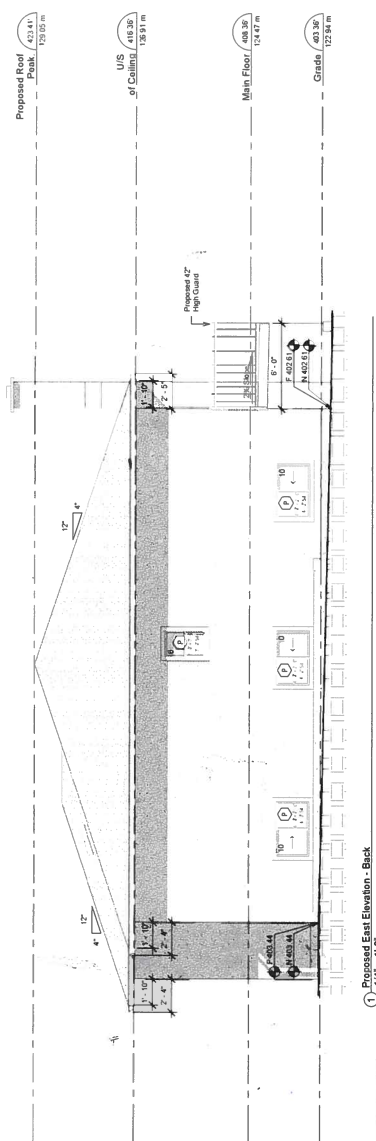
A2.0



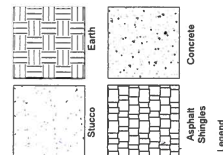
2 Proposed North Elevation - Left
1/4" = 1'-0"



3 Proposed South Elevation - Right
1/4" = 1'-0"



1 Proposed East Elevation - Back
1/4" = 1'-0"



Project number	1121
Date	13-JUN-2020
Drawn by	FZ
Checked by	EV
Scale	1/4" = 1'-0"

Canadian Blueprint
BUILDING PLANS SPECIALISTS

1010 - 460 Westview Street,
Coquitlam, BC V3K 6C9
Tel: (604) 203-0377
www.canadianblueprint.com
info@canadianblueprint.com

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Sheet List

A0.0	Notes
A0.1	Notes & Site Plan
A1.0	Proposed Basement
A1.1	Proposed Main Floor
A2.0	Proposed Second Floor
A3.0	Proposed Section & Details
A4.0	Existing Floor Plans
A5.0	Existing Elevations

No.	Description	Date
A	Started preliminary design	07/02/2020
B	Rev. as per client's request	07/20/2020
C	Rev. as per Survey	03/17/2020
D	Revised as P. Eng.	02/20/2020
E	Revised as P. Eng.	02/20/2020
F	Rev. as per Plan Check LE	09/04/2020

Revised	
Client	

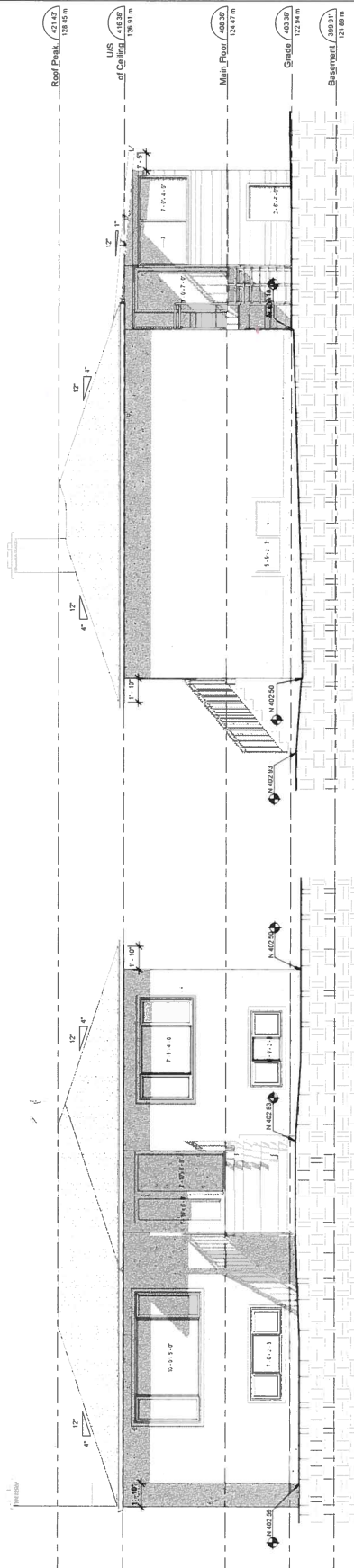
Hawili Residence
Home Renovation

7340 Imperial St.
Burnaby, V5E 1N7
Lot: B Block District Lot: 91
Plan: NWP14836
PID: 001-740-661

Existing Elevations

Project number	1121
Date	13-JUN-2020
Drawn by	FZ
Checked by	EV
Scale	1/4" = 1'-0"

A5.0



① Existing West Elevation - Front
1/4" = 1'-0"

④ Existing South Elevation - Right
1/4" = 1'-0"

Asphalt Shingles

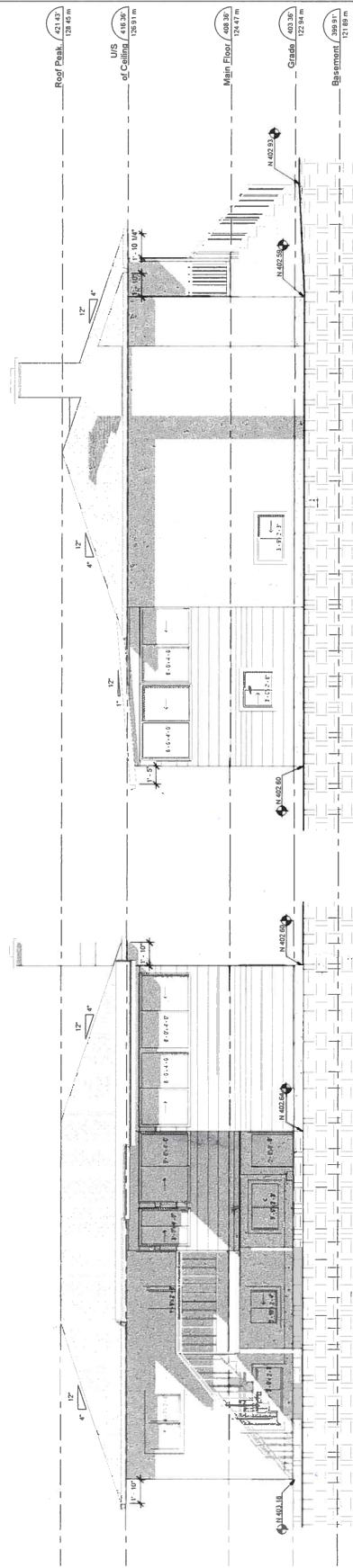
Concrete

Stucco

Hardy Board

Earth

Legend

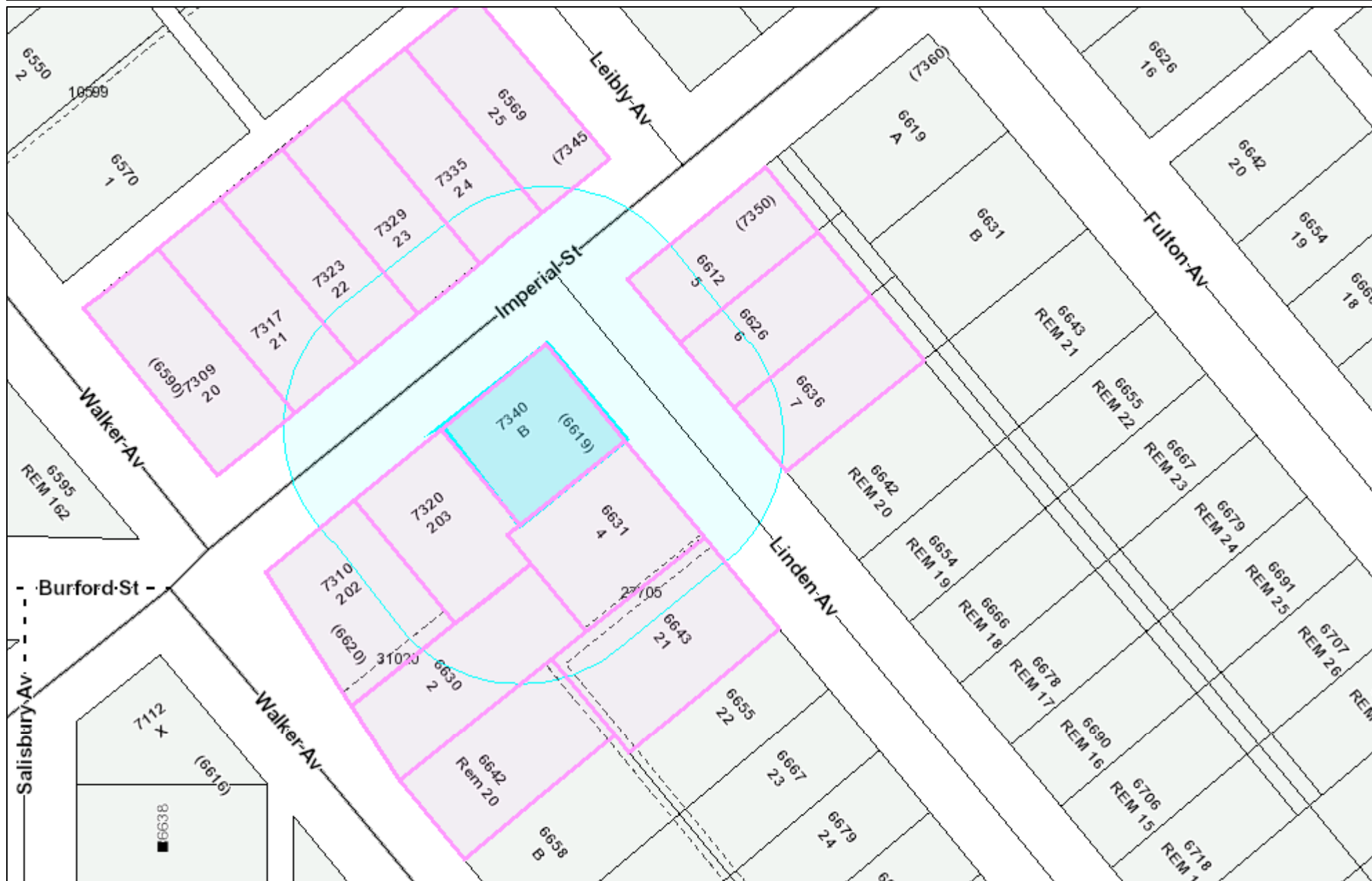


② Existing East Elevation - Back
1/4" = 1'-0"

③ Existing North Elevation - Left
1/4" = 1'-0"

7/29/2020 3:46:51 PM

1:1,000



The information has been gathered and assembled on the City of Burnaby's computer systems. Data provided herein is derived from a number of sources with varying levels of accuracy. The City of Burnaby disclaims all responsibility for the accuracy or completeness of information contained herein.





BOARD OF VARIANCE PLANNING COMMENTS SUMMARY SHEET

BV #	6409	Address	7340 Imperial Street
X-Reference	BOV # 20-00017	Hearing	2020 September 03

Project	A new addition to an existing single family dwelling
Zoning	R5 Residential District
Neighbourhood	Edmonds Park – single and two family neighbourhood
Appeal to vary:	Section 105.11 – “Rear Yard” from 7.50 m (24.6 ft.) to 6.36 m (20.88 ft.) to allow construction of the proposed addition to the existing single family dwelling. The applicability of this variance, if granted, is limited to the scope of the proposal shown on the attached plans.
Zoning Bylaw intent:	Rear yard setbacks help to mitigate the massing impacts of new buildings and structures on neighbouring properties and to ensure sufficient outdoor living area in the rear yard.
Variance Description:	The proposed addition is to a single family dwelling constructed in 1954 prior to adoption of the Zoning Bylaw. The addition is proposed on the east side of the existing dwelling, and includes a secondary suite and additional living space for the principal dwelling. The proposal amends the front yard to Linden Avenue rather than Imperial Street in this regard the proposed addition meets the required rear yard setback of 7.50 m (24.6 ft.), but the variance is measured from the existing dwelling. The request for the rear yard relaxation is related to the existing dwelling and not the proposed addition as a result of amending the front yard location.

Comments

Subject Site Considerations
<ul style="list-style-type: none"> ○ The property is surrounded by single and two family residential lots. ○ The property is a corner lot, approximately 25.86 m (84.86 ft.) wide facing Imperial Street by 23.76 m (77.96 ft.) facing Linden Avenue. ○ The existing dwelling was constructed centrally on this lot, prior to the establishment of the Zoning Bylaw which regulates siting. Based on the original site orientation, with the frontage along Imperial Street, the siting of the existing dwelling conforms to the Zoning Bylaw. Based on the current site orientation, with the frontage along Linden Avenue, the existing dwelling is non-conforming with respect to the rear yard setback.
Neighbourhood Context Considerations
<ul style="list-style-type: none"> ○ As the narrowest street frontage, Linden Avenue frontage is designated as the front yard. ○ The block frontage on Linden Avenue (22 lots) is greater than the block frontage on Imperial Street (3 lots). ○ The existing dwelling and the proposed addition share the same setback from Linden Avenue, which meets the required front yard setback and is generally consistent with the pattern of massing further along Linden Avenue.

Comments from the Planning Department

BV # 6409 7340 Imperial Street

x-reference: BOV # 20-00017

Hearing: 2020 September 03..... Page 2

Specific Project Considerations

- The addition conforms to the required rear yard setback and would not overlook or overshadow the adjacent rear yard to the west. It is set back an additional 1.10 m (3.62 ft.), so that it is 7.76 m (24.5 ft.) from the rear property line.
- The existing dwelling and the proposed addition have a modest scale:
 - The existing 1 1/2 storey house is 226.59 square m (2,439 square ft.) and would increase to 355.35 square m (3,825 square ft.) to add bedrooms and a secondary suite.
 - The basement accounts for 184.59 square m (1,987 square ft.) of the total Gross Floor Area.
- The proposal maintains the outdoor recreation area on the subject property.
- The bulk and massing of proposed addition not likely to create negative impacts.


 E.W. Kozak, Director
 PLANNING AND BUILDING

SK:ll

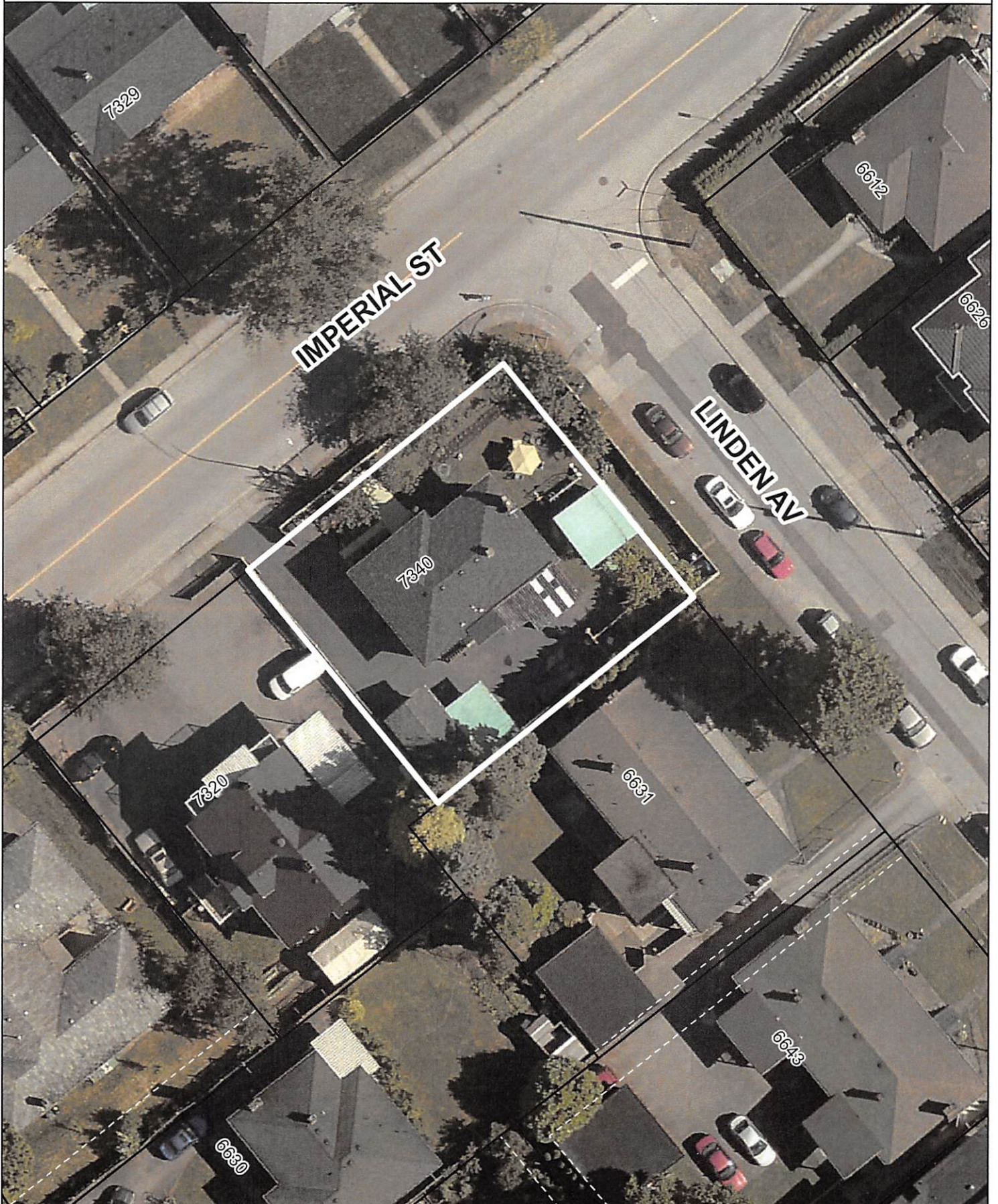


BV 6409

7340 IMPERIAL STREET

2020 SEPT 03

August 07, 2020



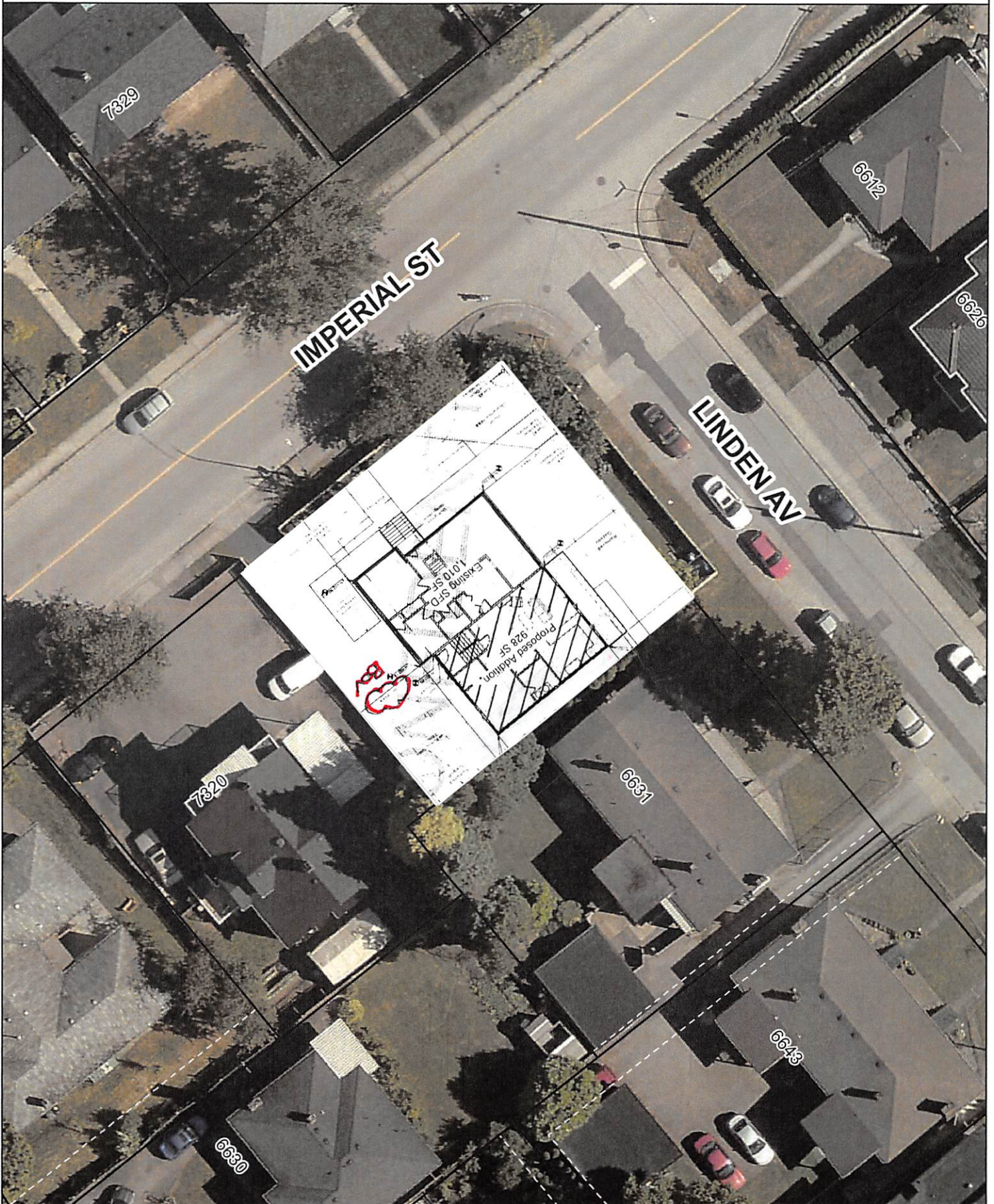


BV 6409

7340 IMPERIAL STREET

2020 SEPT 03

August 07, 2020





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 Qi Li
 Mailing Address 2171 W 15th Avenue
 City/Town Vancouver Postal Code V6K 2V4
 Phone Number(s) (H) _____ (C) 604-773-5135
 Email Lq.designs@gmail.com

Property

Name of Owner Xing Mei Shi
 Civic Address of Property 7466 Whelen Court, 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.

August 5, 2020
 Date

[Signature]
 Applicant Signature

Office Use Only

Appeal Date 03 Sept 2020 Appeal Number BV# 6410

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**

Applicant: Qi Li

Registered Owner Of Property: Xing Mei Shi

Civic Address Of Property: 7466 Whelen Court, Burnaby, BC

LEGAL DESCRIPTION O Of Property: Lot 36 D.L. 86 GRroup 1 N.W.D. Plan
58102

Appeal:

An appeal for the relaxation of Section 101.7 and 101.8 of the Burnaby Zoning Bylaw which, if permitted, will allow for construction of a new single family dwelling with detached garage at 7466 Whelen Court. The front yard depth will be 23.94' measured to the foundation where a minimum front yard depth of 29.50' is required based on Section 101.8. The building depth is 70.64' where a max. building depth of 60.0' is required based on Section 101.7.

Explanation:

Brief Introduction

The subject site is in zone R1. The lot is 336.33' depth. And it has a frontage of 94.65'.

1. The proposed front yard setback is 35.78' which is larger than 29.5' where a min. required front yard setback, it is line up the neighbors at the east side and will not affect the original neighborhood environment.
2. The front porch is project 14'-7" from the exterior wall of the main building, this effect the building is 70.64', and the proposed front yard setback to the porch is 23.94', but the porch is sitting at the middle of the house and will not affect the original neighborhood environment.
3. The lot depth is 336.33', we have so many space at the front of the main building, so this will not affect the original neighborhood environment.

Unfair Requirement for the Owner

Based on the above 3 points, we request to relax the front yard set back of the 7466 Whelen Court to be 23.94' and the building depth to be 70.64',.

徐星梅



BOARD OF VARIANCE REFERRAL LETTER

DATE: June 22, 2020		<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: August 4, 2020 for the September 3, 2020 hearing.			
APPLICANT NAME: Qi Li			
APPLICANT ADDRESS: 2171 W 15 th Ave, Vancouver, V6K 2Y4			
TELEPHONE: 604-773-5135			
PROJECT			
DESCRIPTION: New single family dwelling with secondary suite and detached garage			
ADDRESS: 7466 Whelen Court			
LEGAL DESCRIPTION:	LOT: 396	DL: 86	PLAN: NWP58102

Building Permit application BLD19-01006 will be denied by the Building Department because the design is not in compliance with Burnaby Zoning Bylaw No. 4742:

Zone R1 / Sections 101.7(1)(b) and 101.8

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 variances be granted:

- 1) To vary Section 101.7(b) – “Depth of Principal Building” of the Zoning bylaw requirement for the maximum building depth from 18.29 m (60.00 ft.) to 21.53 m (70.64ft.). 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 9.00 m (29.50 ft.) based on minimum front yard depth to 7.30 m (23.94 ft.). The applicability of this variance, if granted, is limited to the scope of the proposal shown on the attached plans.

CL

Kushnir

Peter Kushnir
Deputy Chief Building Inspector

**EXPLANATORY PLAN OF PART OF LOT 396 DISTRICT LOT 86
GROUP 1 NEW WESTMINSTER DISTRICT PLAN 58102**

PLAN EPP101488

PURSUANT TO SECTION 99(1)(a) OF THE LAND TITLE ACT.

FOR COVENANT PURPOSES

B.C.G.S. 92G.026

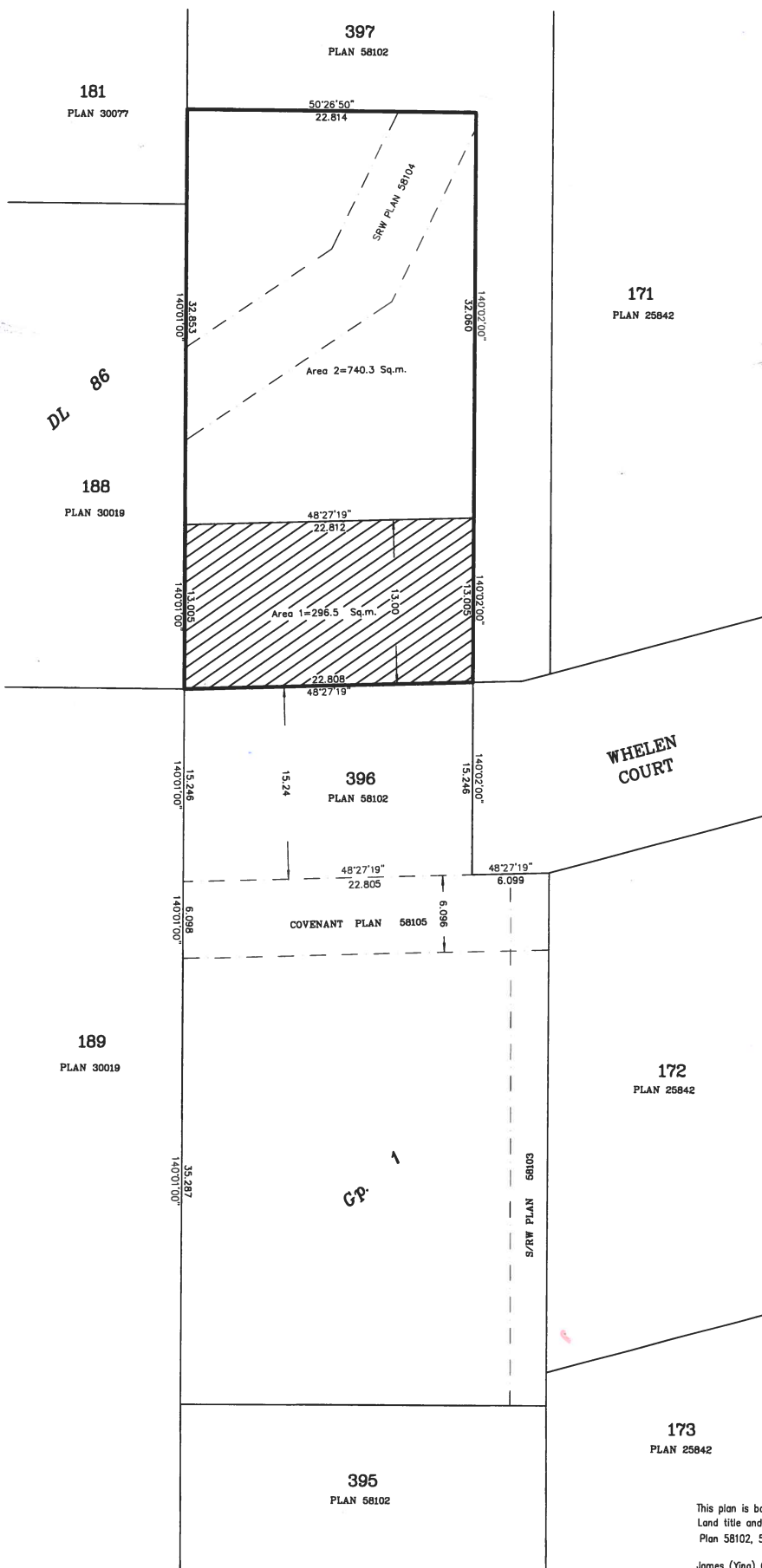
SCALE 1:250

10 0 10 20 30
ALL DISTANCES ARE IN METRES

The intended plot size of this plan is 432mm in width and 560mm in height (C size) when plotted at a scale of 1:250.

Bearings are astronomic and derived from Plan 58102.

BOOK OF REFERENCE	
AREA 1	296.5 Sq.m.
AREA 2	740.3 Sq.m.
Total Area	1036.8 Sq.m.



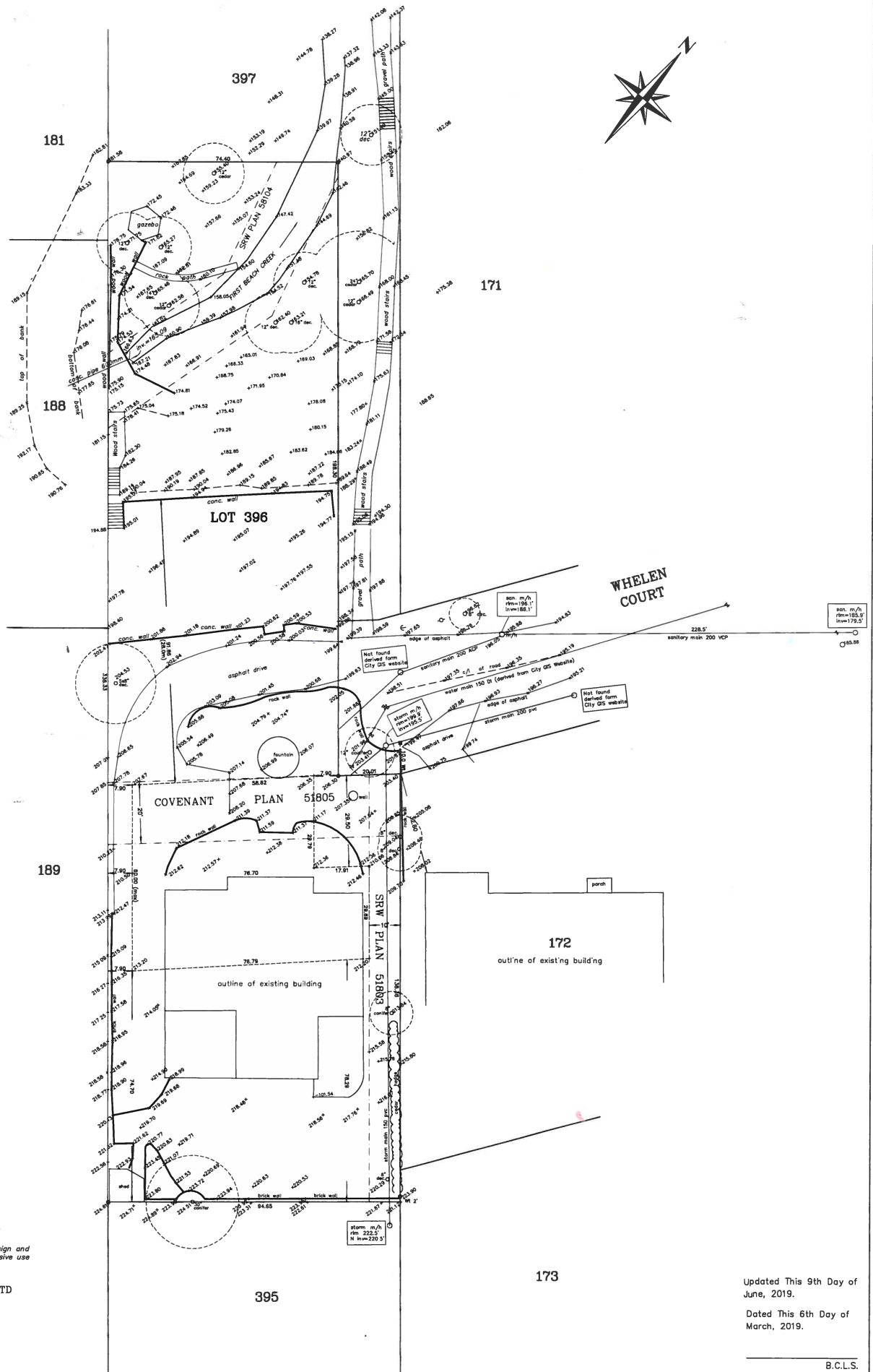
TOPOGRAPHIC SURVEY PLAN OF LOT 396
DISTRICT LOT 86 GROUP 1 N.W.D. PLAN 58102

CIVIC ADDRESS:
 7466 WHELEN COURT
 BURNABY, B.C.
 PID: 002-836-653

SURVEY LEGEND

- IRON PIN
- DECIDUOUS
- LEAD PLUG

SCALE 1 INCH = 20 Feet
 ALL DISTANCES ARE IN FEET
 ZONING CODE: R1
 LOT AREA=27816 Sq Feet



NOTES

- 1) Elevations are in feet and are geodetic.
- 2) Elevations are derived from Burnaby Control Monument #94H1352 at= 52.288m.
- 3) This Plan was prepared for architectural design and site servicing purposes, and is for the exclusive use of our client.

JAMES CHENG LAND SURVEYING LTD
 B.C. Land Surveyor
 #35-6736 Southpoint Drive
 Burnaby B.C. V3N0A4
 (604) 786-8870
 jclandsurveying@gmail.com

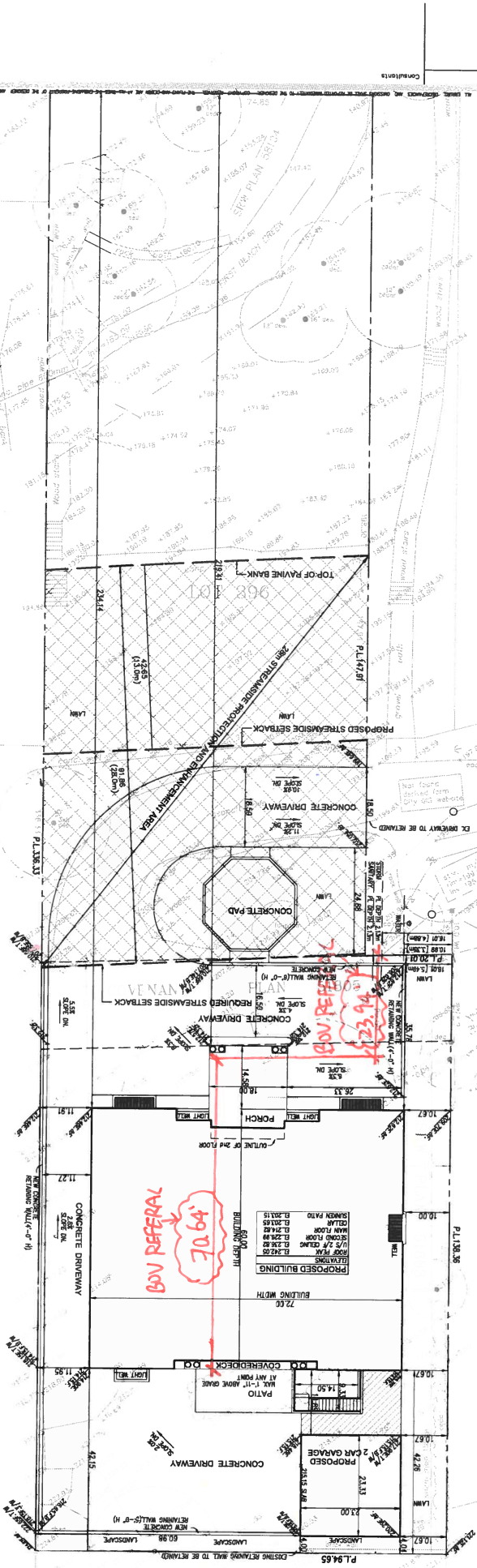
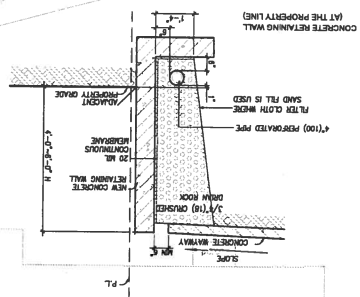
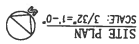
FILE: 18-138-TP-IN-FEET-4

Updated This 9th Day of
 June, 2019.

Dated This 6th Day of
 March, 2019.

B.C.L.S.

PROJECT DATA	
LOCAL DISPOSITION	
LOT 10 DECEASED LOT 9 GROUP 1	
MAYN PLAIN SECT 2	
TOWN ADJACENT	
TOWN	
7466 SOUTH COURT, BURNABY, BC	
2710.00	
AREA	
SITE COVERAGE: (sq m)	
ALTIMET: (sq m)	
PROPOSED:	
504.50	
DANGER DECK:	
310.50	
MAIN BLOC:	
11134.50	
PROPOSED:	
12546.40	
STATUS	
-1021.70	
MAIN FLOOR:	
4117.70	
STAIRS	
-467.70	
100% GRADE ADJUST (sq m)	
=	
27180.00 x 0.4 =	
10872.00	
27180.00 x 0.2 + 1388.40 =	
6863.60	
ALTIMET:	
6863.60	
CONVERTED DECK:	
ALTIMET:	
697.00	
AREA	
7766.54	
SPECIFIC MATERIALS	
SLOPE	
CONVERTED DECK:	
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MAIN BLOC:	
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PROPOSED:	
14672.00	



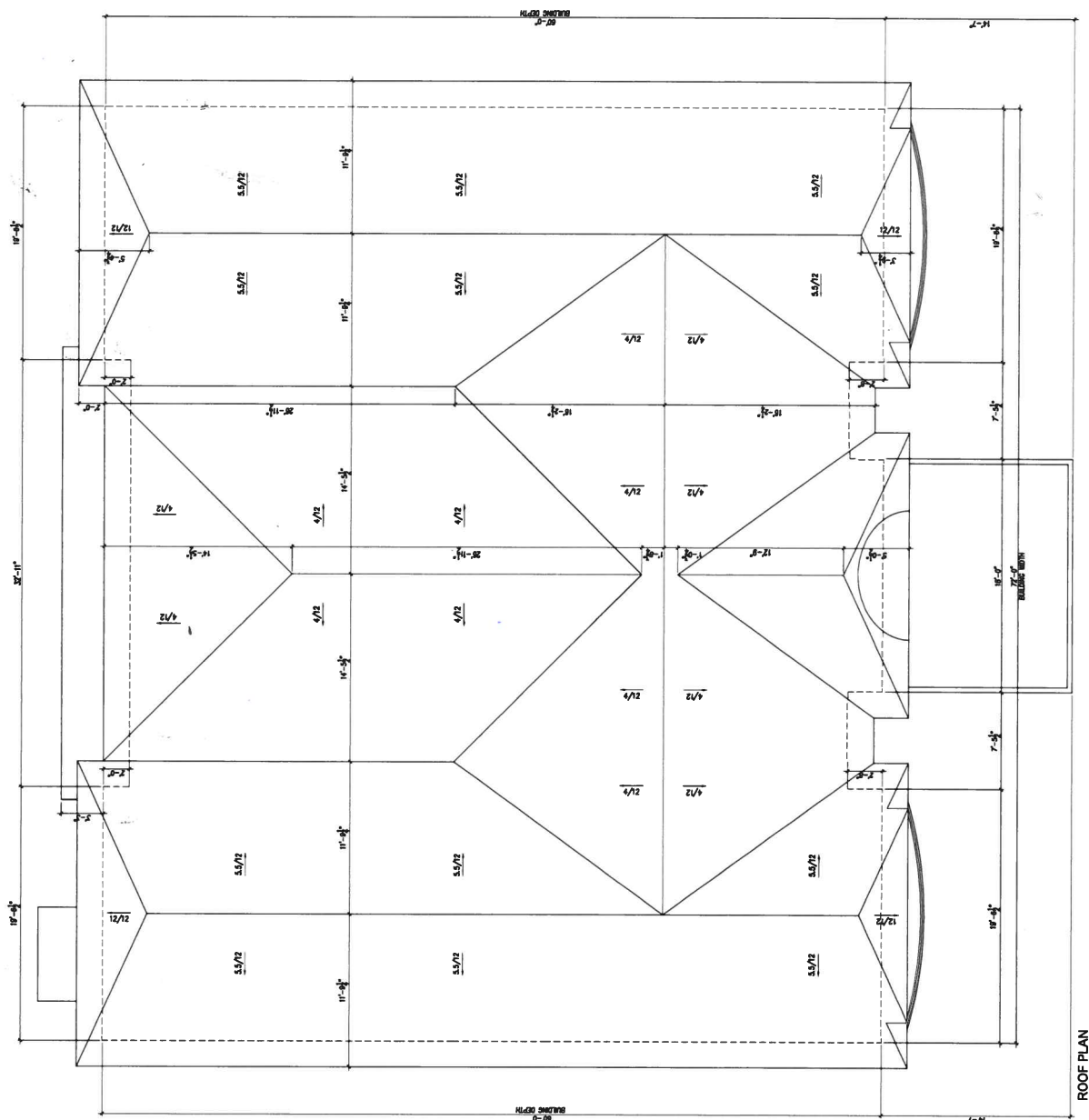
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Date JUNE 15 2020
Project No. LG 15-11
Sheet No.

ROOF PLAN

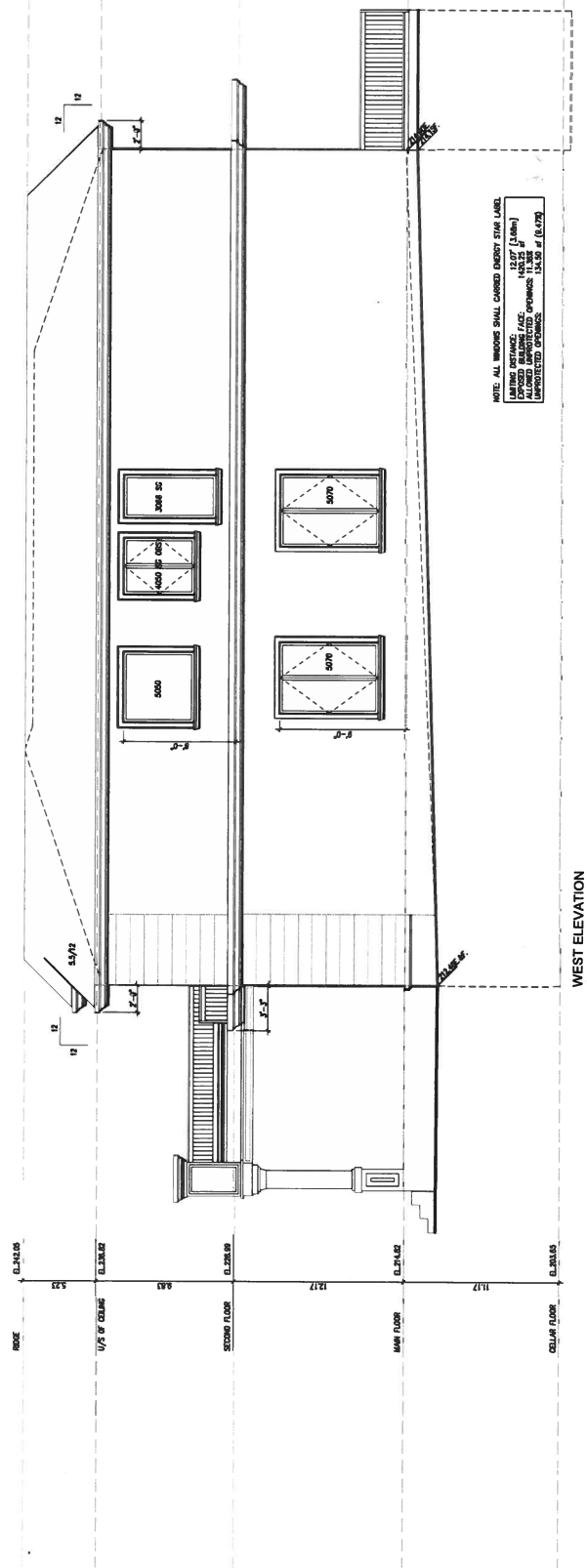
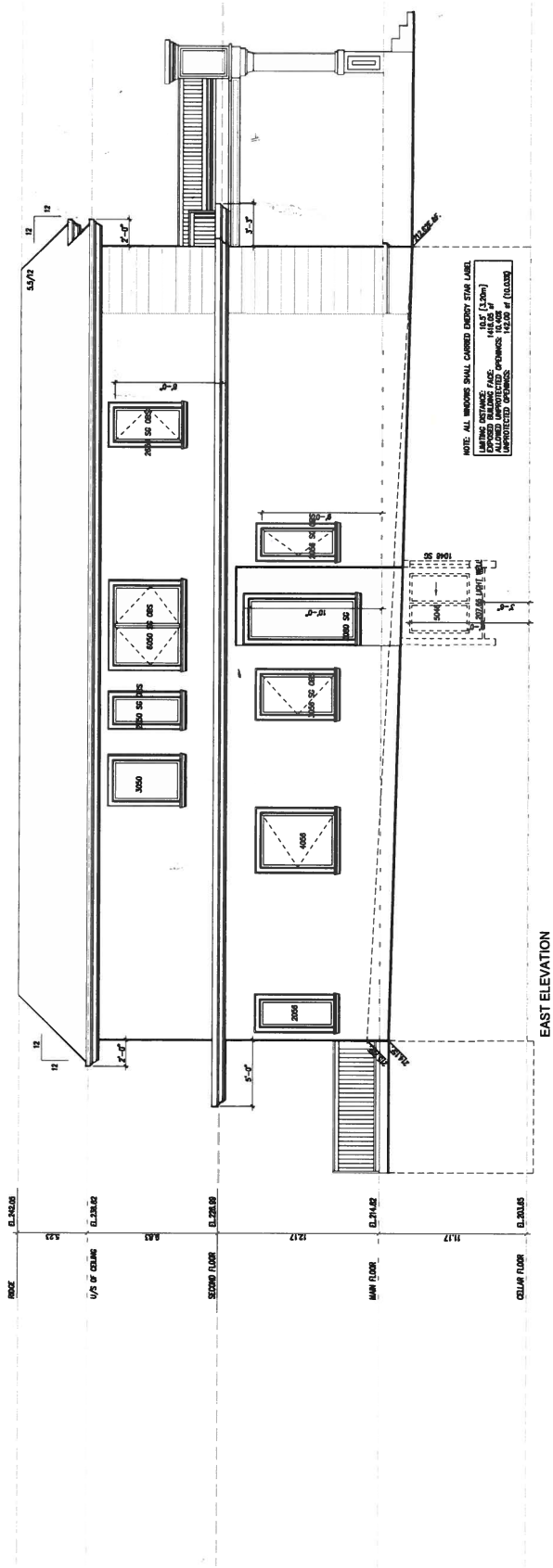
Project Title
R1 NEW SINGLE FAMILY DWELLING
7408 WHELEN COURT,
BURNABY, B.C.
Sheet Title
ROOF PLAN

No.	Date	Revision
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Consultants

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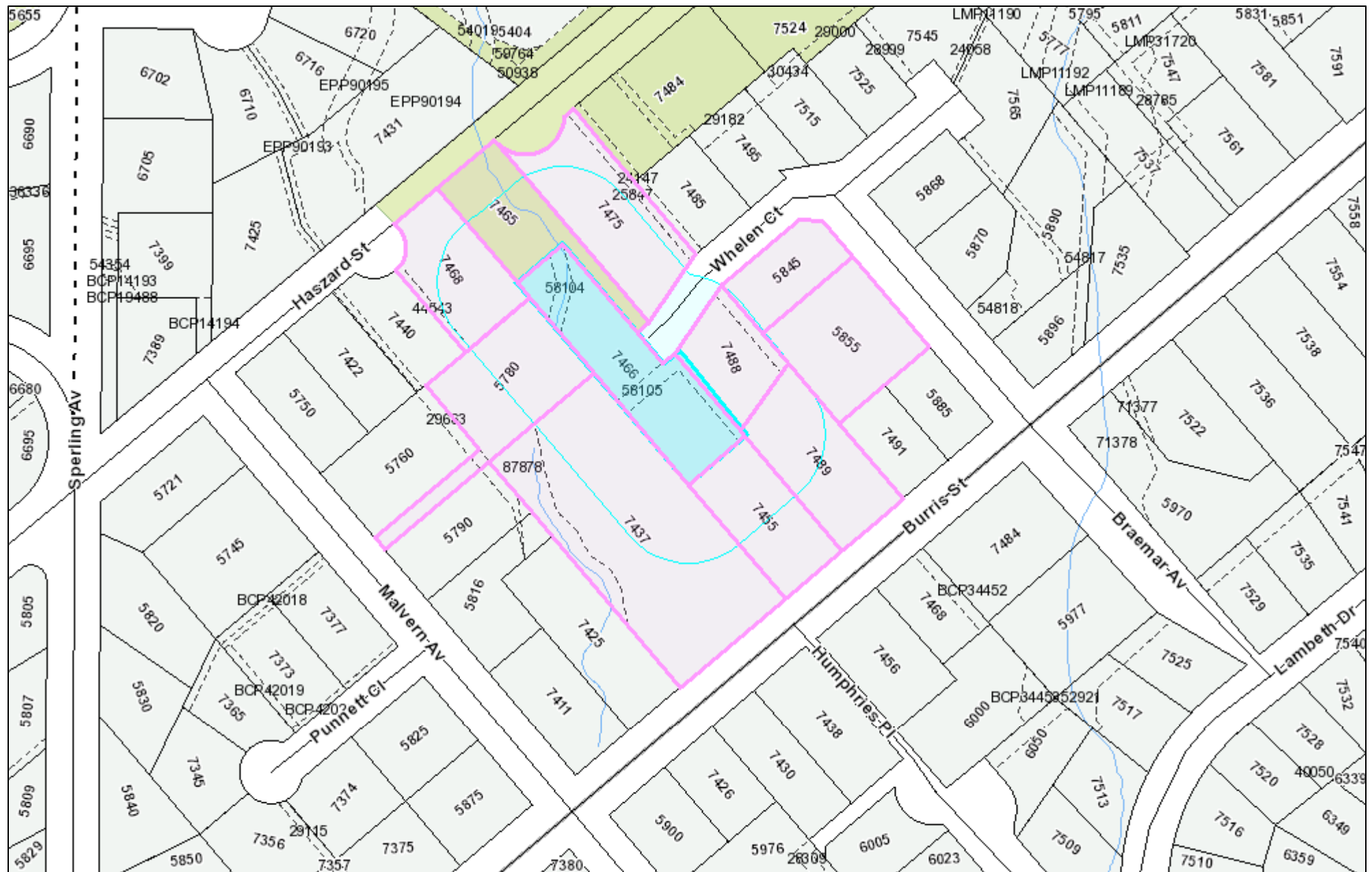




7466 Whelen Court

8/5/2020 11:49:06 AM

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The information has been gathered and assembled on the City of Burnaby's computer systems. Data provided herein is derived from a number of sources with varying levels of accuracy. The City of Burnaby disclaims all responsibility for the accuracy or completeness of information contained herein.





BOARD OF VARIANCE PLANNING COMMENTS SUMMARY SHEET

BV #	6410	Address	7466 Whelen Court
X-Reference	BOV # 20-00018	Hearing	2020 September 03

Project	A new single family dwelling with secondary suite and detached garage
Zoning	R1 Residential District
Neighbourhood	Buckingham Heights - single family neighbourhood
Appeals to vary:	<ol style="list-style-type: none"> 1) Section 101.7(b) – “Depth of Principal Building” from 18.29 m (60.00 ft.) to 21.53 m (70.64 ft.). The allowable 1.2 m (3.94 ft.) projection of a porch/deck and its supporting structures is excluded from the building depth calculation. 2) Section 101.8 – “Front Yard” from 9.00 m (29.50 ft.) to 7.30 m (23.94 ft.). The allowable 1.2 m (3.94 ft.) projection of a porch/deck and its supporting structure is permitted into the front yard setback.
Zoning Bylaw Intent:	<ol style="list-style-type: none"> 1) Limiting building depth prevents the construction long, imposing building walls that impacts neighbouring properties. 2) Front yard setbacks help to provide light and privacy for adjacent dwellings and establish a consistent block frontage along the street.
Variance Descriptions:	<p>The proposed single family dwelling includes a front porch/second floor deck at the centre of the front façade. The deck floor would be 3.8 m (12.49 ft.) above the proposed grade surrounding the new dwelling. The 3.24 m (10.64 ft.) deep by 5.48 m (18.00 ft.) wide central front porch/deck would project 4.44 m (14.58 ft.) from the front building face. The proposal requires the following variances:</p> <ol style="list-style-type: none"> 1) Building Depth – the porch/deck exceeds the permitted building depth by 3.96 m (10.64 ft.). 2) Front Yard – the outermost 1.69 m (5.56 ft.) deep by 5.48 m (18.00 ft.) wide portion of the porch/deck encroaches into the required front yard.

Comments

Subject Site Considerations
<ul style="list-style-type: none"> ○ The elongated subject property is centrally located at the end of Whelen Court. The subject dwelling is sited south of Whelen Court and the statutory right-of-way (the northern area of the lot is largely undevelopable as it is intersected by First Beach Creek and a Streamside Protection and Enhancement Area). ○ The front property line includes the narrower 6.1 m (20.00 ft.) portion line fronting the south side of Whelen Court, which gives the subject property its “L” shape appearance. The front yard setback is measured from this property line to the line set back 1.2 m (3.94 ft.) from the front porch/deck face. ○ The dwelling is on the high point of the site, as the land slopes downwards 3.45 m (11.32 ft.) towards the north over 42.17 m (138.35 ft.).

Comments from the Planning Department

BV # 6410 7466 Whelen Court

x-reference: BOV # 20-00018


Hearing: 2020 September 03..... Page 2

Neighbourhood Context Considerations

- The generous side yard setbacks of 11.48 m (37.67 ft.) and 11.86 m (38.91 ft.) from the porch/deck to the west and east property lines, respectively, will help to mitigate the impacts (such as overlook/reduction of privacy) of the proposed porch/deck on the neighbouring properties.
- The porch/deck will be set 8.23 m (27.00 ft.) away from the front building corners, the appearance of a long wall would not be created when the building is viewed from the sides.
- The main body of the proposed dwelling would have a setback of 10.54 m (34.58 ft.), which would be approximately 0.79 m (2.58 ft.) behind the neighbouring dwelling at 7488 Whelen Court (east).
- This variance would not be relevant to the neighbouring residence at 7437 Burris Street (west), which is located farther to the south and does not overlap with the subject site.
- Given the “L” shape lot configuration in relation to the western terminus of the Whelen Court block, the proposed siting of the new dwelling would not create direct impacts on the Whelen Court streetscape.

Specific Project Considerations

- Although it is a design choice to have a deck in this location, and a house of this size (774 square m (8,332 square ft.) Above Grade Floor Area with an additional 382 square m (4,117 square ft.) cellar and secondary suite), the unique lot dimensions of the subject property and the surrounding block pattern mitigate any negative impacts of the proposal on the fronting street or the neighbouring properties.
- Changes to bring the proposed dwelling into conformance with the Zoning Bylaw would likely involve a narrower porch projection, resizing components of the house, and/or moving the dwelling farther back.


 E.W. Kozak, Director
 PLANNING AND BUILDING

SK:ll



BV 6410

7466 WHELEN COURT

2020 SEPT 03

August 7, 2020



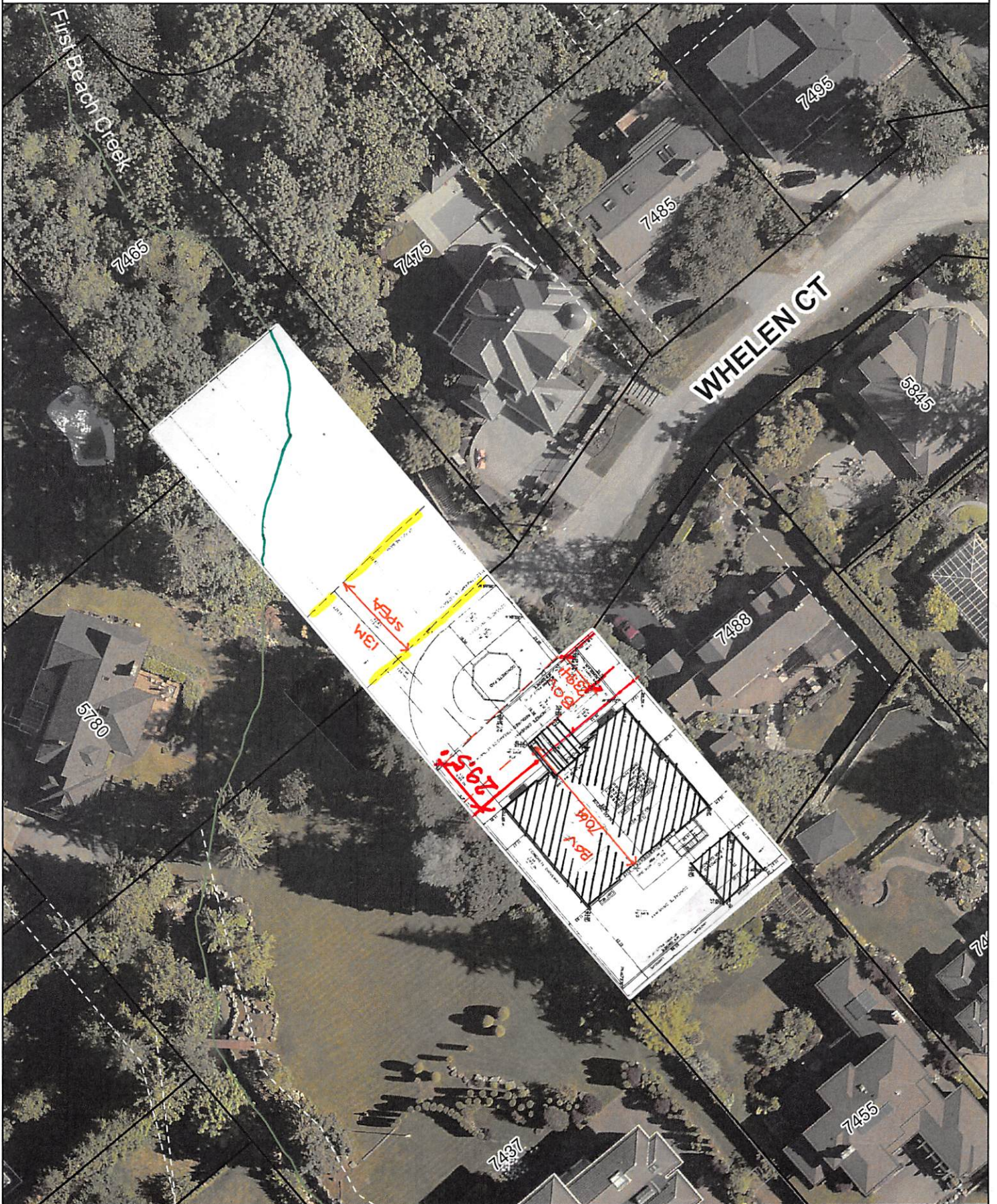


BV 6410

7466 WHELEN COURT

2020 SEPT 03

August 7, 2020





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 PARMINDER SARMAN
 Mailing Address 7572 ^{BURRIS} ~~BURNS~~ ST
 City/Town BURNABY Postal Code V5E 1A9
 Phone Number(s) (H) _____ (C) 604-807-1059
 Email PERRY@NMLUMBER.COM

Property

Name of Owner PARMINDER SARMAN
 Civic Address of Property 7572 BURRIS ST BURNABY B.C.

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

Aug 5th 2020
 Date

[Signature]
 Applicant Signature

Office Use Only

Appeal Date 03 Sept 2020 Appeal Number BV# 6411

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

July 24, 2020

City of Burnaby
4949 Canada Way,
Burnaby, BC

Attn: Burnaby Board of Variance

Re: Front Yard Variance for Proposed Residence for 7572 Burris Street

We are the designers for the proposed home for the Saran family at 7572 Burris Street, and are writing in regards to the requested front yard setback variance.

Context:

The R1 zoning for the lot requires a minimum of a 9.0m setback, or the average of the neighbouring lots, which is understandable for most cases to keep a cohesive neighbourhood feeling. However, in this case the neighbouring houses are set extremely far back from the front lot line along Burris; the house to the southwest (#7558 Burris St.) is set at 14.52m while the north-east neighbour (6011 Buckingham Ave) is set at 28.60m. This results in a front yard average of 21.56m, 12.56m (41.2') greater than the minimum 9.0m required.

The proposed siting has the house setback from the front lot line at 12.95m (42.50') to the front wall, 3.95m greater than the minimum 9.0m setback requirement. Meeting the front yard averaging requirement would result in moving the house back by 8.61m (28.25').

Justification:

The two main justifications for the proposed variance are as follows.

1. The Saran's purchased this lot to build a new home on a larger lot which they could enjoy as a family. Given that Burris Street is a busy thoroughfare, the design intent was to maximize their rear yard so that their children have a safe and large area to play in as well as an entertainment space for family and friends. The front yard is less than desirable for use given the busy traffic noise, privacy concerns from the road, and large trees that block out most of the sunlight. The proposed design still allows for a significant front yard greater than the zoning minimum as noted above but places the home in such a way as to provide the largest usable area for a pool, entertainment space, play area lawn and maximum sunlight.
2. The site conditions for the property next door at 6011 Buckingham Ave have forced its home placement in a very non-typical location and as a result the front setback is very "one of a kind". Based on how the city interprets this average, this impacts our site average by far more than what seems logical given its position.
3. Given that the property is wider at the front of the lot, if the front yard averaging requirement was to be met, the house would need to be redesigned for the narrower portion of the lot. This would have more impact on the neighbouring lots as the massing of the house would not be able to step as much, resulting in a 'blockier' house that would overshadow the neighbouring properties. The home would be moved closer to the neighbours and creating more of a 'tunnelling' affect as well as a privacy concern. Our intention in the design was to try and give more separation in space from the

SU CASA

D E S I G N

neighbour at 6011 Buckingham Ave. Taking into consideration that one of the rear corners of their home is right against the north east side property line of the Saran's property. The rear of the home on Buckingham also looks over the Saran's rear yard, so by placing the Saran's home forward towards Burris, it helps to give a bit more separation and relief from the neighbors home.

We trust this provides reasonable justification for the proposed variance. Please contact us for any further information or questions at 604-854-4303 or email us at andy@sucasadesign.ca and danw@sucasadesign.ca

Best Regards,



Andy Friesen
Owner & Principal
Su Casa Design



Dan Wall
Residential Designer
Su Casa Design



BOARD OF VARIANCE REFERRAL LETTER

DATE: July 24, 2020		<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: August 4, 2020 for the July 27, 2020 hearing.			
APPLICANT NAME: Parminder Saran			
APPLICANT ADDRESS: 7611 Mayfield St, Burnaby, V5E2J2			
TELEPHONE: 604-807-1059			
PROJECT			
DESCRIPTION: New single with Secondary Suite and attached garage			
ADDRESS: 7572 Burris St			
LEGAL DESCRIPTION:	LOT: 002	DL: 194	PLAN: 20229

Building Permit application BLD20-00128 will be denied by the Building Department because the design is not in compliance with Burnaby Zoning Bylaw No. 4742:

Zone R1 / Sections 101.8 and 6.12 (2.1)

COMMENTS:

The applicant proposes to build a 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 101.8 – "Front Yard" of the Zoning Bylaw requirement for the minimum front yard depth from 17.68 m (58 ft.) based on front yard averaging to 12.95 m (42.5 ft.). The applicability of this variance, if granted, is limited to the scope of the proposal shown on the attached plans.

CL

Kushnir

Peter Kushnir
Deputy Chief Building Inspector

**POSTING PLAN OF LOT 2
DISTRICT LOT 86 GROUP 1
NEW WESTMINSTER DISTRICT PLAN 20229**

PURSUANT TO SECTION 68, LAND TITLE ACT
BCGS 92G.026
INTEGRATED SURVEY AREA NO. 25,
CITY OF BURNABY, NAD83(CSRS) 4.0.0.BC.1.GVRD



SCALE 1 : 750 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

GRID BEARINGS ARE DERIVED FROM OBSERVATIONS BETWEEN
GEODETIC CONTROL MONUMENTS 94H1352 AND 94H1395.

THE UTM COORDINATES AND ESTIMATED HORIZONTAL POSITIONAL ACCURACY
ACHIEVED HAVE BEEN DERIVED FROM CONVENTIONAL SURVEY OBSERVATIONS
TO GEODETIC CONTROL MONUMENTS 94H1352 AND 94H1395.

THIS PLAN SHOWS HORIZONTAL GROUND-LEVEL DISTANCES UNLESS
OTHERWISE SPECIFIED. TO COMPUTE GRID DISTANCES, MULTIPLY
GROUND-LEVEL DISTANCES BY THE AVERAGE COMBINED FACTOR OF
0.9995950 WHICH HAS BEEN DERIVED FROM
GEODETIC CONTROL MONUMENTS 94H1352 AND 94H1395.

LEGEND

FOUND PLACED

- DENOTES LEAD PLUG
- DENOTES IRON POST
- DENOTES CONTROL MONUMENT
- PP DENOTES POSTING PLAN
- WT DENOTES WITNESS
- NF DENOTES EVIDENCE NOT FOUND

THIS PLAN SHOWS ONE OR MORE WITNESS POSTS WHICH ARE
NOT SET ON THE TRUE CORNER(S).

THE FIELD SURVEY REPRESENTED BY THIS PLAN
WAS COMPLETED ON THE 7th DAY OF SEPTEMBER, 2017.
LAKHOT S. GREWAL, B.C.L.S. #809

PLAN EPP76328

UTM ZONE 10
DATUM: NAD83(CSRS) 4.0.0.BC.1.GVRD
NORTHING: 5453463.538
EASTING: 503122.575
POINT COMBINED FACTOR: 0.9995949
ESTIMATED HORIZONTAL POSITIONAL ACCURACY
0.017

UTM ZONE 10
DATUM: NAD83(CSRS) 4.0.0.BC.1.GVRD
NORTHING: 5453541.534
EASTING: 503215.061
POINT COMBINED FACTOR: 0.9995950
ESTIMATED HORIZONTAL POSITIONAL ACCURACY
0.017

BURRIS STREET

BUCKINGHAM AVENUE



**GREWAL & ASSOCIATES
PROFESSIONAL LAND SURVEYORS**
UNIT 204, 15299-68th AVENUE
SURREY, B.C. V3S 2C1
TEL: 604-597-8567
EMAIL: Office@GrewalSurveys.com
FILE : 1705-054
DWG : 1705-054 P1

THIS PLAN LIES WITHIN THE GREATER VANCOUVER REGIONAL DISTRICT

**TOPOGRAPHICAL SURVEY PLAN OF LOT 2
DISTRICT LOT 86 GROUP 1
NWD PLAN 20229**

PID: 002-450-194

CIVIC ADDRESS:
7572 - BURRIS STREET
BURNABY, B.C.

NOTE:

THE BUILDING ENVELOPE SHOWN
IS AN INTERPRETATION OF THE ZONING
BYLAW AND MUST BE APPROVED BY
THE CITY OF BURNABY.

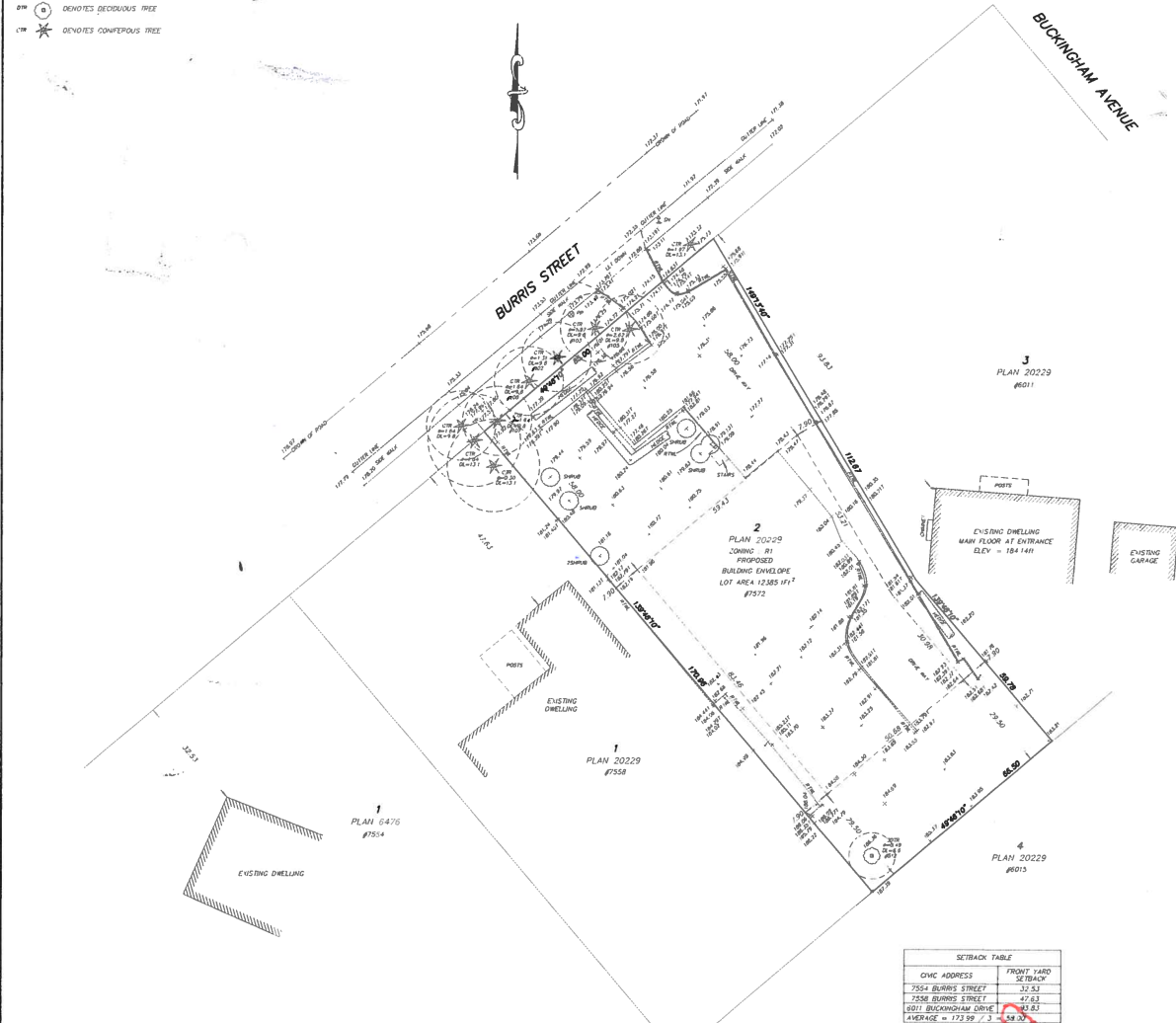
ELEVATION DERIVATION

ELEVATIONS ARE GEODETIC DERIVED FROM
CITY OF BURNABY CONTROL WORKSHEET
NO. 584632 - ELEVATION/77.505
DATE 01/28/2010

LEGEND:

- 2 DENOTES DIGIT
PP DENOTES POWER POLE
DL DENOTES TREE'S DROP LINE RADIUS
RWL DENOTES RETAINING WALL
D DENOTES DECIDUOUS TREE
C DENOTES CONIFEROUS TREE

SCALE 1"=16' DISTANCES ARE IN FEET & DECIMAL



Lot dimensions and clearances according to
Field Survey.

Only trees and stumps have been sketched as
required by Burnaby Tree By-law.

This plan does not show non-plan
charges, liens or interests.

This plan was prepared for inspection purposes and is
for the exclusive use of our client. The signatory
accepts no responsibility or liability for any damages
that may be suffered by a third party as a result of
any errors made or actions taken based on this
document. This document shows the relative location
of the surveyed structures and features with respect to
the boundaries of the parcel described above. This
document shall not be used to define property lines or
property corners. All rights reserved. No person may
copy, reproduce, reprint or alter this document in
whole or in part without the consent of the signatory.

THIS TOPOGRAPHICAL SURVEY HAS BEEN PREPARED
IN ACCORDANCE WITH THE MANUAL OF STANDARD PRACTICE
AND IS CERTIFIED CORRECT THIS 17th DAY OF JUNE, 2011.

RE-CERTIFIED CORRECT THIS 12th DAY OF SEPTEMBER, 2019.

RE-CERTIFIED CORRECT THIS 7th DAY OF FEBRUARY, 2020.

LANNOT'S ORIGINAL

B.C.L.S.

© ORNELL & ASSOCIATES
PROFESSIONAL LAND SURVEYORS
CIVIC DISTRICT 86 GROUP 1
SURREY, B.C. V3T 2C1
TEL: 604-591-8587
E-MAIL: Office@OrnellSurveys.com
P.L.E. 1705-054
DWG. 1705-054 14 MATERIAL

REVISIONS
BY RE-DRAWN FOR BUILDING PERMIT

PROPOSED SARAN RESIDENCE

SU CASA
DESIGN

ADDRESS: 2541 MONTROSE AVE. #307 (S-40) 3C TEL: (604) 856-3222 / (604) 854-4003 FAX: (604) 744-4003 EMAIL: INFO@SU.CASADESIGN.CA

PROJECT 17063

TITLE 7972 - BURRIS STREET, BURNABY BC

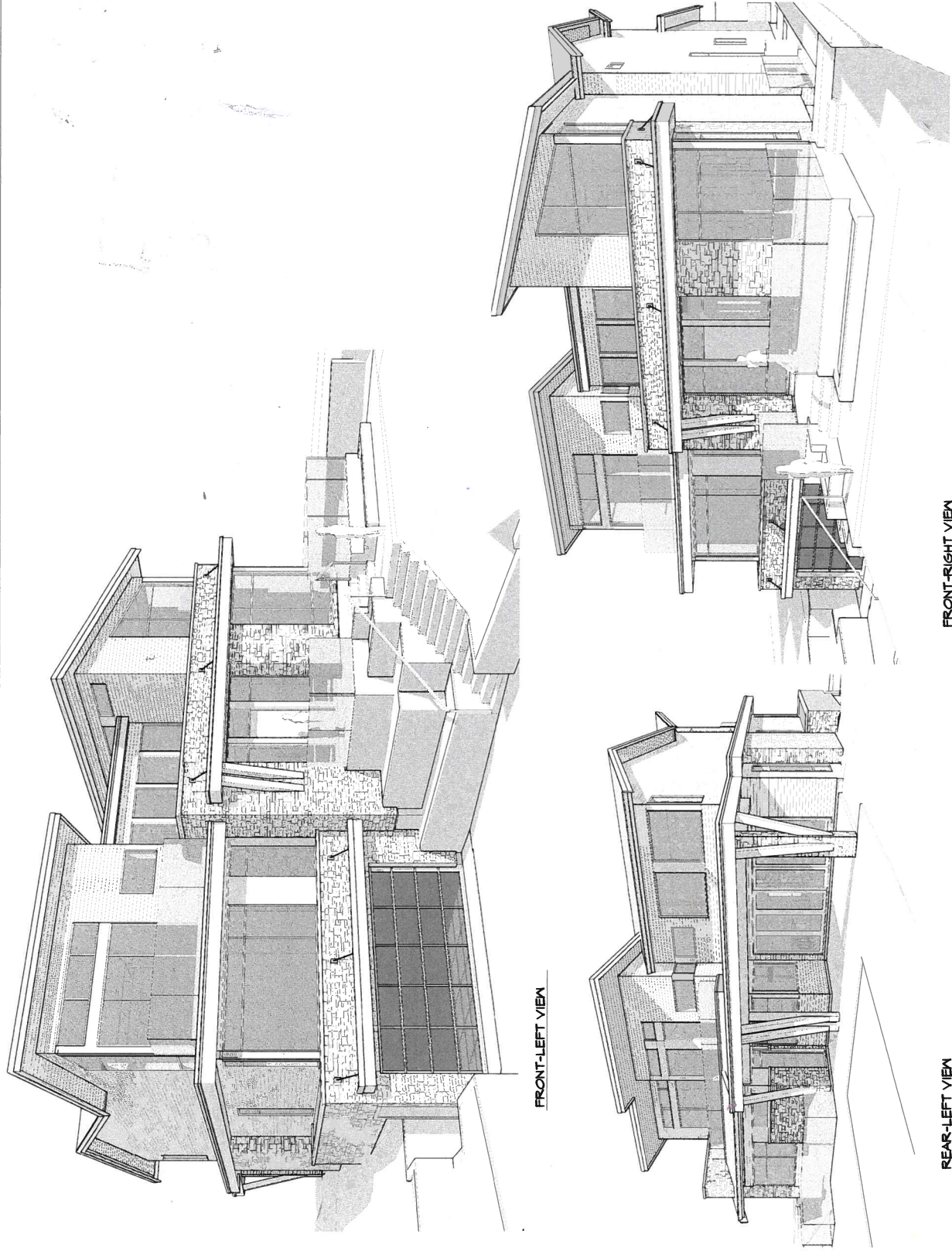
TITLE SHEET

SCALE 1/4" = 1'-0"

DATE 2020-07-10 12:51:35 PM

A0.0

THESE DRAWINGS CONFORM TO THE 2018 BC BUILDING CODE
ALL DRAWINGS TO BE READ IN CONJUNCTION WITH EACH OTHER. ANY DISCREPANCIES OR OMISSIONS ARE TO BE REPORTED TO THE DESIGNER BEFORE ANY WORK BEGINS.
IT IS THE CONTRACTOR'S RESPONSIBILITY TO OBTAIN ALL WORK IS FULLY IN ACCORDANCE WITH THE REQUIREMENTS OF THE LATEST EDITION OF THE B.C. BUILDING CODE.



FRONT-LEFT VIEW

FRONT-RIGHT VIEW

REAR-LEFT VIEW

PROJECT 17063

TITLE 792 - BURRIS STREET, BURNABY BC

DATE 2020-07-10 12:51:55 PM

ELEVATIONS

As Indicated

A3.1

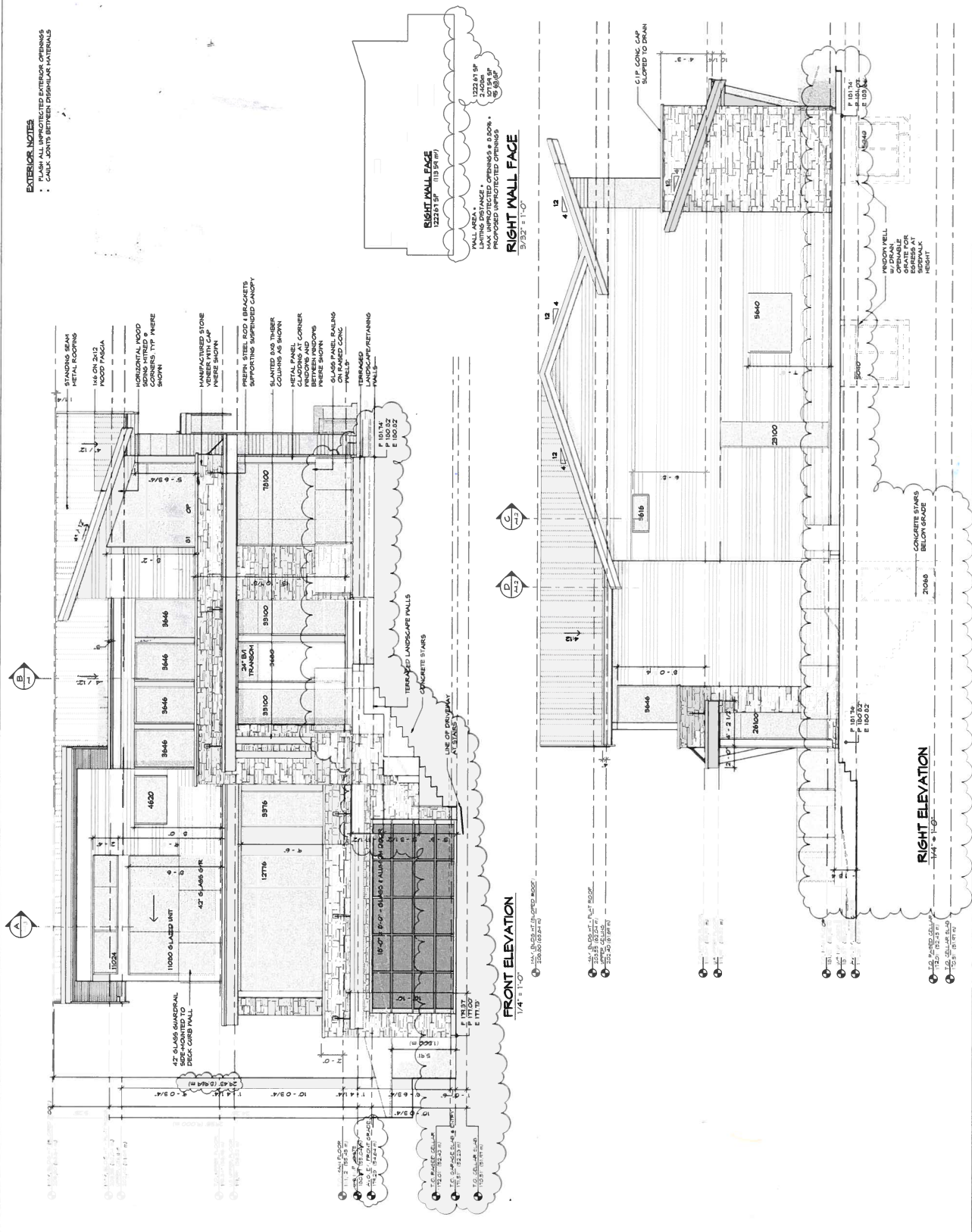
17063

SU CASA DESIGN

2540 MOUNT ROSE AVE. #303 (SF-02) 3C TEL (604) 656-2222 / (604) 854-4303 FAX (604) 744-4303 EMAIL INFO@SU.CASADESIGN.CA

PROPOSED SARAN RESIDENCE

2020-02-09
2020-02-09
2020-02-09



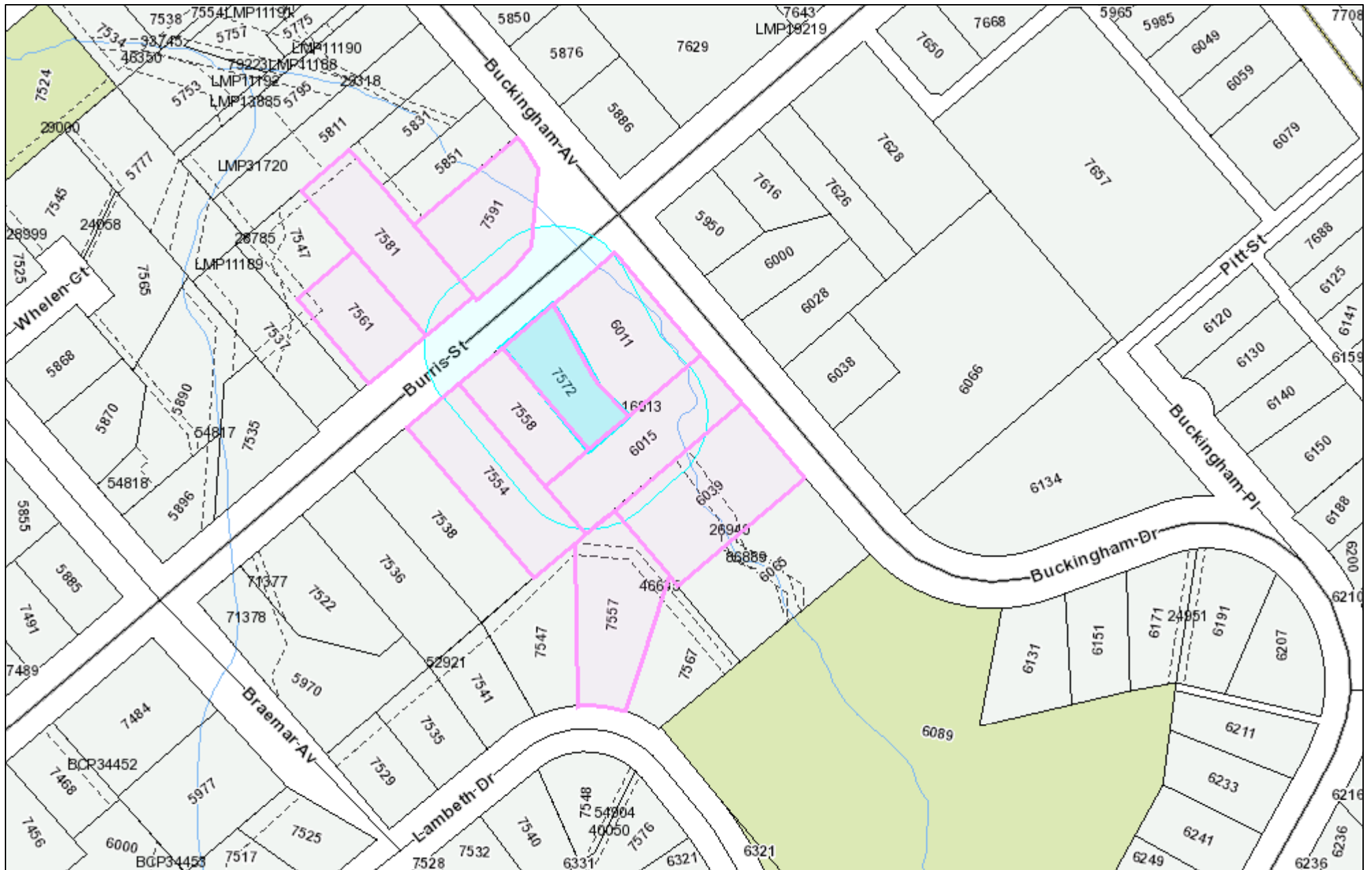
ALL DIMENSIONS SHOWN ARE IN CONFORMANCE WITH THE 2006 BC BUILDING CODE
IT IS THE CONTRACTOR'S RESPONSIBILITY TO ENSURE ALL WORK IS IN ACCORDANCE WITH THE BUILDING CODE
IF THE CONTRACTOR HAS ANY QUESTIONS, PLEASE CONTACT THE ARCHITECT AT THE ADDRESS ABOVE



7572 Burris Street

7/29/2020 3:40:39 PM

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BOARD OF VARIANCE PLANNING COMMENTS SUMMARY SHEET

BV #	6411	Address	7572 Burris Street
X-Reference	BOV # 20-00019	Hearing	2020 September 03

Project	New single family dwelling with secondary suite and attached garage
Zoning	R1 Residential District
Neighbourhood	Buckingham Heights - single family neighbourhood
Appeal to vary:	Section 101.8 – “Front Yard” from 17.68 m (58.00 ft.), based on front yard averaging, to 12.95 m (42.50 ft.) to allow construction of a new single family dwelling encroaching into the required front yard.
Zoning Bylaw intent:	Front yard setbacks help to harmonize the siting of new dwellings within the existing building setbacks on the block and to minimize massing impacts.
Variance Description:	The proposal is to build a new single family dwelling where 4.72 m (15.5 ft.) of depth for the entire two-storey front portion of the proposed dwelling encroaches into the required front yard setback.

Comments

Subject Site Considerations
<ul style="list-style-type: none"> ○ This slightly irregular interior site is 52.11 m (170.96 ft.) deep and has a frontage of 25.91 m (85.00 ft.) along Burris Street. The site narrows down to 20.27 m (66.5 ft.) along the rear property. The property observes a moderate 3.7 m (12.14 ft.) south-north slope. ○ Front yard averaging calculations are based on two properties to the southwest and one property to the northeast, with front yards setbacks of 9.92 m (32.53 ft.), 14.52 m (47.63 ft.) and 28.50 m (93.83 ft.), respectively. ○ The neighbouring dwelling immediately to the northeast (6011 Buckingham Ave) is substantially set back from the Burris Street property line, which significantly impacts front yard averaging calculations. The angled siting of this dwelling (built in 1936), at approximately 45 degree angle towards Buckingham Avenue, has little relevance to the Burris Street frontages. ○ The neighbouring dwelling immediately to the southwest (7558 Burris St.) has a 14.52 m (47.63 ft.) front yard setback, 1.56 m (5.13 ft.) more than proposed 12.95 m (42.50 ft.) front yard setback on the subject property's main floor. The second floor bedroom is set back by 0.46 m (1.50 ft.) reducing the setback difference to 1.10 m (3.63 ft.). ○ The second neighbouring dwelling further to the southwest (7554 Burris St) has a 9.92 m (32.53 ft.) front yard setback, 3.04 m (9.97 ft.) less than proposed dwelling, but still 0.92 m (3.03 ft.) more than the minimum required front yard setback of 9.00 m (29.50 ft.) in the R1 District, where front yard averaging does not apply.

Comments from the Planning Department

BV # 6411 7572 Burris Street

x-reference: BOV # 20-00019


Hearing: 2020 September 03..... Page 2

Neighbourhood Context Considerations

- The development pattern on the block has varying front yard setbacks, and there is no consistent pattern on either side of Burris Street.
- The development pattern of the adjacent properties is unusual, as the 28.60 m (93.83 ft.) front yard setback of the immediate neighbour to the northeast (6011 Buckingham Ave.), drastically affects front yard averaging calculations.

Specific Project Considerations

- The siting of the proposed dwelling is a design choice to facilitate a proposed pool and future accessory building for pool equipment in a larger rear yard that is proposed to be 21.17 m (69.46 ft.).
- The second floor bedroom at the northwest front corner of the proposed dwelling, set back by 0.46 m (1.50 ft.) from the front face, helps to mitigate massing impacts of the reduced front yard on the immediate neighbour to the southwest.


 E.W. Kozak, Director
 PLANNING AND BUILDING

MRW:ll



BV 6411

7572 BURRIS STREET

2020 SEPT 03

August 12, 2020

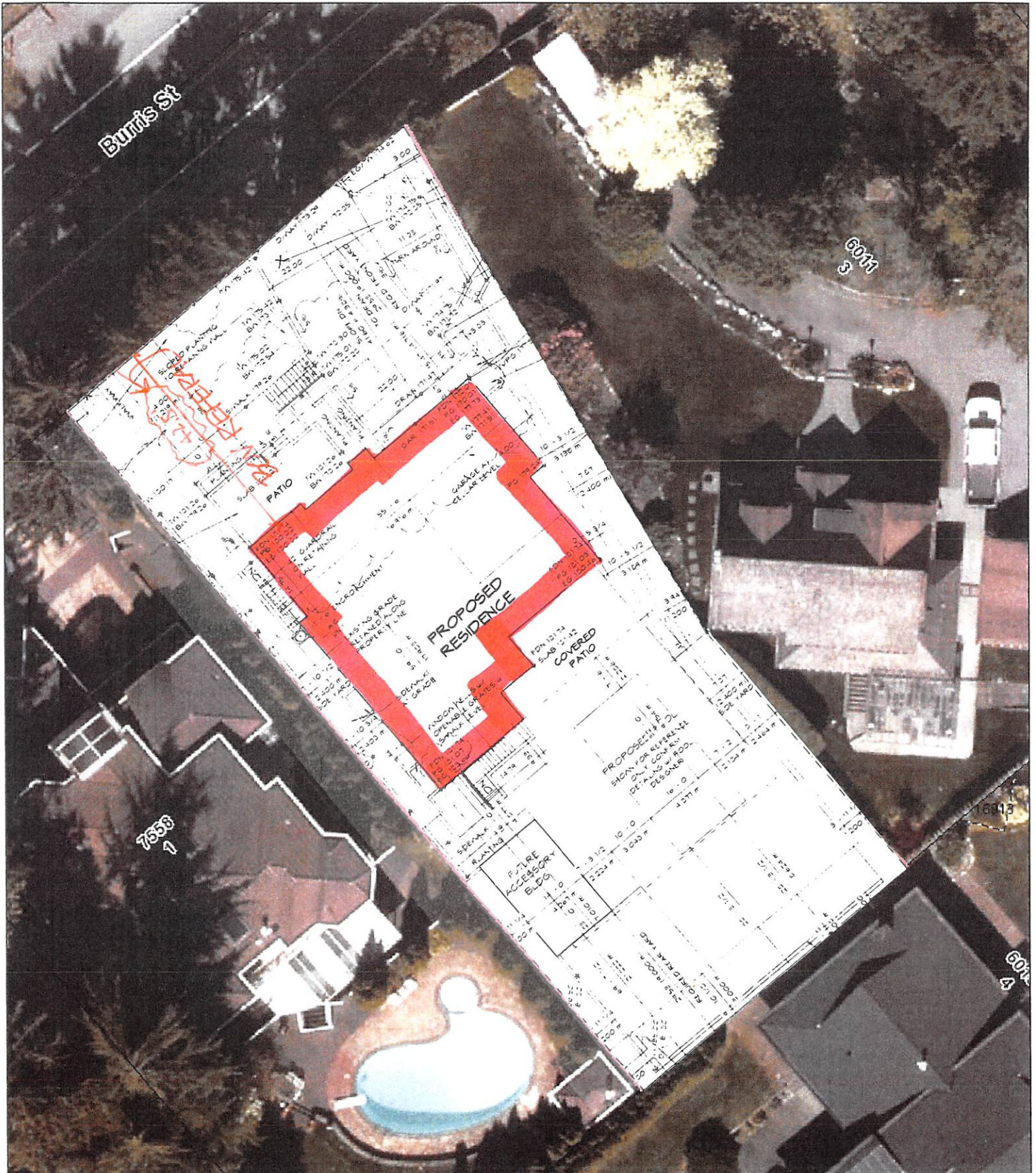




7572 Burris St

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