



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 Harb Mann
Mailing Address 7779 11th Ave
City/Town BURNABY Postal Code V3N 2N9
Phone Number(s) (H) _____ (C) 604 375 1655
Email mvdevelopment1@gmail.com
Preferred method of contact: ☒ email ☐ phone ☐ mail

Property

Name of Owner JACK & PAULINE CHAN
Civic Address of Property 8462 ROYAL OAK AVE BURNABY
PL NWP1439 LT13 D4150 LD36

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 31 / 2016
Date

[Signature]
Applicant Signature

Office Use Only

Appeal Date Dec. 15 2016 Appeal Number BV# 6261
Required Documents: @ 6:00 p.m.
☐ 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

SUBJECT – Hardship Letter regarding 8462 Royal Oak Avenue Burnaby

To Whom it may concern,

I am writing this formal hardship letter to the Board of Variance to request that our application to build a new detached family dwelling at address 8462 Royal Oak Avenue be approved for the following:

- A 4ft height increase of the building structure
- A front yard setback of 29.53 from property line to foundation where a minimum front yard setback of 39.48 ft. is required based on front yard averaging

The reason why we are looking for a 4ft height increase is because the property is very steep to begin with as it is located on the corner of Royal Oak avenue and Keith st, on block north of marine drive. The driveway to the attached garage will have a slope of 33% initially, however with the 4 ft height increase we can obtain a driveway slope of 14.88% (this is the number where we derived the 4ft height increase from), the maximum allowed for driveway slope is 15% according to the city bylaws. The driveway will come off of the back alley for Keith st. City of Burnaby Engineering will not allow for a driveway off of Royal Oak Avenue as it is a main road, also we are unable to build a detached garage as the property is not wide enough to accommodate enough distance between the garage and the main residence, in addition the owner's that will be occupying this home are in their mid to late 70's of age and will not be able to walk down the number of steps required if a detached garage was an option.

The proposed height of the new home will not obstruct the North and East neighbors views they currently have from their homes. The placement of the new proposed home is currently complying with all building setbacks and there is no room to adjust the placement of the building on the property.

We are unable to lower the building any further down as the garage slab and slopes do not comply also reducing the basement height will move the garage lower, which in turn will increase the slope of the driveway.

The second relaxation we are proposing is the front yard minimum setback of the proposed new single family dwelling at the above address. The front yard setback off of Keith St (which in this properties case is the side yard setback as the front yard is facing Royal Oak Ave) is proposed to be 29.53 ft to the foundation where a minimum front yard setback of 39.48 is required based on front yard averaging of the 2 properties to the east of 8462 Royal Oak Ave.

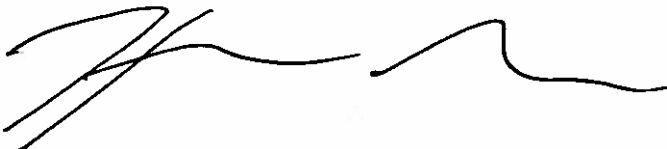
The subject site, which is zoned R2 Residential District, is located in the South Slope neighbourhood, in which the age and condition of single and two-family dwellings vary. This interior lot, approximately 70 ft. wide and 104 ft in depth. The property next door (5229 Keith St) has a driveway off the front elevation of Keith St. The property 2 houses down to the east 5269 Keith St also has a driveway off the front elevation of Keith St; as do many other addresses on Keith St. We feel that the reason some of these homes on Keith St are set so far back are because they have attached garages on the front elevations with driveways.

8462 Royal Oak also has a attached garage however the driveway is proposed off of the back alley on the north elevation and the minimum backyard setback allowed in the bylaw is 29.5 ft, we have proposed 29.83 ft from the property line to the foundation of the house. The house is 49.33 ft wide, in this amount of space we were able to slightly obtain a functional floor plan. If the front yard setback is set to 39.48 ft which is the average setback of the 2 properties to the east, we will not meet the minimum backyard setback of 29.5 ft, we are unable to shrink the home by approximately 10 ft in width as the outcome will be a home that is very narrow with a un-functional floor plan on all 3 levels and we will not be able to achieve the allowed sq footage in the r2 zoning.

We hope that the Board will consider all the above information justifying the increase in height and the front yard setback of 29.53 ft of the new proposed building and make the appropriate decision.

Thank you for your time and consideration

Harb Mann

A handwritten signature in black ink, appearing to be 'Harb Mann', with a stylized, flowing script.



BOARD OF VARIANCE REFERRAL LETTER

DATE: Dec. 1, 2016	DEADLINE: Nov 08, 2016 for the Dec 15, 2016 hearing	<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>	
NAME OF APPLICANT: Jack and Paulina Chan			
ADDRESS OF APPLICANT: 5537 Marine Drive Burnaby			
TELEPHONE: 604-435-1248			
PROJECT			
DESCRIPTION: New Single Family Dwelling w/ Secondary Suite and Attached Garage			
ADDRESS: 8462 Royal Oak Avenue			
LEGAL:	LOT: 18	DL: 158	PLAN: NWP1489

Building Permit application BLD16-01173 will be denied by the Building Department because the design is not in compliance with Burnaby Zoning Bylaw No. 4742:

Section 102.6(1)(a)
Section 102.8(1)

COMMENTS:

The applicant proposes to build a new single family dwelling. In order to allow the Building Permit application to proceed the applicant requests that the following variances be granted:

1. Vary Section 102.6.(1).(a) to allow a principle building with a maximum building height of 33.7 feet where a maximum building height of 29.5 feet would otherwise be required (for a building with a sloped roof with height measured from the lower of the front yard average elevation or the rear yard average elevation).

The proposed building height is measured from the front average grade elevation; the building height measured from the rear average elevation will be 27.15 feet.

The applicability of this variance, if granted, is limited to the scope of the proposal shown on the attached plans.

2. Vary Section 102.8(1) to permit a front yard depth of 24.60 feet where 39.48 feet (based on front yard averaging) would otherwise be required.

All projections into the resulting front yard will conform to the requirements of Section 6.12.

The applicability of this variance, if granted, is limited to the scope of the proposal shown on the attached plans.

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.

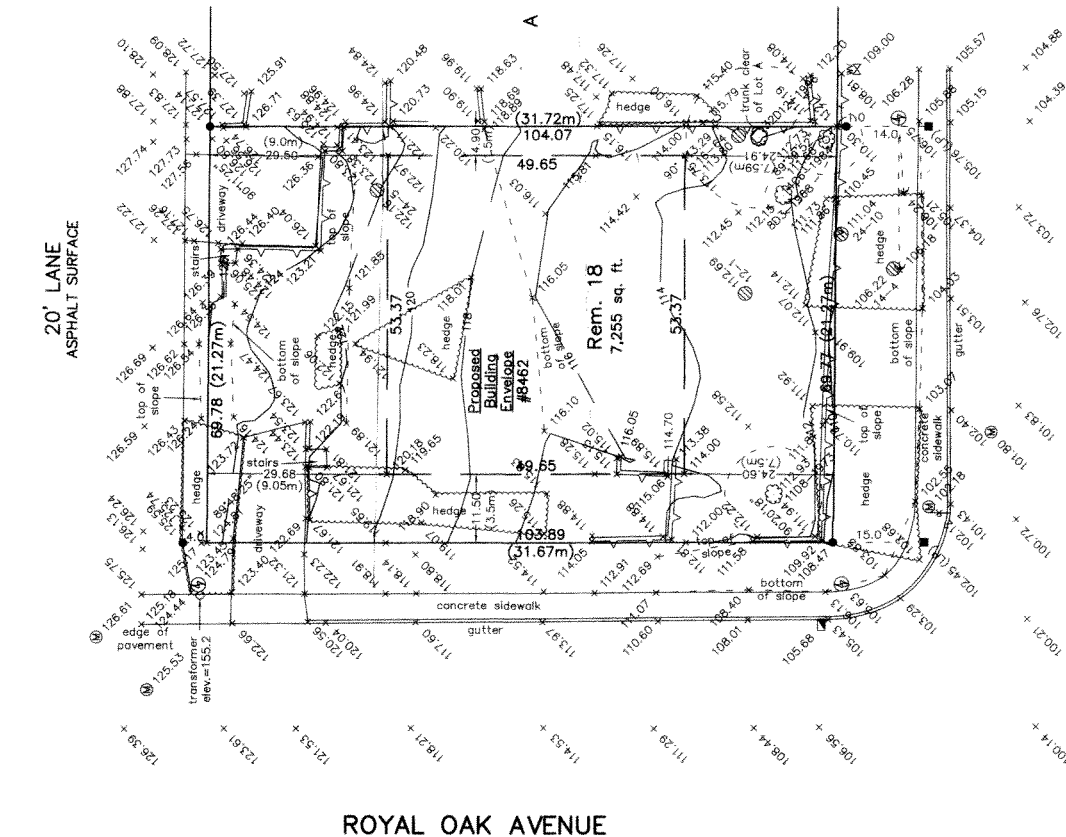


Peter Kushnir
Deputy Chief Building Inspector

ms/MS

**SURVEY PLAN OF LOT 18: EXCEPT PART ON PLAN 14508
DISTRICT LOT 158, GROUP 1
NEW WESTMINSTER DISTRICT, PLAN 1489**

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



Applicable Adjacent House	Depth of Front Yard
5229 Keith Street (Lot A)	39.53 ft
5249 Keith Street (Lot B)	39.42 ft
Total	78.95 ft
Average	39.48 ft

NOTES:

- Lot dimensions are derived from field survey.
- Elevation points are derived from a survey of the intersection of Keith Street and Royal Oak Avenue.
- Elevation = 102.45 feet.
- For elevation control, use control monument or lead plugs.
- Concrete structures shown only as 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 lead plug.
- denotes hydro pole.
- denotes top of wall.
- denotes bottom of wall.
- denotes manhole.
- denotes water valve.
- denotes catch basin.
- denotes sign post.
- denotes anchor.
- denotes tree stump.
- denotes height (feet).
- denotes diameter (inches).
- denotes tree.
- denotes tree tag number.
- denotes drip line radius (feet).
- denotes C-coniferous.
- denotes deciduous.
- denotes diameter (inches).

CIVIC ADDRESS
8462 ROYAL OAK AVENUE
BURNABY, B.C.

ZONING: R2

CERTIFIED CORRECT
DATED THIS 12TH DAY OF MAY, 2016

(Signature)

IVAN NGAN B.C.L.S.

L N L S METRO VANCOUVER
LAND SURVEYORS

PID: 003-072-045 4932 VICTORIA DRIVE, VANCOUVER, BC, V5P 3T6
FILE: BRO-8462TP T 604-327.1535 WEB WWW.LNLS.CA