



2017 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 Steven Petersson
Mailing Address #203 - 1590 Bellevue Avenue
City/Town West Vancouver BC Postal Code V7V 1A7
Phone Number(s) (H) 604 813 6720 (C) →
Email stevan@peterssonplanning.ca

Property

Name of Owner Maktab Tarighat Oveysi Shanmagh souidi (Sufis)
Civic Address of Property 140 Esmond Avenue

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

May 10, 2017
Date

Steven B Petersson
Applicant Signature

Office Use Only

Appeal Date _____

Appeal Number BV# _____

Required Documents:

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

CITY OF BURNABY

MAY 10 2017

CLERK'S OFFICE

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

May 9, 2017

City of Burnaby
Board of Variance

Re: 140 Esmond Avenue Board of Variance Hardship Letter: Proposed Weather Protection at Entry

Introduction

The purpose of this application is to seek variances to the City of Burnaby Zoning Bylaw to permit construction of weather protection at the south entry with an access ramp on a legally non-conforming structure located at 140 Esmond. According to our understanding, the specific variances sought include:

- Constructing an addition to a non-conforming building (the little roof over the entry)
- Locating the new weather protection roof in a flanking street side yard.

Existing Building

The existing building is formerly the Vancouver Heights Presbyterian Church. Built in 1930, the building has retained its Classical Revival form and detailing, featuring symmetrical design, columns flanking the recessed main entrance, arched windows with keystone detailing. The building was recently purchased by MTO Shahmaghsoudi, a Sufi group who is renovating and updating the building so it can be retained for worship use for years to come.



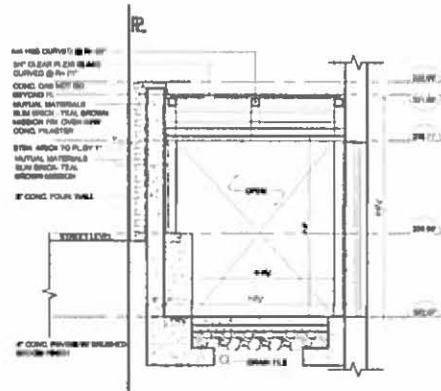
Rationale

The building was constructed prior to the City of Burnaby's current Zoning Bylaw, which means that it does not conform to the setbacks required of newly-constructed buildings today. Moreover, despite the building's Public Assembly Use, the Zoning Bylaw zones the site for Residential use: this means that the setback regulations of the Zoning Bylaw are inconsistent with the building's current and historic use. The existing siting of the building makes it impossible to add a vestibule to the south side of the building and conform to the Zoning Bylaw.

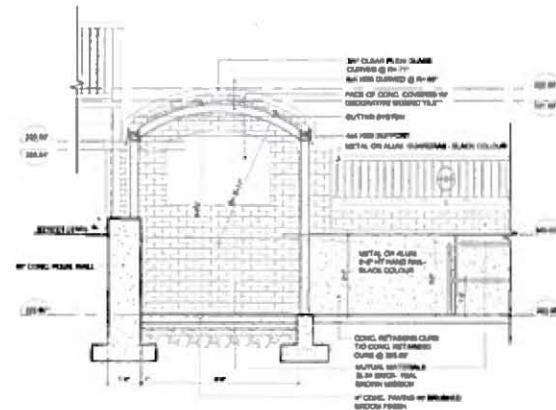


A photograph of a white double door entrance to a building. The door has a mail slot on the right side and a small decorative light fixture above it. The entrance is flanked by concrete steps and a metal railing on the left. The building is made of light-colored concrete or stucco.

As part of this improvement, the MTO would like to install a canopy structure to provide weather protection for participants entering and leaving their worship activities. This canopy structure will be partly screened on the east side by an existing stairway to the main floor. Below are south and east elevations.

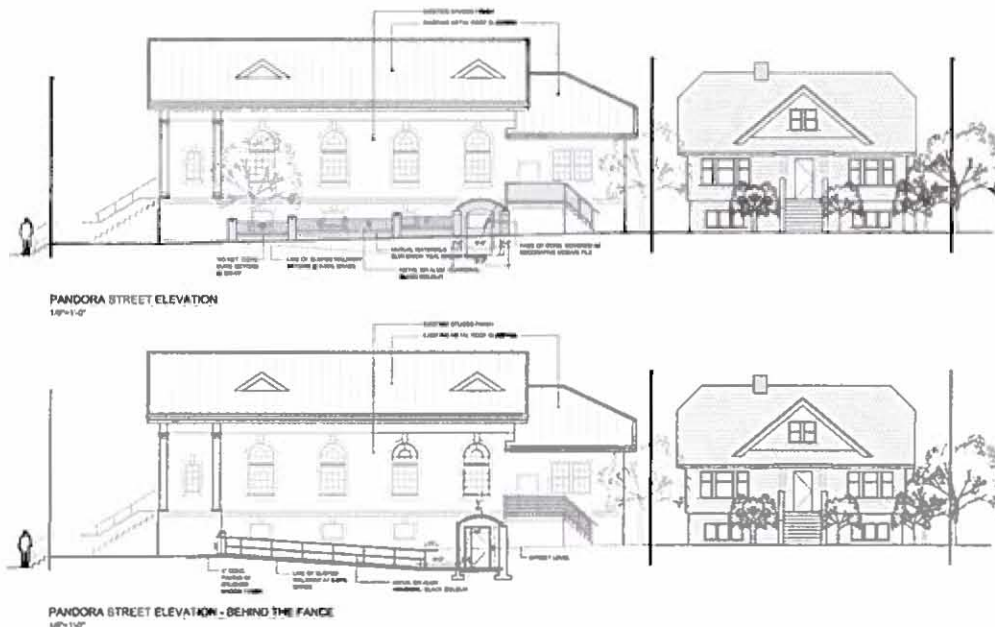


3 PROPOSED ENCLOSURE WEST ELEVATION - INTERIOR
SCALE: 1/2"=1'-0"



4 PROPOSED ENCLOSURE SOUTH ELEVATION
SCALE: 3/8"=1'-0"

This improvement is compatible with the character of the building, and will have little impact on the adjacent streetscape.



In order to be permitted to make this proposed improvement, the site requires variances to permit the addition of a new structure to a non-conforming building, and to extend the canopy structure into the side yard. Technical drawings of the proposed canopy are enclosed in the drawing set.

Neighbour Support

At the time of writing this letter, 5 neighbours have written to support this application, and five Burnaby residents have signed a petition in support. Of particular note is that the immediate neighbours to the north, south and east are in support of this application, including:

- The immediate adjacent neighbour to the north (120 Esmond)
- The immediate adjacent neighbour to the east (3827 Pandora)
- The neighbours across the street from the proposed vestibule (3808 Pandora, 3818 Pandora)
- The adjacent neighbour kitty corner, to the south-west (3795 Pandora).

Conclusion

Thank you for this opportunity to apply for variances to create a weather protection canopy and access ramp. These benign and modest improvements require variances because the building pre-dates the Zoning Bylaw, making it impossible to comply with zoning. The proposal is supported by the immediate, most affected neighbours.

If approved, this proposal will not:

- result in inappropriate development of the site
- adversely affect the natural environment
- substantially affect the use and enjoyment of the adjacent land
- vary the permitted uses and densities or defeat the intent of the bylaw.

The weather protection and ramp will serve to maintain the building's historic use as a place of worship in the community.

Yours truly,



Steven Petersson, MA(P), RPP, MCIP
Petersson Planning Consulting

On behalf of MTO Shahmaghsoudi

Encl. Neighbour Support letters
Burnaby Resident Support Petition

May 2017

I support the MTO's Board of Variance application to add a vestibule and wheelchair ramp to their entrance fronting Pandora Street.

[illegible]

May 2017

Dear City of Burnaby Board of Variance,

I am a neighbour of 140 Esmond Avenue.

I support the MTO's application to add a vestibule and wheelchair ramp to their entrance fronting Pandora Street.

Signed,

Zeck

Name

3827 Pandora Street

Address

Rose Jice

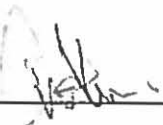
May 2017

Dear City of Burnaby Board of Variance,

I am a neighbour of 140 Esmond Avenue.

I support the MTO's application to add a vestibule and wheelchair ramp to their entrance fronting Pandora Street.

Signed,

 AIDA CHOW

Name

3818 PANDORA ST. BURNABY

Address

May 2017

Dear City of Burnaby Board of Variance,

I am a neighbour of 140 Esmond Avenue.

I support the MTO's application to add a vestibule and wheelchair ramp to their entrance fronting Pandora Street.

Signed,

IFFAT KHAN
Name Iffat Khan

3808 Pandora St.
Address Burnaby

May 2017

Dear City of Burnaby Board of Variance,

I am a neighbour of 140 Esmond Avenue.

I support the MTO's application to add a vestibule and wheelchair ramp to their entrance fronting Pandora Street.

Signed,

Adriana Tolher

ADRIANA TOLHER

Name

3795 Pandora St

Address

May 2017

Dear City of Burnaby Board of Variance,

I am a neighbour of 140 Esmond Avenue.

I support the MTO's application to add a vestibule and wheelchair ramp to their entrance fronting Pandora Street.

Signed,

Kathleen Bolton

Name

120 Esmond Ave Bly

Address



City of
Burnaby

Planning and Building Department

BOARD OF VARIANCE REFERRAL LETTER

DATE: May 10, 2017

DEADLINE: May 10, 2017
Date of Hearing: June 01, 2017

This is not an application.

Please take referral letter to Board of Variance. (Clerk's office)

NAME OF APPLICANT: Maktab Tarighat Oveyssi
Shanmaghsoudi (School of Islamic Sufism)

ADDRESS OF APPLICANT: 140 Esmond Avenue

TELEPHONE: (778) 379-9292 or (604)773-4080

Preliminary Plan Approval Application: PPA#16-162

DESCRIPTION: Structural Addition to the Existing Legal Non-conforming Church

ZONING: R5

ADDRESS: 140 Esmond Avenue

LEGAL:

LOT: 19

DL: 186

PLAN: 1124

The above mentioned application for Preliminary Plan Approval has been suspended pending Board of Variance review pursuant to the following sections of Local Government Act and the Zoning Bylaw:

Local Government Act, Section 531(1)
Zoning Bylaw, Zone R5 / Sections 105.10(2)

COMMENTS:

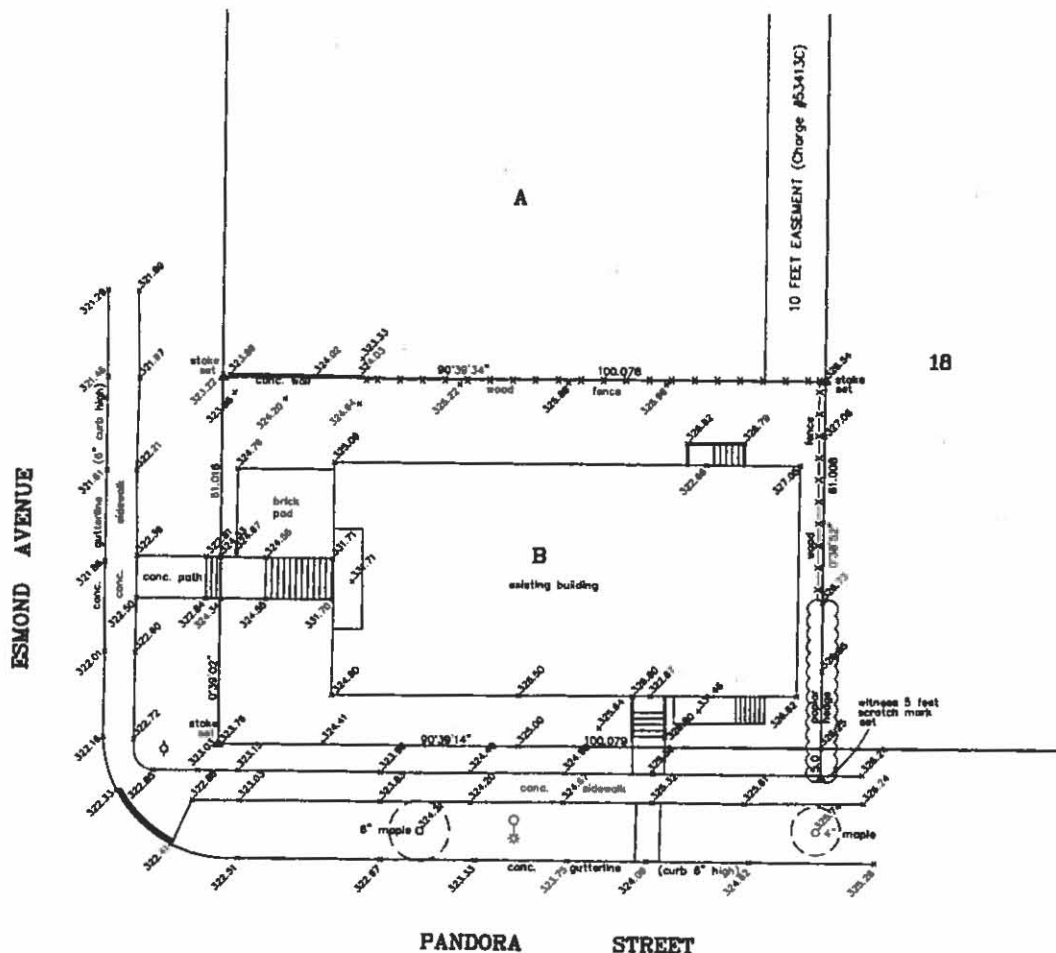
The applicant proposes to build a roof over the entry and ramp down to the lower level of the existing legal non-conforming church. In order to allow the application for the PPA to proceed, the applicant requests that the following variances be granted:

- a) To exempt from Section 531(1) of the Local Government Act to allow for structural addition to the existing legal non-conforming church; and,
- b) To vary Section 105.10(2) "Side Yards" of the Zoning Bylaw for the minimum required width of the flanking street side yard from 9.84 ft. to null.

Note: The applicant recognizes that this appeal request, as per the submitted drawings, if granted, would be subject to full compliance with all other applicable Municipal regulations and requirements. Should the project contain additional characteristics in contravention of the Zoning By-law, future appeals(s) may be required.

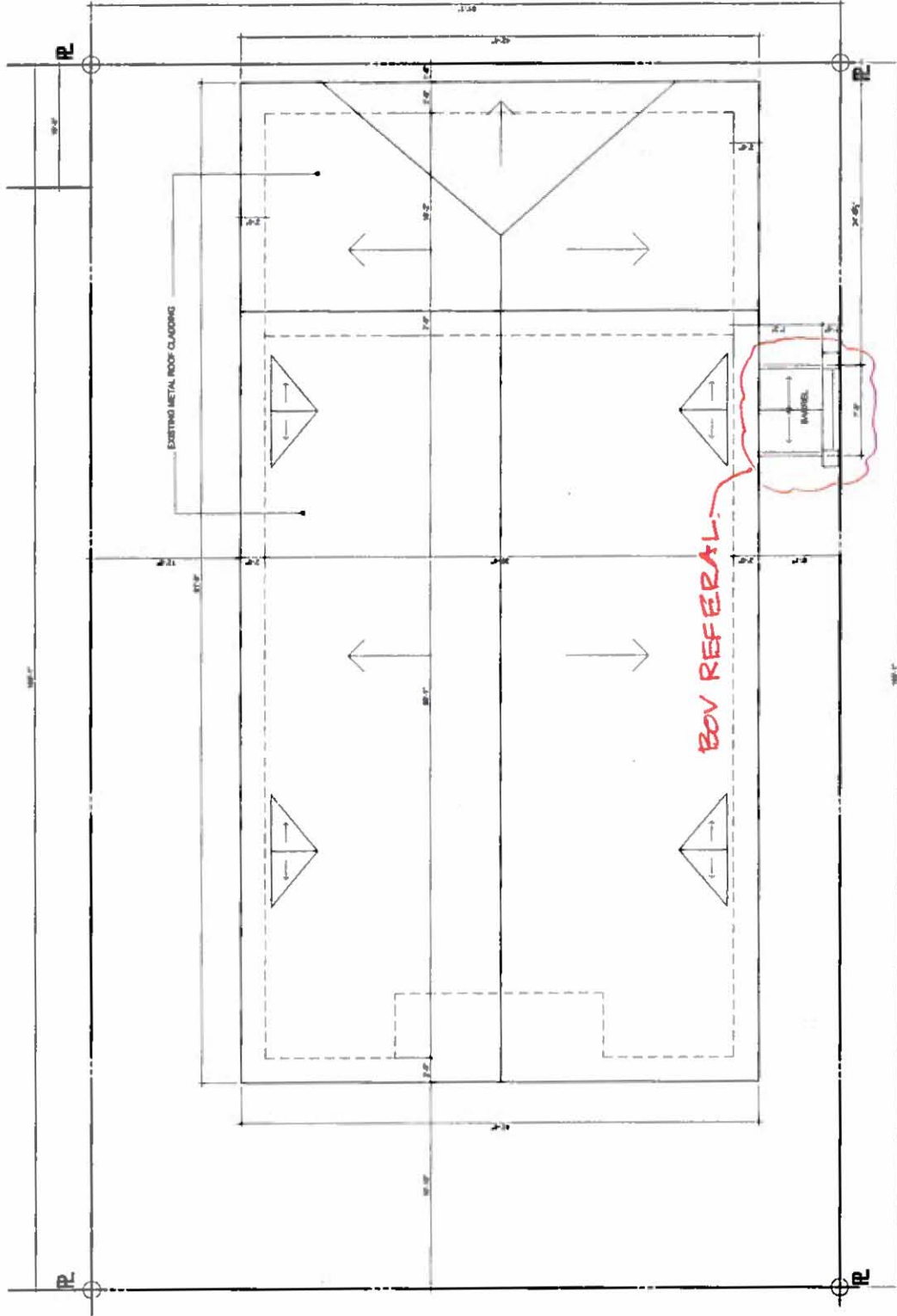
Margaret Malysz
Supervisor, Development Plan

CIVIC ADDRESS:
140 ESMOND AVENUE
BURNABY, B.C.
PID: 011-996-692



- 1) Elevations are in feet and are geodetic.
- 2) Elevations are derived from Burnaby Control Monument #77H6749 el=318.527 Feet.
- 3) This Plan was prepared for architectural design and site servicing purposes, and is for the exclusive use of our client.

Dated This 9th Day of
November, 2015.



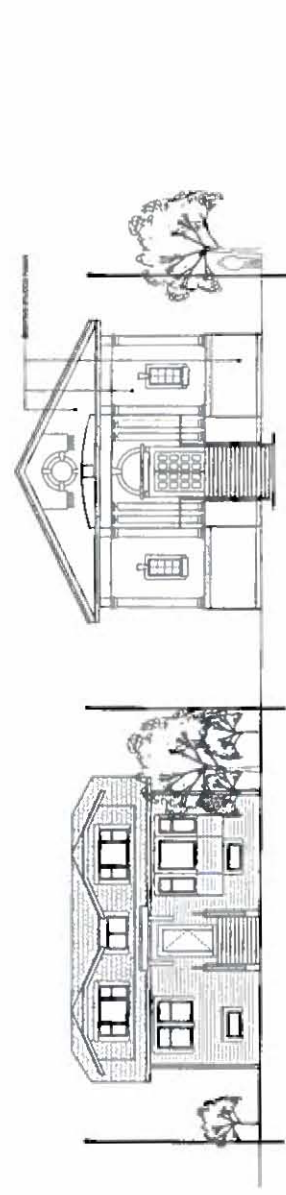
DATE	
DESCRIPTION	

PROJECT NO.	
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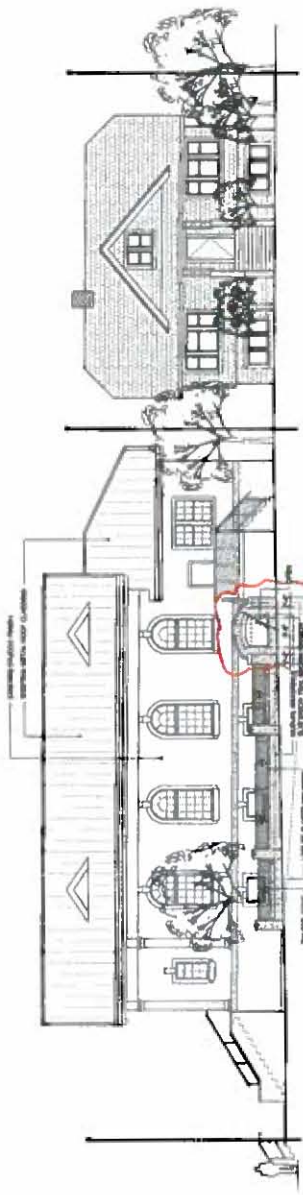
140 ESMOND AVE.
 BURNABY

ELEVATIONS

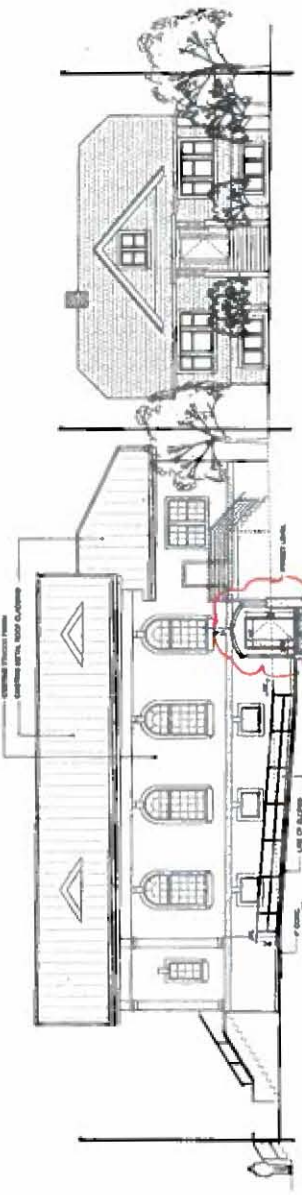
DATE	07-11-17
BY	J. SMITH
CHECKED BY	J. SMITH
SCALE	AS SHOWN
PROJECT NO.	A-8



ESMOND AVENUE ELEVATION
 1/8" = 1'-0"



PANDORA STREET ELEVATION
 1/8" = 1'-0"



PANDORA STREET ELEVATION - BEHIND THE FENCE
 1/8" = 1'-0"

