



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 Mikhail Serov
Mailing Address 35 Howard Ave N
City/Town Burnaby Postal Code _____
Phone Number(s) (H) _____ (C) 778-883-4396
Email serovmike@gmail.com
Preferred method of contact: ☒ email ☒ phone ☐ mail

Property

Name of Owner Mikhail Serov
Civic Address of Property 35 Ellegmore Ave
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.

Oct 11, 2016
Date

[Signature]
Applicant Signature

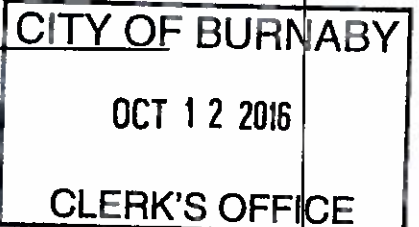
Office Use Only

Appeal Date 2016 Nov. 03

Appeal Number BV# 6247

Required Documents:

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



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

RECEIVED
OCT 11 2016

BUILDING DEPARTMENT

I, Mikhail Serov, owner of 35 Ellesmere Ave, Burnaby, am requesting an appeal for the relaxation of Section 105.6(1)(b) of the Burnaby Zoning Bylaw for R5 District.

The bylaw limits the height of the principal building to 24.3 ft, with a flat roof. As you are aware, the maximum building height is measured based on the lower of the front average elevation or the rear average elevation to the highest point of the structure.

The original reviewed Burnaby Building Permit Drawings dated April 7, 2016, listed an average front elevation of 536.2 ft. The maximum allowable elevation of the roof was listed as 560.51 ft.

During the course of the building construction, an error was made in the construction of the roof trusses. Trusses were designed and engineered to be 26 inches tall, instead of the originally proposed 16 inches. The slope of the roof was also changed, as it was originally designed to be sloped in one direction, West to East. The actual trusses were designed with a slight peak in the middle of the structure, with slopes starting in the middle and running down to East and West.

As a result of the above error, the building height is currently 25.15 ft, or 10.2 inches over the allowable height. A new survey was completed in order to confirm the exact height of the building.

Exterior roof elevation sealed survey dated October 6, 2016 (**Exhibit 1**), shows exterior perimeter of roof top elevations. The peak of the roof, or the highest point of the building shows an elevation of 561.7 ft. The front corners of the building have elevations of 561.2 ft.

The front grade elevation was also recalculated in order to obtain the exact front average grade. As noted previously, the architectural drawings assumed an average front elevation of 536.2 ft. In actuality, the average front elevation is 536.55 ft. This calculation is based on the sealed survey dated October 7, 2016 (**Exhibit 2**), which lists the front left and right elevations of the grade.

The previously noted building height calculation is based on the recalculated average front grade elevation (536.55 ft) and the highest point of the roof elevation (561.7 ft).

Average rear elevation is 542.55 ft, meaning that if the building height is measured from the rear elevation of the home, the structure height is 19.55 ft.

At this point in the construction the building, it would be impossible to remedy the error without extensive demolition and reconstruction. The torch on roof membrane has already been applied. If we would have to reduce the height of the building by 10.2 inches, the roof would have to be removed, trusses disposed of, new trusses ordered and installed, new roof installed. These items would cause significant delays in the project and cost tens of thousands of dollars. I understand that the oversight is my responsibility and I will definitely be more careful in the future.

We have reviewed the neighboring properties, their building heights and sight lines. I understand that The intent of the Bylaw in limiting the height of buildings is to mitigate the massing of new buildings or structures and their impact on neighboring properties. The height relaxation would not have any negative impacts on the neighboring properties and the existing streetscape. The properties on either side of the home are older two story homes. Their views are to the east. The homes across the street are on the lower portion of the street, with views to the east as well. Our building is not blocking any views from homes on either East and West, or North and South.

In closing, we request that the Board approves the relaxation of Section 105.6(1)(b) of the Burnaby Zoning Bylaw and allow a building height of 25.15ft, where 24.3 ft is permitted.

List of Exhibits:

1. Exterior Roof Elevation Survey dated October 6, 2016
2. Sketch Plan of Interpolated Elevations dated October 7, 2016
3. Two complete sets of architectural drawings
4. Two copies of topographical survey dated August 25, 2016

**BOARD OF VARIANCE REFERRAL LETTER**

DATE: Oct 11, 2016	DEADLINE: Oct 11, 2016 for the Nov 3, 2016 hearing	<i>This is <u>not</u> an application. Please take letter to Board of Variance. (Clerk's office - Ground Floor)</i>	
NAME OF APPLICANT: Mikhail Serov			
ADDRESS OF APPLICANT: 35 Howard Ave, Burnaby, BC			
TELEPHONE: 778.883.4396			
PROJECT: [REDACTED]			
DESCRIPTION: New Single Family Dwelling w/ Detached Garage			
ADDRESS: 35 Ellesmere Avenue			
LEGAL:	LOT: 26	DL: 189	PLAN: NWP4953

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) R5 [105.6(1)(b)]
of the Burnaby Zoning Bylaw No. 4742

COMMENTS:

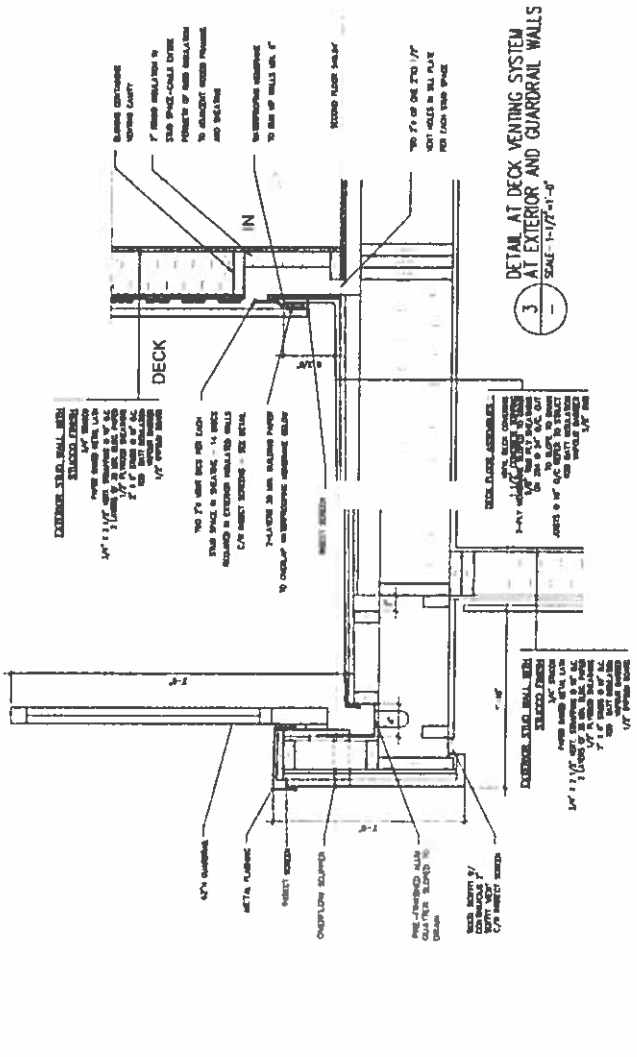
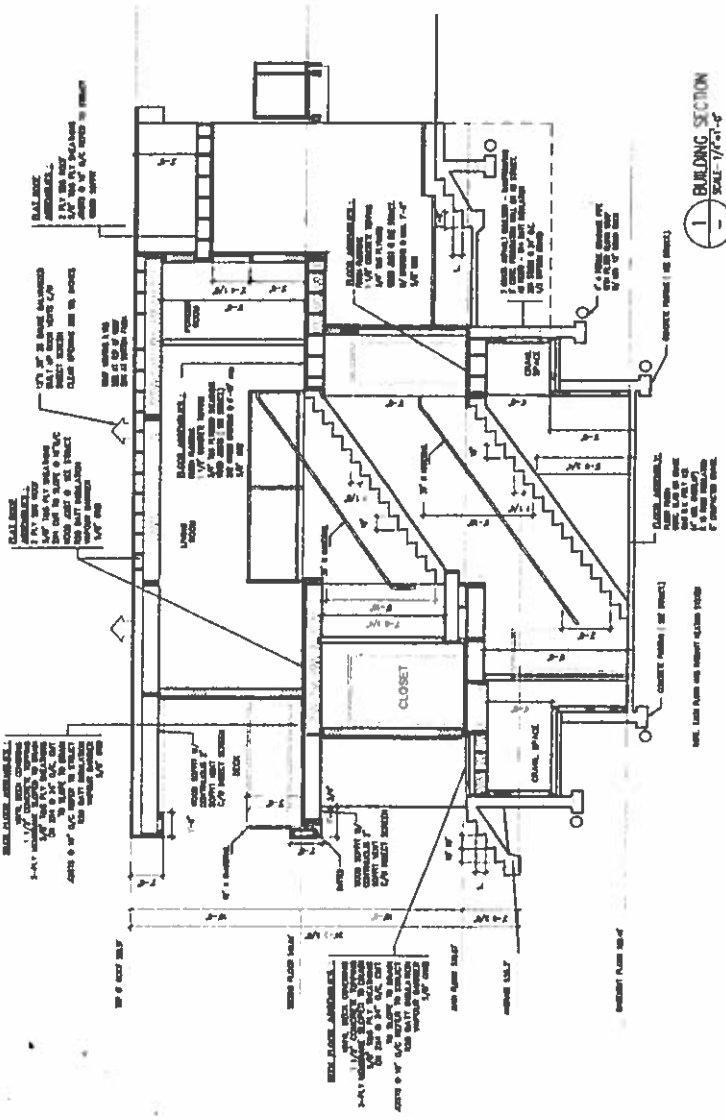
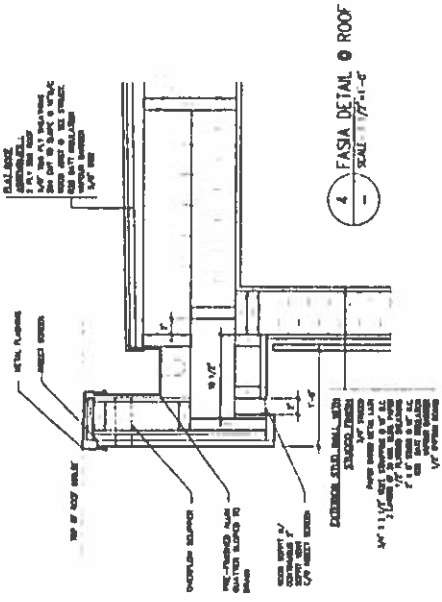
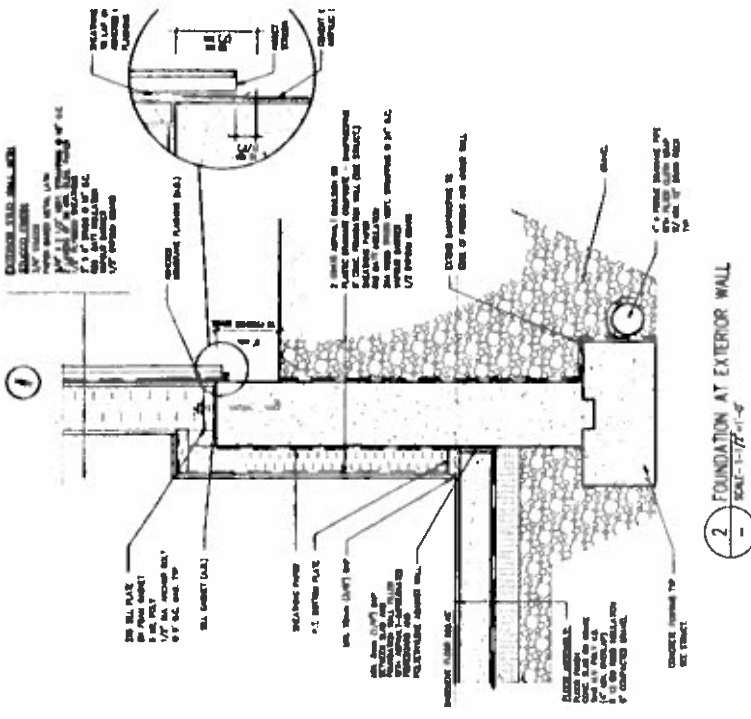
The applicant is proposing to build a new single family dwelling. The following relaxation is being requested.

- 1) The principal building height, measured from the front average elevation will be 25.1 feet where the maximum building height of 24.3 feet is permitted. The principal building height, measured from the rear average elevation will be 21.7 feet.

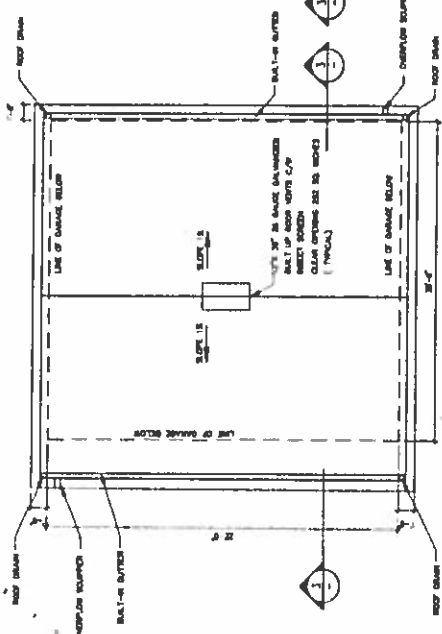
Note: The applicant recognizes that should the project contain additional characteristics in contravention of the zoning by-law a future appeal(s) may be required.

MS

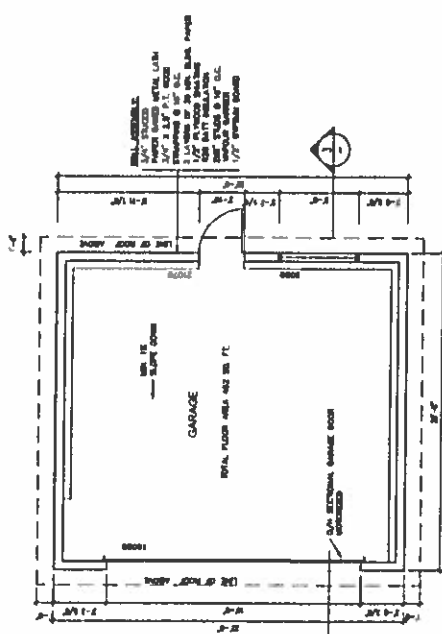

Patrick Shek
Chief Building Inspector



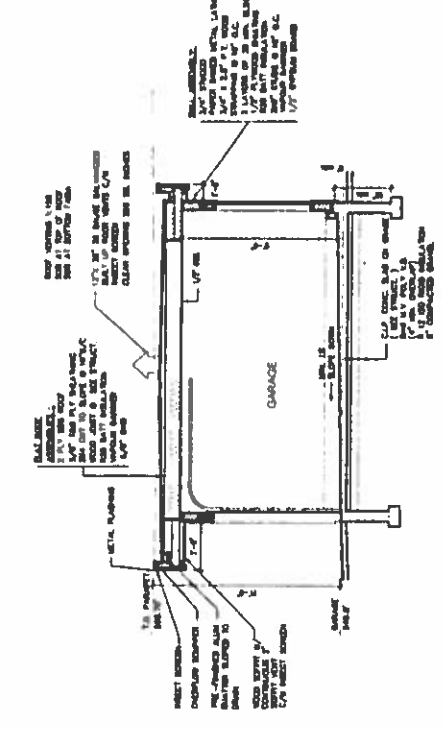
PROJECT	PRIVATE
DESIGNED BY	J.S. ELESIMER BURNABY, BC
DRAWING TITLE	GARAGE
DATE	OCT 2013
SCALE	AS NOTED



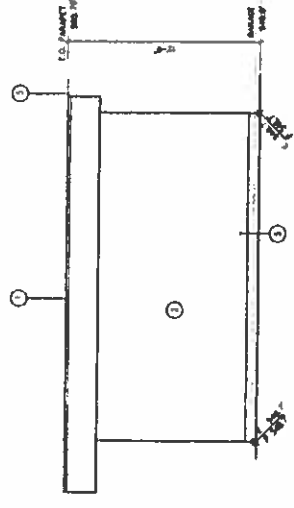
1 GARAGE ROOF PLAN
SCALE: 1/8" = 1'-0"



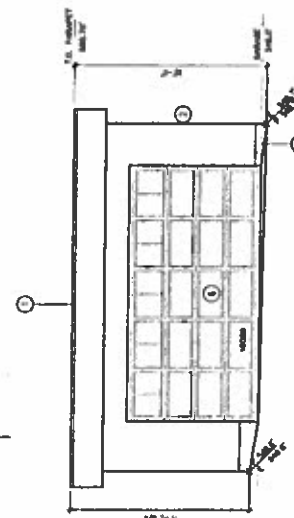
2 GARAGE FLOOR PLAN
SCALE: 1/8" = 1'-0"



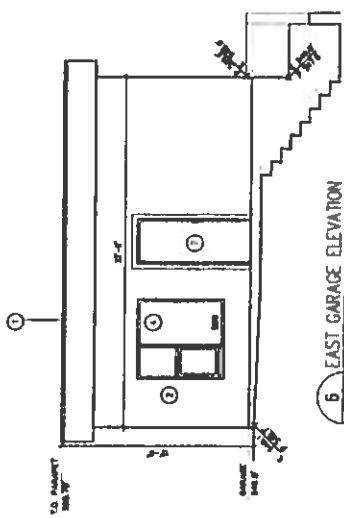
3 GARAGE SECTION
SCALE: 1/2" = 1'-0"



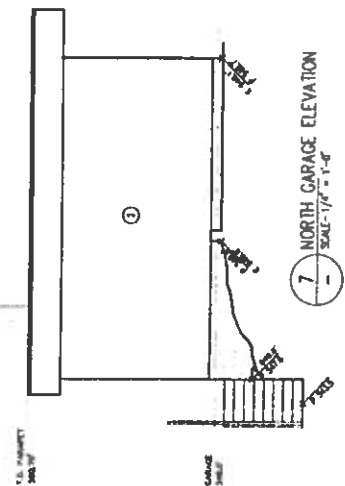
4 SOUTH GARAGE ELEVATION
SCALE: 1/2" = 1'-0"



5 WEST GARAGE ELEVATION
SCALE: 1/2" = 1'-0"



6 EAST GARAGE ELEVATION
SCALE: 1/2" = 1'-0"



7 NORTH GARAGE ELEVATION
SCALE: 1/2" = 1'-0"

- MATERIAL LEGEND**
- 1 FLAT ROOF w/ 2" x 1" RIG
 - 2 8" x 8" WALL w/ 3" STAGGED JOINT
 - 3 CONCRETE WALL
 - 4 DOUBLE GLAZED w/ 1/2" INSULATED WINDOW
 - 5 ROOF OVERHANG
 - 6 6" x 6" GARAGE DOOR
 - 7 SLOPED ROOF

SKETCH PLAN OF INTERPOLATED ELEVATIONS OVER LOT 26 BLOCK 71 DISTRICT LOT 189 GROUP 1 NWD PLAN 4953

CIVIC ADDRESS:
35 Ellesmere Avenue, Burnaby
PID: 003-207-081

SCALE 1" : 20'
7.5 0 15 30
ALL DISTANCES ARE IN FEET

The intended plot size of this plan is 17" in width
and 11" in height (B size) when plotted at a scale of 1":20'

LEGEND
x#H DENOTES GROUND ELEVATION
x#H DENOTES INTERPOLATED ELEVATION

NOTES:
Lot dimensions are derived from Posting Plan EPP54606.

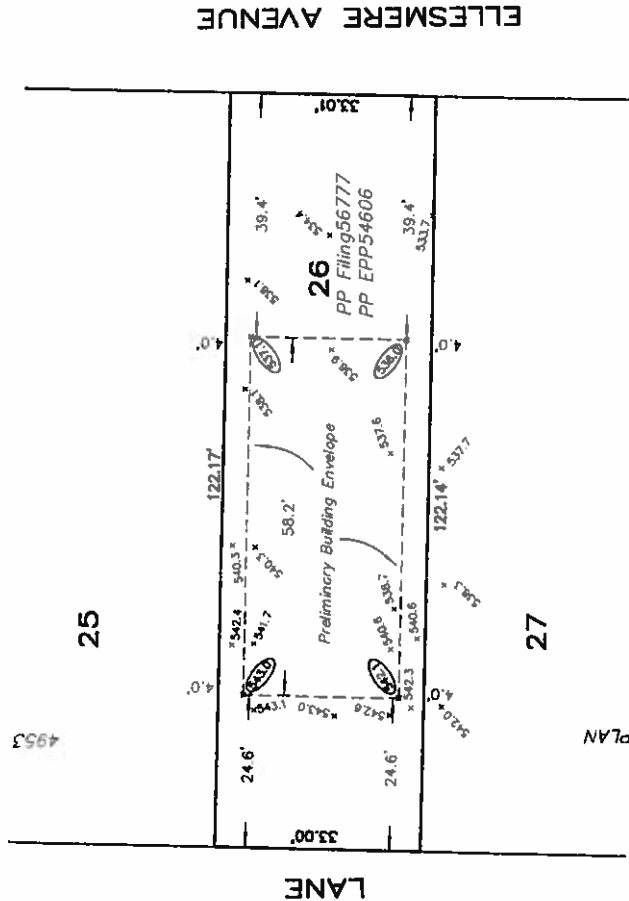
Elevations are Geodetic (CVD26 GRID - IN FEET)
Derived from Control Monument 77H5772
located at the South side of Dundas St. and East side
of Ellesmere Ave. Elevation = 530.45ft.

If this plan is used in digital form, Target Land Surveying
will only assume responsibility for information content
shown on original unaltered drawing.

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site servicing purposes, and is for the exclusive use
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www.targetlandsurveying.ca
FILE: N2867 TOPO FT-R2

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*Elevations are interpolated based on mathematical TIN
solution derived using CAD software and all shown ground elevations.
*Ground elevations derived from Topographic site plan (File: N2867 TOPO FT-R1)
issued August 25th, 2015

R5 - ZONING

Frontyard Average:
#23: 28.6'
#25: 49.0'
#57: 49.0'
#65: 31.0'
Average: 39.4'
Sideyard: 4.0'
Bylaw 105.10(3)
Rearyard: 24.6'

*Setbacks are preliminary and subject
to approval by City of Burnaby



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BC LAND SURVEYOR'S ROOF ELEVATION CERTIFICATE OVER LOT 26 BLOCK 71 DISTRICT LOT 189 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 4953

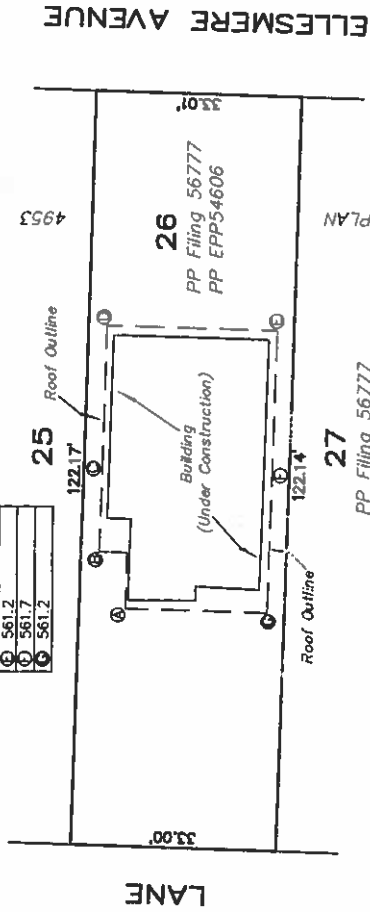
QMC ADDRESS:
35 Ellesmere Avenue, Burnaby
PID: 003-207-081

SCALE 1" : 20'
7.5 0 15 30
ALL DISTANCES ARE IN FEET



LEGEND
PP DENOTES POSTING PLAN

EXTERIOR PERIMETER OF ROOF TOP ELEVATIONS	
1	561.3
2	561.5
3	561.7
4	561.2
5	561.2
6	561.7
7	561.2



NOTES:

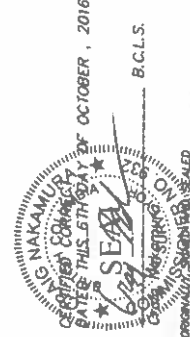
"Open" boundary dimensions shown hereon, are derived from Posting Plan EPP54606. This document shows the relative location of surveyed structures with respect to the boundaries of the parcel described above.

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Elevations are Geodetic (CVD28 GVRD - IN FEET)

Derived from Control Monument 77H5772 located at the South side of Dundas St. and East side of Ellesmere Ave. Elevation = 530.43ft.



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TARGET
LAND SURVEYING
www.targetlandsurveying.ca
FILE: N2867-Roof-Cert

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TOPOGRAPHIC SITE PLAN OF LOT 26 BLOCK 71 DISTRICT LOT 189 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 4953

CIVIC ADDRESS:

35 Ellesmere Avenue, Burnaby

PH: 603-207-081

SCALE 1" = 20'

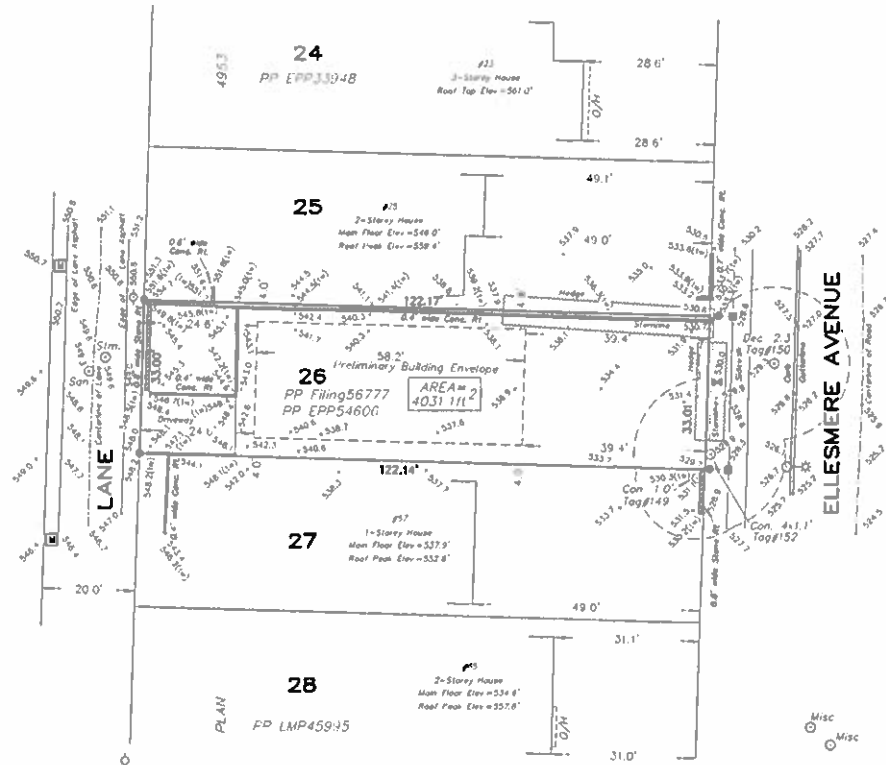
ALL DISTANCES ARE IN FEET

The intended plot size of this plan is 17" in width and 22" in height (C size) when plotted at a scale of 1"=20'



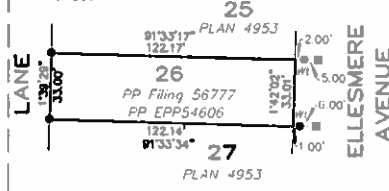
LEGEND

- DENOTES STANDARD IRON POST
- DENOTES LEAD PLUG
- DENOTES WITNESS
- W1 DENOTES SQUARE METRES
- DENOTES POWER POLE
- DENOTES WATER METER
- W DENOTES WATER VALVE
- DENOTES SANITARY MANHOLE
- DENOTES STORM MANHOLE
- DENOTES MISCELLANEOUS MANHOLE
- DENOTES CATCH BASIN - TOP ENTRY
- DENOTES TREE AND CANOPY EXTENT
- DENOTES GROUND ELEVATION
- (TW) DENOTES TOP OF RETAINING WALL ELEVATION
- Dec DENOTES DECIDUOUS
- Con DENOTES CONIFEROUS
- O/H DENOTES OVERHANG
- Conc DENOTES CONCRETE
- Rt DENOTES RETAINING WALL



Lot Detail

Not to Scale



NOTES

Lot dimensions are derived from Posting Plan EPP54606.

Measurements shown are to the exterior siding of buildings.

Elevations are Geodetic (CYD28 GRID - IN FEET)

Derived from Control Monument 7745772 located at the South side of Dundas St. and East side of Ellesmere Ave Elevation = 530.45ft.

If this plan is used in digital form, Target Land Surveying will only assume responsibility for information content shown on original unaltered drawing.

Tree diameters are taken at 4.6ft. above grade and are shown in feet.

Tree symbols are not shown to scale.

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RS - ZONING

Frontyard Average:
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Average: 39.4'
Sideyard: 4.0'
Bylaw 105 10(3)
Rearyard: 24.6'

*Setbacks are preliminary and subject to approval by City of Burnaby

CERTIFIED CORRECT
DATED THIS 25TH DAY OF AUGUST, 2015

Craig Nakamura H.C.L.S.

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FILE: N2867 TOPO FT-R1

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