



# 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 Jeevan Singh Saini  
Mailing Address 8263 19th Ave  
City/Town Burnaby Postal Code V3N 1G7  
Phone Number(s) (H) 604-777-7715 (C) 604-760-7715  
Email me@jeevan.ca

### Property

Name of Owner Jeevan Singh Saini, Inderneet Mann, Baljinder Kaur Saini, Balbir Singh Saini  
Civic Address of Property 8263 19th Ave

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 8, 2017  
Date

[Signature]  
Applicant Signature

### Office Use Only

Appeal Date 2017 Sept. 07 Appeal Number BV# 6301

#### 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

Mr. Jeevan Saini  
8263 19<sup>th</sup> Ave  
Burnaby, BC  
V3N 1G7  
me@jeevan.ca

August 04, 2017

Office of the City Clerk  
4949 Canada Way  
Burnaby, BC  
V5G 1M2  
Clerks@burnaby.ca  
604-294-7290

RE: Board of Variance Appeal for Two Family Dwelling

Dear Board of Variance,

It has been brought to our attention that during the final inspection by the city inspector (Jim G.) that we have to:

“provide detail for retaining walls/at front yard/to plan checking for variance”.

It seems that in terms of the above, we have violated the Burnaby bylaws. We have constructed retaining walls at the front and sides of our new home (8263 19<sup>th</sup> Ave, Burnaby, BC), as well as the fencing on top of these walls.

Given the above information, we are approaching the city of Burnaby to request a variance. Complying with the Zoning Bylaw requirements causes an undue hardship and safety hazard for the following reasons:

1. When building our home, the gradient slope difference from the height of our property base to the street level and neighbouring properties was significant. Therefore, we deemed it necessary to include the retaining walls and fencing at the front and on the sides of our home.
2. Without the retaining walls the slope for the walkway would be too great and would be dangerous for the elderly owners of the home, both of whom have physical disabilities.
3. Without the retaining walls the walkway would be dangerous during the winter months with the potential for heavy snowfall, freezing rain, and ice buildup.
4. Without the retaining walls the slope for the walkway would pose a risk to the children that live within the home, one aged three and a half years old and the other aged six months.
5. The security and stability of the home depends on the retaining walls. The slope would cause rainfall, melting snow, and water runoff to roll down the slope and potentially damage the exterior and interior of the home.

6. The fencing is required to go over the retaining walls because without them, the walls only meet street level and there is the potential for individuals to accidentally walk off the edge. This risk would pose an additional threat during Halloween when children are more prevalent in the area, as well as during times of low light.
7. It was our understanding during the construction of the home that the City of Burnaby was aware of and in support of the building plan, as was discussed with the Building Supervisor. The Building Supervisor in question has since passed away and did not leave behind the necessary documentation for this decision.

While we are requesting the Board of Variance provide an appeal to their decision, we understand that it is our responsibility to minimize the risks that are associated with the appeal. Please find enclosed a letter from the elderly owner's family physician; the referral letter from the Building Department indicating that our application for a Building Permit has been refused based on specific contraventions of the requirements of the Burnaby Zoning Bylaw and a site plan of the property that is 8 1/2 x 11".

In addition to these documents, we have completed the following to comply to our best ability with the Zoning Bylaws:

1. To minimize the impact on the neighbourhood, we matched the grade of the retaining walls as much as possible to the street level sidewalk and our neighbours' property.
2. We have also minimized the sight of the retaining wall from the street level. The fences will be more visible from the street and to our neighbours, but we have worked in collaboration with our neighbours to use a fence design that is appealing to the eye and optimizes safety.
3. We tried to match the wall décor with that of the neighbourhood and have not received any complaints.

Thank you for taking the time to consider our application. Upon review, please do not hesitate to contact me with questions by email or phone.

Respectfully,

Mr. Jeevan Saini  
604-777-7715





SOUTH ELEVATION FROM STREET



FRONT ELEVATION FROM STREET



SOUTH ELEVATION FROM SOUTH SIDE OF THE STREET



SOUTH ELEVATION FROM EAST SIDE OF THE STREET

EASTING SPACE FAMILY  
DWELLING ON ESD 19  
AVENUE BURNABY BC

DESIGNER	3 BPOH
PHONE NO.	3 BPOH
DATE DWT	11/04/16
SCALE	AS NOTED
APPROVED BY	3 BPOH
CHECKED BY	3 BPOH
DRAWN BY	3 BPOH
REV NUMBER	3 BPOH

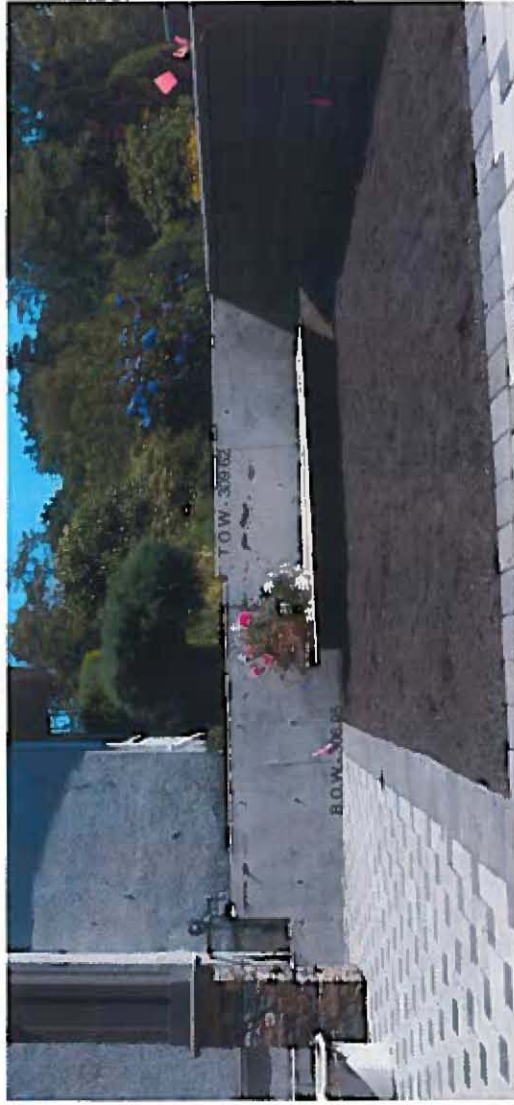
DRAWING NAME:  
FRONT WALL

REV 000000

A3



RETAINING WALL ON SOUTH WEST PROPERTY LINE



RETAINING WALL ON SOUTH EAST PROPERTY LINE

EXISTING SINGLE FAMILY  
DWELLING ON 8083 19  
AVENUE, BURNABY BC

DESIGNER	8 BISH
PHONE NO.	8 BISH
SCALE DATE	11/01/16
SCALE	AS NOTED
APPROVED BY	8 BISH
CHECKED BY	8 BISH
DRAWN BY	8 BISH
REV. NUMBER	
DRAWING NAME	SIDE WALLS

REVISIONS

A4



## BOARD OF VARIANCE REFERRAL LETTER

<b>DATE:</b> August 8, 2017		<i>This is <b>not</b> an application. Please submit this letter to the Clerk's office (ground floor) when you make your Board of Variance application.</i>	
<b>DEADLINE:</b> August 8, 2017 for the September 7, 2017 hearing.			
<b>APPLICANT NAME:</b> Jeevan Saini			
<b>APPLICANT ADDRESS:</b> 8263 19 <sup>th</sup> Avenue, Burnaby, BC			
<b>TELEPHONE:</b> 604-807-5018			
<b>PROJECT</b>			
<b>DESCRIPTION:</b> New single family dwelling with secondary suite and detached garage			
<b>ADDRESS:</b> 8263 19 <sup>th</sup> Avenue			
<b>LEGAL DESCRIPTION:</b>	<b>LOT:</b> 7	<b>DL:</b> 25 and 27	<b>PLAN:</b> 14904

The proposed revision for the issued Building Permit BLD15-01937 will be denied by the Building Department because the design is not in compliance with Burnaby Zoning Bylaw No. 4742:

### Zone R10 / Section 110.12 (2)

#### COMMENTS:

The applicant proposes to build a new single family dwelling with a secondary suite and detached garage. In order to allow the revision to proceed, the applicant requests that the following variances be granted:

- 1) To vary Section 110.12(2) – “Fences” of the Zoning Bylaw requirement to allow the construction of a 3 feet high fence along the South, East and West property lines in the required front yard, where the Zoning Bylaw does not permit the construction of a fence.
- 2) To vary Section 110.12(2) – “Fences” of the Zoning Bylaw requirement to allow the construction of a retaining wall ranging from 1.25 feet to 8 feet along the South, East and West property line in the required front yard, where no fence or other structure or structures, other than two or less pillars, each of which does not exceed 2 feet in width or 4.92 feet in height, are permitted in front of the face of the principal building facing the front yard.

*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.*

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

AB

Peter Kushnir  
Deputy Chief Building Inspector

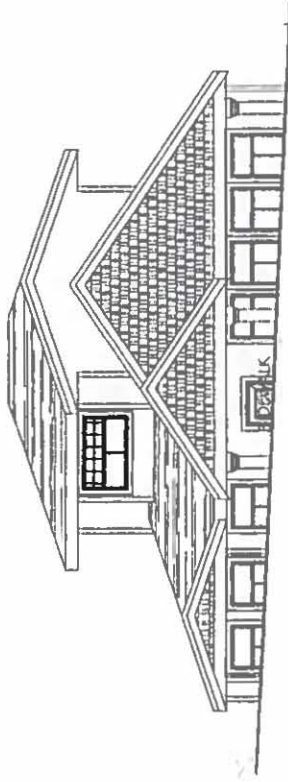


SAFE PLAN

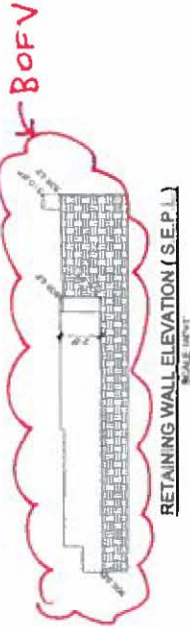
## OF THE SOUL

## OF THE SOUTH

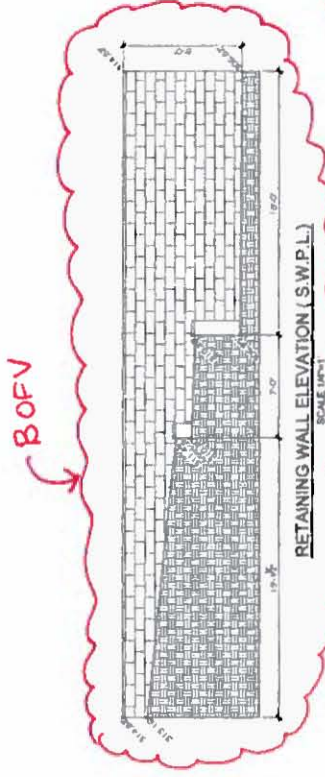
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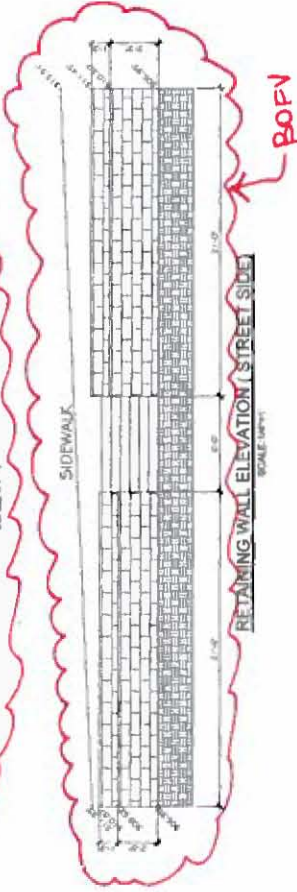
FRONT ELEVATION  
SCALE 1/8"=1'-0"



RETAINING WALL ELEVATION (S.E.P.)  
SCALE 1/8"=1'-0"



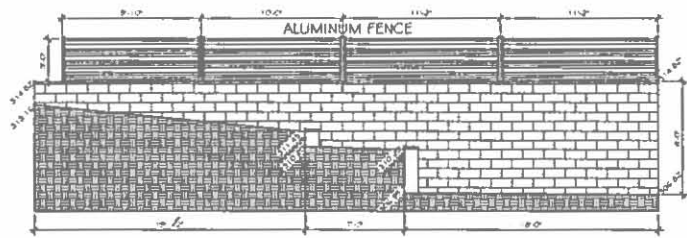
RETAINING WALL ELEVATION (S.W.P.L.)  
SCALE 1/8"=1'-0"



RETAINING WALL ELEVATION (STREET SIDE)  
SCALE 1/8"=1'-0"

EXISTING SINGLE FAMILY DWELLING ON E23 19 AVENUE, BURNABY, BC	
DATE	11/11/2011
PROJECT NO.	11111
SCALE DATE	11/11/2011
SCALE	AS SHOWN
DESIGNED BY	11/11/2011
CHECKED BY	11/11/2011
DESIGNED BY	11/11/2011
REV. NUMBER	11/11/2011
SECTIONS AND ELEVATIONS	
A2	

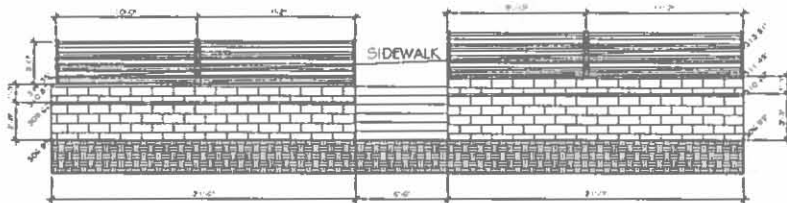




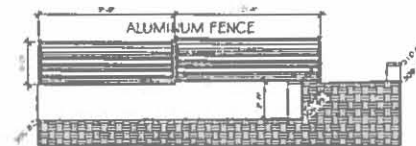
RETAINING WALL ELEVATION ( S.W.P.L )  
SCALE 1/4"=1'



FRONT ELEVATION  
SCALE 1/4"=1'



RETAINING WALL ELEVATION ( STREET SIDE )  
SCALE 1/4"=1'



RETAINING WALL ELEVATION ( S.E.P.L )  
SCALE 1/4"=1'

EXISTING SINGLE FAMILY  
DWELLING ON 8283 19  
AVENUE, BURNABY BC



DESIGNER	B. BINGH
PHONE NO.	B. BINGH
ISSUE DATE	11/05/16
SCALE	AS NOTED
APPROVED BY	B. BINGH
CHECKED BY	B. BINGH
DRAWN BY	SDA
REV. NUMBER	

DRAWING NAME:  
SECTIONS AND ELEVATIONS

REVISION:

DRAWING NO.

A2