



Board of Variance Appeal Application Form

OFFICE OF THE CITY CLERK

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

Applicant

Name of Applicant ROGER JOHAL
Mailing Address 4918 VICTORIA DRIVE
City/Town VANCOUVER Postal Code V5P 3T6
Phone Number(s) (H) _____ (C) 604 833 5162
Email info@cbesthomes.com
Preferred method of contact: ☒ email ☐ phone ☐ mail

Property

Name of Owner MAXIM ALTERMAN & KEREN ALTERMAN
Civic Address of Property 4052 MARINE DRIVE

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

MARCH 7, 2016
Date

[Signature]
Applicant Signature

Office Use Only

Appeal Date 2016 April 07 Appeal Number BV# 6218

Required Documents:

- ☐ Hardship Letter from Applicant
- ☐ Site Plan of Subject Property
- ☐ Building Department Referral Letter

CITY OF BURNABY

MAR 08 2016

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

CITY CLERK'S OFFICE

Hardship Letter for City of Burnaby Board of Variance

Applicant Name: **Roger Johal**

Date: March 7th, 2016

Project address: 4052 Marine Drive, Burnaby, BC

To whom it may concern,

This letter is to describe the reasons for which a request was submitted for the relaxation of the Burnaby Zoning Bylaw #4742 in regards to the following two sections:

- A. Section 102.6(1)(a) in regards to the principal building height: the principal building height measured from the rear average will be 33.0 ft. whereas a maximum of 31.09 ft. is permitted. To note that the principal building height measured from the front average (north) elevation will be 26.39 ft. (63.17ft. – 36.78ft.)

The proposed building is located on a property which is zoned R2 Residential District and is located on south side of Marine Drive in the Big Bend neighborhood. The shape of the site is a parallelogram which is approximately 82 ft. wide and 176 ft. deep.

To the east and west of the subject site there are single family dwellings. The vehicular access is provided to the site from the south via a back lane. Further south to the back lane there is light commercial property which is zoned M5 and permits building heights of maximum of 39.37 ft.

The site slopes significantly from north to south with a difference of 21.82 ft in elevation from the highest to the lowest elevation point of the site (46.8 ft. – 24.98 ft.). Because of the steep terrain the building height calculation is therefore directly affected. When viewed from Marine Drive, the height of the building is 26.39 ft. which is within the permitted height of 29.5 ft.

I consider that it is unlikely that the additional massing created by the excess height would affect the views from the neighboring properties or would affect the commercial activities from the south property zoned M5.

In the same time, due to steep slope of the site, in order to meet the bylaw height restrictions, it would create a considerable architectural and structural challenge which translates into a direct hardship to myself in building a 2 ½ story family dwelling on this property.

- B. Section 102.8(1) in regards to the front yard setback

Applicable Adjacent House	Depth of Front Yard
4032 Marine Drive	74.59 ft
4042 Marine Drive	61.30 ft
4062 Marine Drive	77.06 ft
4072 Marine Drive	52.94 ft
Total	265.89 ft
Average	66.47 ft

Given the parallelogram shape of all lots taken into consideration in calculating the average, it is worth noting that for such shapes there are two methods in calculating the front yard depth:

- a. Distance to the property line at the north side of the lot measured as perpendicular to the property line from the closest distance of any of the foundation corners of the house.
- b. Distance to the property line at the north side of the lot measured as a straight line parallel to the east and west property lines.

The homeowner has requested the front yard setback at 62.5 feet to the foundation where a minimum front yard setback of 66.47 feet is required based on front yard averaging. The homeowner has already contacted the west neighbors located at 4042 Marine Dr. and informed about their intentions to build a new family dwelling with the above mentioned variances for which they did not have any objection – see Appendix A of this letter.

The property located at 4062 Marine Dr. (east neighbor) the owner is also planning on building a new family dwelling.

Sincerely,

A handwritten signature in black ink, appearing to read 'Roger Johal', with a stylized flourish extending from the end.

Roger Johal

APPENDIX A

TO: City of Burnaby Board of Variance

The undersigned here within, Monica Serban and Marius Serban, the owners of the property located at 4042 Marine Dr. in Burnaby and neighbours of Keren and Max Alterman at 4052 Marine Dr. would like to state that we were made aware of the construction plans submitted to City of Burnaby and the appeal submitted to the Board of Variance for the relaxation of the building bylaws related to:

- a. Height of the Property
- b. Distance from the street (Marine Dr.)

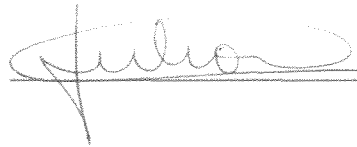
For the above relaxation requests we do not have any objection.

For any questions we can be reached at 604-690-2041.

Signed:

Name: Monica Serban

Marius Serban


_____

Date: January 9th, 2016



BOARD OF VARIANCE REFERRAL LETTER

DATE: March 4, 2016	DEADLINE: March 8, 2016 for the April 7, 2016 hearing	<i>This is not an application. Please take letter to Board of Variance. (Clerk's office - Ground Floor)</i>	
NAME OF APPLICANT: Roger Johal			
ADDRESS OF APPLICANT: 4918 Victoria Drive, Vancouver B.C. V5P 3T6			
TELEPHONE: 604.833.5162			
PROJECT			
DESCRIPTION: New Single Family Dwelling			
ADDRESS: 4052 Marine Drive			
LEGAL:	LOT: 185	DL: 175	PLAN: 41124

The above mentioned application, which includes the attached plan of the proposal, has been refused by the Building Department on the basis of contravention of:

Zone/Section(s) R2 [102.6(1)(a); 102.8(1)]
of the Burnaby Zoning Bylaw No. 4742

COMMENTS:

The applicant is proposing to build a new single family dwelling. The following relaxations are being requested.

- 1) The principal building height, measured from the rear average elevation will be 33.0 feet where the maximum building height of 29.5 feet is permitted. The principal building height, measured from the front average elevation will be 26.39 feet.
- 2) The front yard setback will be 62.5 feet to the foundation where a minimum front yard setback of 66.47 feet is required based on front yard averaging. The roof overhang will be 2.5 feet beyond the foundation.

Note: The applicant recognizes that should the project contain additional characteristics in contravention of the zoning by-law a future appeal(s) may be required.

DS

Peter Kushnir
Deputy Chief Building Inspector

MAR 04 2016

BUILDING DEPARTMENT



PROPOSED RESIDENCE for C-BEST CONSTRUCTION (604-562-4653)
ON 4052 MARINE DRIVE, BURNABY, B.C.

this drawing/design is the exclusive property of
SIMPLEX HOME DESIGN Ltd. nobody is authorized to use
or reproduce the drawings without the written approval
from SIMPLEX HOME DESIGN Ltd.

SCALE: 1/8" = 1' 0"

DATE: SEPTEMBER

REV: MAR 3, 2016

PLAN: 10-5-23-15
DRAWING: AG

2

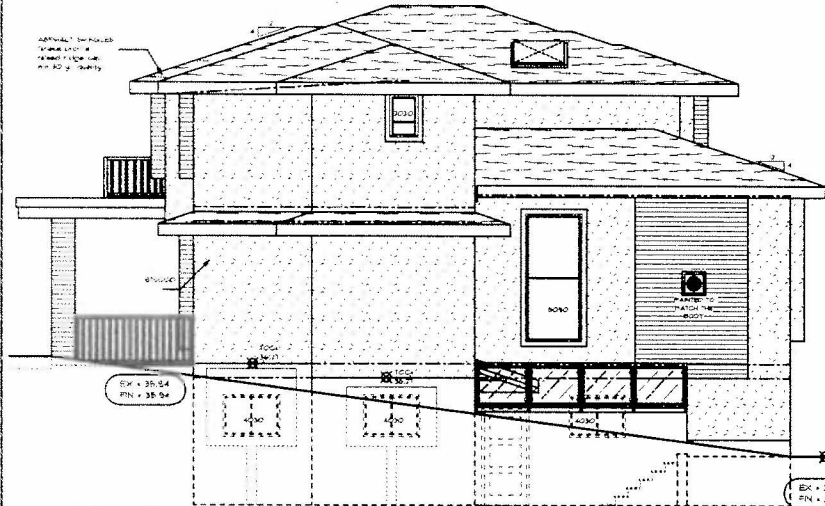
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MAR 04 2010

B. of V.

REFERRAL

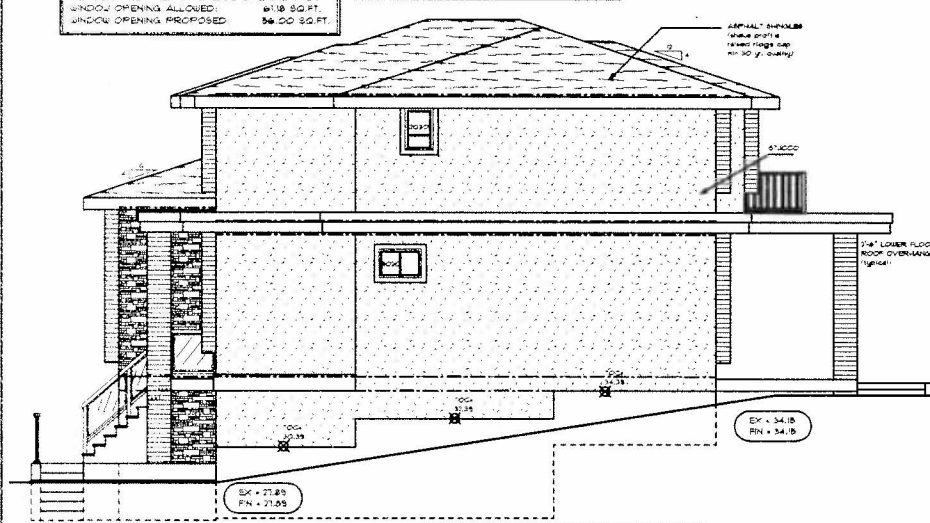
BUILDING DEPARTMENT



LEFT (WEST) ELEVATION



FRONT (SOUTH) ELEVATION



RIGHT (EAST) ELEVATION



REAR (NORTH) ELEVATION

PROPOSED RESIDENCE for C-BEST CONSTRUCTION (604-562-4653)
ON 4052 MARINE DRIVE, BURNABY, B.C.

this drawing/design is the exclusive property of
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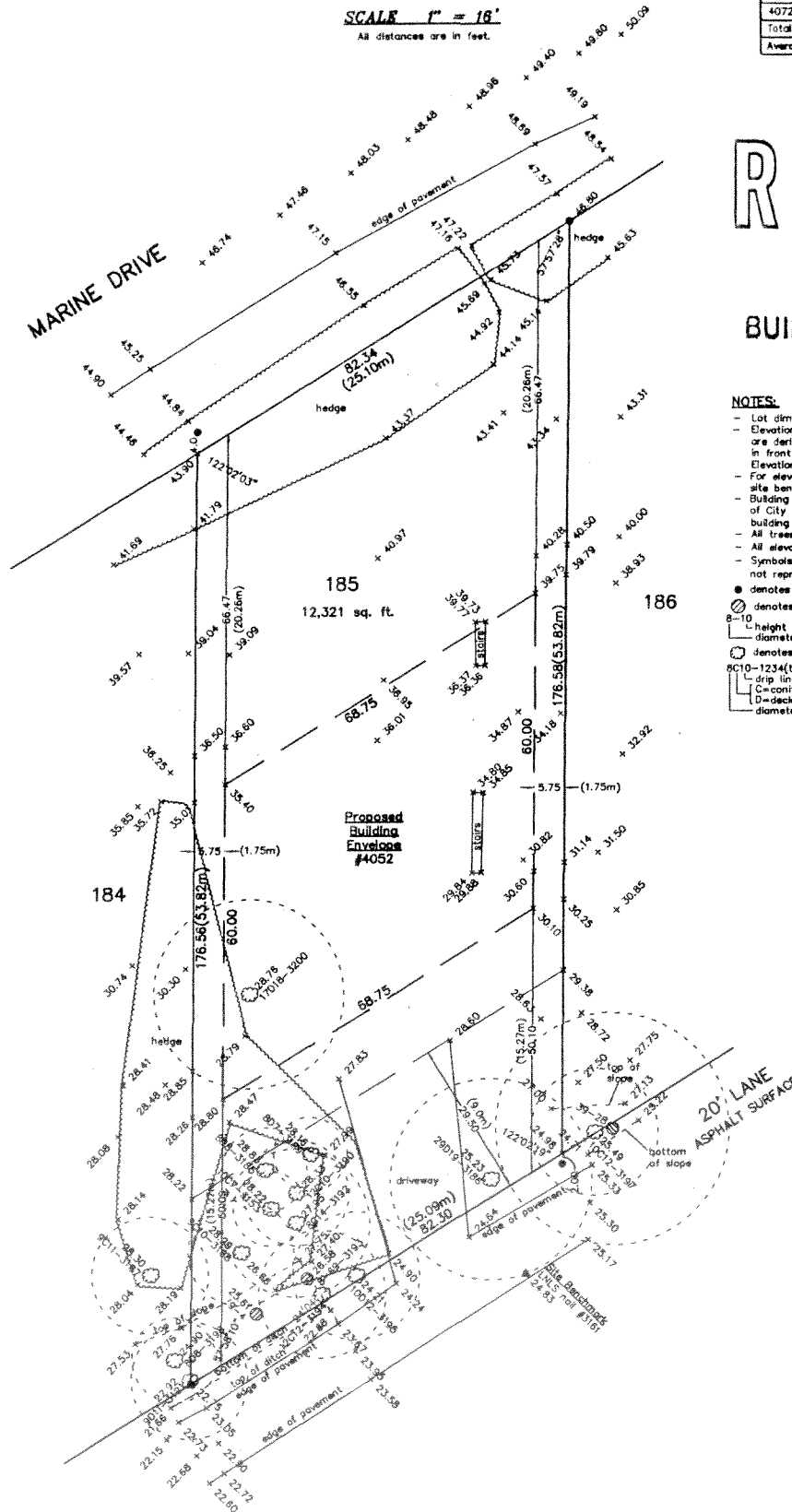
SCALE: 1/4" = 1' 0"
DATE: SEPTEMBER 08, 2015
REV: MAR 3, 2010
DRAWN: BG

6 simple home design
SIMPLEX HOME DESIGN LTD.
2705 - 10th St. Burnaby, B.C. V5C 2S1
www.simplexhomedesign.com
info@simplexhomedesign.com

**SURVEY PLAN OF LOT 185
DISTRICT LOT 175, GROUP 1
NEW WESTMINSTER DISTRICT, PLAN 41124**

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

Applicable Adjacent House	Depth of Front Yard
4032 Marine Drive	74.59 ft
4042 Marine Drive	61.50 ft
4062 Marine Drive	77.06 ft
4072 Marine Drive	52.94 ft
Total	265.89 ft
Average	56.47 ft



RECEIVED

FEB 04 2016

BUILDING DEPARTMENT

NOTES:

- Lot dimensions are derived from field survey.
- Elevations are based on Geodetic Datum of Burnaby and are derived from control monument DTS-392 situated in front of house #3965 on Marine Drive.
- Elevation = 33.42 feet.
- For elevation control, use control monument or site benchmark only.
- Building envelope shown is just an approximate interpretation of City Zoning Bylaws. Consult Planning Department for final building envelope prior to design.
- All trees and stumps shown as required by municipal bylaws.
- All elevations along curb lines are gutter levels.
- Symbols plotted are for illustrative purposes and are not representative of their true size.
- denotes standard iron post.
- denotes tree stump.
- 8-10 height (inches)
- diameter (inches)
- denotes tree.
- 8C10-1234 (tree tag number)
- drip line radius (feet)
- C=coniferous
- D=deciduous
- diameter (inches)

CIVIC ADDRESS

4052 MARINE DRIVE
BURNABY, B.C.

ZONING: R2

ZONE TABLE UPDATED.
BUILDING ENVELOPE REVISED.
DATED THIS 3RD DAY OF FEB., 2016
CERTIFIED CORRECT.
DATED THIS 3RD DAY OF MARCH, 2015

IVAN NGAN

B.C.L.S.

LNLS METRO VANCOUVER
LAND SURVEYORS

PID: 004-586-174

FILE: BMA-4052TP

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