2017 Board of Variance Notice of Appeal Form

City of Burnaby

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: TOHMM COBBAN ARCHITECT

Mailing Address: 201-309 WEST CORDOVA STREET

City/Town: VANCOUVER BC Postal Code: V6B-1E5

Phone Number(s): (H) 604 685-6210 (C) (604)817-5875

Email: tohmm@telus.net

Property

Name of Owner: SARE & ANDREA VIRANI

Civic Address of Property: 235 LIBERTY PLACE

BURNABY BC

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.

OCTOBER 10/2017

Date

Applicant Signature

Office Use Only

Appeal Date: 2017 DEC. 07 Appeal Number BV#: 6311

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

Tohmm Cobban ARCHITECT

November 03, 2017

City of Burnaby
Board of Variance
4949 Canada Way
Burnaby BC V5G-1M2

Attention: Board of Variance Members

Re: **Rationale for Renovation and Addition to**
235 Liberty Place, Burnaby BC

To The Board of Variance Members:

The applicant requests a relaxation in the City of Burnaby Zoning Bylaw to permit an existing attached carport and roof deck in the R2 zone to be enlarged and converted into an enclosed garage.

In the process, the proposed garage will project into a front setback of a double front lot, and the applicant is requesting a variance in Section 102.8 to allow the minimum front yard depth to be reduced from 24.6 feet to 19.17 feet on the North Beta Avenue side.

The wedge shaped site has proven to be a very restrictive factor in what should be a fairly straightforward project. The single family dwelling (as with the adjacent dwellings) needed to be sited far back in the wedge for adequate width at the time it was originally built. This has left little space for the garage in the only area on the site suitable for it's location.

Projecting into the setback at the North Beta side of the house will allow for a conforming enclosed two car garage and stairs to the roof deck / kitchen above.

It will not affect either of the adjacent neighbour's views as each of their dwellings are angled away from the owner's dwelling due to the circular form of the Liberty Place cul-de-sac they all share as a front entrance. As well, across North Beta Avenue to the west there are no residential dwellings, only a park.

The applicant is also requesting a relaxation in the City of Burnaby Zoning Bylaw to permit a variance in Section 102.6(1)(b) "Height of Principal Building" to allow the maximum height of the single family dwelling to be increased from 27.12' from 24.3'.

The existing height of the principal building is an existing condition and is not being increased. The requested relaxation is an unintended consequence again of the characteristics of the site, which is sloped steeply at this point.

The actual height of the existing roof peak is not increasing. The kitchen roof is lower than the main peak, however, as the ground slopes away, the roof peak of the kitchen increases with respect to grade as does the main roof.

The height of the new extended garage is only approximately 12'; the majority of the height noted above is well back on the property.

In addition to the above, the owners have a number of concerns which have prompted this renovation – please refer to their letter (attached.)

Finally, the adjacent neighbours are aware of the plans and have expressed their support for the renovation.

Thanks for your time and interest in this matter,

Sarfraz & Andrea Virani

Tohmm Cobban MAIBC
Payable upon receipt

#201---309 West Cordova Street, Vancouver BC V6B---1E5 (604) 685---6210
Tohmm@telus.net

Variance Request-

Andrea and Sarfraz Virani
235 Liberty Place, Burnaby, V5C 1X5

October 9, 2017

City of Burnaby
4949 Canada Way
Burnaby, BC
V5G 1M2

To City of Burnaby Board of Variance,

We are writing this letter to formally request a variance on our recent permit application for the addition of an enclosed garage on our property at 235 Liberty Place. My husband and I both grew up in Burnaby and continue to work locally. Our daughter is 4 ½ years old and recently started Kindergarten in Burnaby, and our son (2 ½) will hopefully begin Pre-school next fall. The last year presented some extremely difficult challenges for our family as our son was hospitalized However, we are looking forward to making the necessary changes to our home to help ensure the safety of our family.

We hope to enclose our carport and decrease the slope of our driveway by digging down and minimally extending our footprint with no impact on neighbouring residents.

Reason for Request:

1. Security
   An enclosed, locked garage will ensure the safety of our family. In the past, we have had two vehicle break-ins (one in the cul-de-sac, and one in the car-port) as well as a homeless person seeking shelter in our open carport.

2. Driveway Slope
   Our current driveway slope is quite steep which makes it difficult to navigate in our vehicles and on foot (especially in the fall and winter). It is challenging to walk down the driveway to safely take out the garbage/recycling and can be treacherous to walk down with the children to cross the street to go to the park.

3. Shelter from the Elements
   Now that our son is ill, it is especially important to ensure that he is kept out of the cold and rain. While sheltered from above, the existing carport does not keep the vehicles warm or dry. We are environmentally conscious and try to minimize idling, however, especially in the winter months we are forced to run our vehicles to warm them up before loading the children into their car seats.

We hope that you will consider and approve our application for variance based on the reasons provided above. We love our home and living in Burnaby and plan to stay for many years to come.

Sincerely,

Andrea and Sarfraz Virani

235 Liberty Place (cont'd.) **Photos**

View from Liberty Place cul-de-sac

View from North Beta Avenue to existing Carport.

#201-309 West Cordova Street, Vancouver BC V6B-1E5 (604) 685-6210
Tohmm@telus.net

City of Burnaby

BOARD OF VARIANCE REFERRAL LETTER

DATE: October 31, 2017	*This is **not** an application. Please submit this letter to the Clerk's office (ground floor) when you make your Board of Variance application.*
DEADLINE: November 07, 2017 for the December 07, 2017 hearing.	
APPLICANT NAME: Tohmm Cobban	
APPLICANT ADDRESS: Unit 2301 – 309 Cordova Street, Vancouver, BC, V6B 5A4	
TELEPHONE: 604-685-6210	

PROJECT			
DESCRIPTION: New two car attached garage, addition on second floor and interior alterations to an existing single family dwelling			
ADDRESS: 235 Liberty Place			
LEGAL DESCRIPTION:	**LOT: 74**	**DL: 188**	**PLAN: 38681**

Building Permit application BLD17-00936 will be denied by the Building Department because the design is not in compliance with Burnaby Zoning Bylaw No. 4742:

Zone R2 / Section 102.6(1)(b) and 102.8

COMMENTS:

The applicant proposes to construct a new two car attached garage, an addition to the second floor and interior alterations. In order to allow the Building Permit application to proceed, the applicant requests that the following variances be granted:

1) To vary Section 102.6(1)(b) – "Height of Principal Building" of the Zoning Bylaw requirement for the maximum building height from 24.3 feet to 27.12 feet measured from the rear average grade for the proposed single family dwelling with a flat roof. The principal building height measured from the front average grade will be 12.52 feet.

2) To vary Section 102.8 – "Front yard" of the Zoning Bylaw requirement for the minimum front yard depth facing North Beta Avenue from 24.6 feet (based on minimum front yard depth) to 19.17 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.*

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

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

Fences and retaining walls will conform to the requirements of Section 6.14.

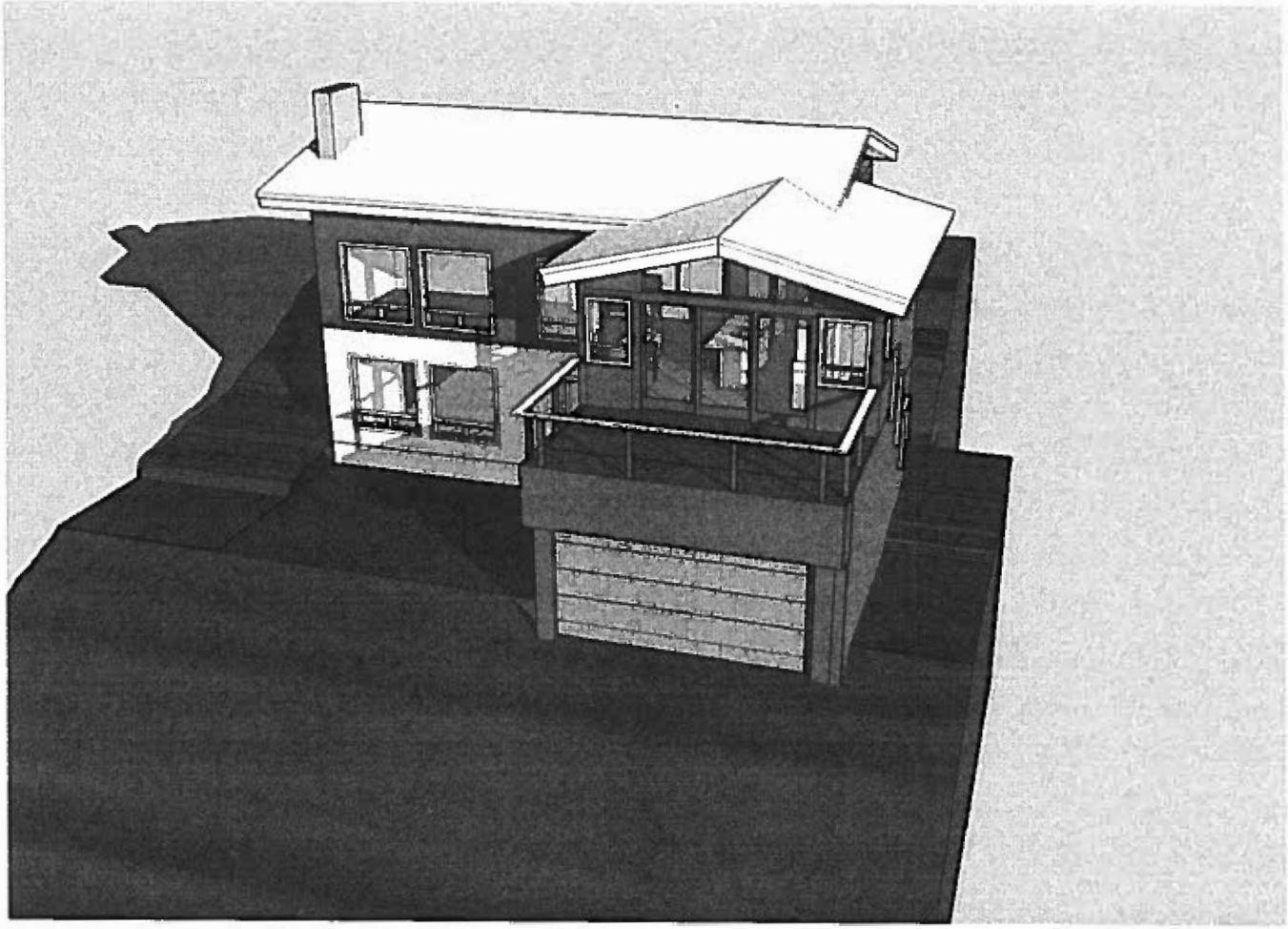
LM

Kushnir

Peter Kushnir
Deputy Chief Building Inspector

THE VIRANI RESIDENCE

235 Liberty Place, Burnaby BC



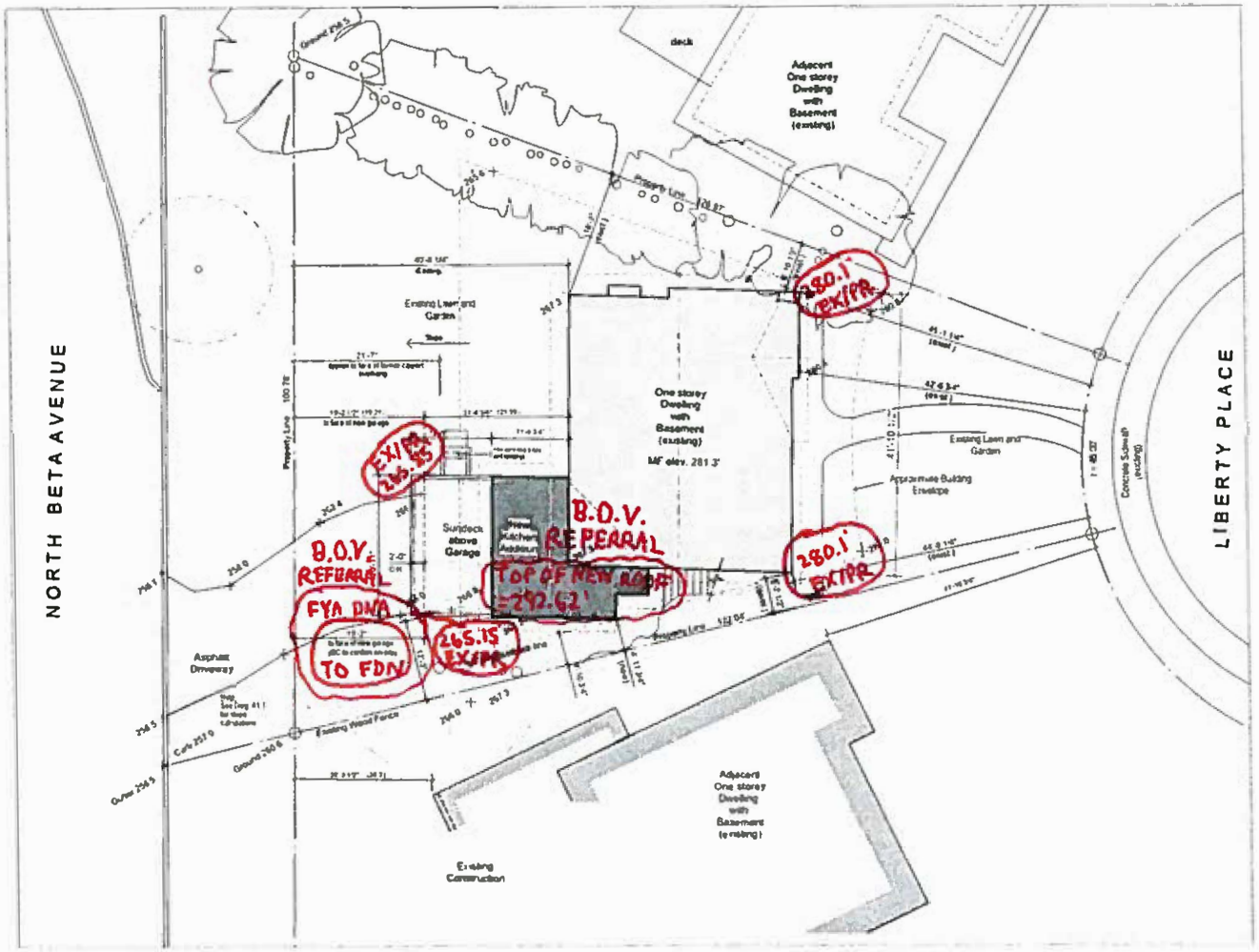
TOHMM COBBAN
Architect

RENOVATION AND ADDITION
TO
235 LIBERTY PLACE
BURNABY BC

Notes:

Project No.	2016-22
Date	Aug.2016
Scale	as noted

A.0



1 SITE PLAN

CIVIC ADDRESS
235 LIBERTY PLACE
BURNABY B.C.

LEGAL DESCRIPTION
LOT 14 DISTRICT LOT 166 GP 1 N W @ PLAN 38681

N

NOTE:
Survey information as per [illegible]
Surveyors
[illegible] Street
Burnaby B.C.
[illegible]

TOHMM COBBAN
Architect
301 308 West Cordova Street
Vancouver B.C. V6B 1E5 604/685-4216

RENOVATION AND ADDITION TO
235 LIBERTY PLACE
BURNABY BC

Notes:

Project No.	2016-22
Date	Aug 2016
Scale	as noted

A.1

PROJECT DATA

1. ZONING R2

2. SITE AREA (Varies x 100.78')(Wedge shaped site) 7,535.00 sq.ft. (700.02 m2)

3. BUILDING SETBACKS

Note: The site is a double-fronting site and the building does not appear square to the western front property line.

Front Yard Setback - Liberty Place Side
- Required 24.6'
- Existing to remain 34.0'

Front Yard Setback - North Beta Avenue
- Required 24'-6" **
- Existing (to post structure) 24.6'
- Proposed (to new garage) 19.21' **

** The front yard setback of the adjacent neighbour to the south on North Beta is 20.3' to the property line. The applicant is proposing to build to the above 19.21' setback to accomodate their program and conform to the Burnaby Zoning Bylaw for double garages. Due to the angle of the respective house with respect to siting, the proposed setback should not pose a problem for the neighbour

Note re setbacks: minimum setback of 4.9' for the least side yard and 11.5' for the sum of both side yards.

Side Setback (south)
- Minimum Required 4.90' (1.50 m)
- Existing to remain 5.27' (1.60 m)

Side Setback (north)
- Minimum Required (i.e. sum of 11.5' (3.5m) 6.23' (1.90m)
- Existing to remain 6.90' (2.10m)

4. LOT COVERAGE

- Max. allowable (40%) 3,013.31 sq.ft.
- Proposed (27.3%) 2,207.69 sq.ft.

5. BUILDING HEIGHT

Maximum Allowed 29.5' (9.0m)
Proposed 27.92'
(To Ridge Peak of Existing Roof on main portion of House as per survey - to remain)

6. FLOOR AREAS (FSR)

Development Density, Gross Floor Area:

* Maximum Allowable FSR
- (the lesser of .60 x 7,533.29sf = 4,521.00sf or 4,738.3sf) 4,520.00 sf (419.92 m2)

Lower Level
- Existing Basement / Family room - 1,377.60 sq.ft. / 128.00 m2
- (exclude Laundry / Elect./Storage) - (99.10 sq.ft. / 9.37 m2)
- Subtotal - 1,287.50 sq.ft. / 119.61 m2
- New enclosed carport /garage - 501.26 sq.ft. / 46.56 m2
- garage exclusion as per 102.5 (3) - (452.10 sq.ft. / 42.00 m2)
- Subtotal - 49.16 sq.ft. / 4.56 m2

Main Floor Level
- Existing - 1,697.24 sq.ft. / 157.67 m2
- Kitchen addition - 260.50 sq.ft. / 24.20 m2
- Subtotal Proposed incl. kitchen addition - 1,957.74 sq.ft. / 181.87 m2

Roofdeck
- Proposed (excluded) - (250.15 sq.ft.) (23.23 m2)

TOTAL Proposed FSR - 3,294.40 sq.ft. / 306.06m2

* Maximum Allowable FSR
- (the lesser of .60 x 7535.00 sf = 4,521 sf or 4738.3 sf) 4,521.00 sf / 419.92 m2

Total Proposed FSR 3,294.40 sq.ft. / 306.06m2

Development Density, Above Ground Floor Area:
(building built prior to dec. 16, 1991)

Maximum Allowable FSR 2,906.40 sf / 270.01m2
(.20 x 7,535.00 sf + 1,399.4 sq.ft.)
Proposed 2,580.35 sf / 240.54m2
- main floor - (1,957.74 sq.ft.)
- basement - (582.45 sq.ft.)
- garage - (49.16 sq.ft.)

7. DEPTH OF PRINCIPAL BUILDING

- Allowable - lesser of(0.5 x 116.73' = 58.36') or 60' 60.00'
- Proposed 57.62'

8. PARKING
- Required 1.0 spaces
(1.0 per main dwelling)
- Provided 2.0 spaces

2 Zoning Data
SC 1/8" = 1'-0"

* Note: The Owners are requesting a relaxation in the Burnaby zoning bylaw to allow the construction of a new two-car garage to replace the existing open carport.

The existing carport is non-conforming in that it does not meet the dimensional requirements for a two car garage, even though it has been functioning adequately for many years.

To construct a new garage with conforming dimensions (min. 18'-6" x 19' inside) will result in the garage protruding into the front setback on the North Beta Avenue side of the property.

(The property is a double fronting lot on a slope with the proposed garage/kitchen looking out on to a park.)

It will reduce the building setback from the required 24.6' to 19.11' at the west side. (The building is not square to the property line.)
The roof deck /overhang above would cantilever an additional 2'-0" past the west face of the garage.

The Owners submit that the adjacent neighbour to the south's single family dwelling is 20.3' from the North Beta Avenue property line and that the Owner's renovation would not adversely affect either him or the other adjacent neighbour. The houses of each of the adjacent neighbours are sited such that they are on an angle away from the applicant's house and proposed renovation. The neighbour to the north does not front onto North Beta Avenue and is not affected by the double fronting lots averaging.

They also submit that the pie shaped form of the block's properties means that the dwellings on their respective lots are pushed substantially into the rear of the lots to allow for a reasonable building width.

This poses a hardship when it comes to building a garage accessible from North Beta Avenue, which is the only location on the site for an on-site parking garage.

They also submit that the rest of the dwelling is located far behind the 24.6' North Beta Avenue setback.

One of the implications of increasing the length of the garage to ensure it conforms with the zoning bylaw, is that the driveway slope would increase.

The existing driveway has worked satisfactorily for many years, although it's slope is non-conforming. In order to not make the existing condition worse, the Owners are proposing to lower the floor of the garage to minimum and slightly reduce the driveway slope. The slope, at 22.6% is still non-conforming but it works, and to attempt to reconfigure the site would entail burdening the Owners with a financial hardship of significant size.

Accordingly, the Owners are requesting a relaxation to allow the driveway to be modified as noted as part of the proposal.

Existing length of driveway
for slope calculations

4' - 10"
6' - 9 1/4"
17' - 0"
8' - 11 1/2
7' - 9"
2' - 9 1/2"
2' - 9"
48' + 54.5" = 48' + 4' 6.5"
= 47' 6 1/4" = 47.52'

Spot grade elevation 267.0' (est.) - 255.8' = 11.2'

11.2' / 47.52' = 23.5%

Reducing length of driveway
- slope calculations

As above
47' 6 1/4" = 47.52' (existing)
- 4.29' = 43.23' long driveway
reduced due to additional length of New Garage.
Note

The reason we are only reducing length of driveway by 4.29' and not 5.29' in calc's is because the existing concrete slab is 1.2" proud of the existing post, so the existing driveway starts 12" from the post as well, and the full addition is 5.29' from the post.

Therefore, putting slab level down 1'-5" (1.416') means 267.0 - 1.416 = 265.58' slab level and 265.58 - 255.8' = 9.78' height difference slab down to throat of driveway at street level

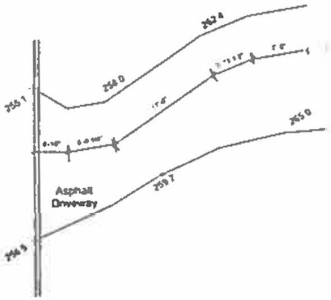
9.78/43.23' = 22.6% which is actually better than the existing slope

Note
Calculation from MF elevation now yields new garage slab at 265.39' which reduces the slope even more

1 SITE PLAN - Driveway slope calcs
SC 1/8" = 1'-0"

LIST OF DRAWINGS

ARCHITECTURAL



TOHMM COBBAN
Architect
201-309 West Cordova Street
Vancouver B.C. V6B 1E5 - 604/685-4210

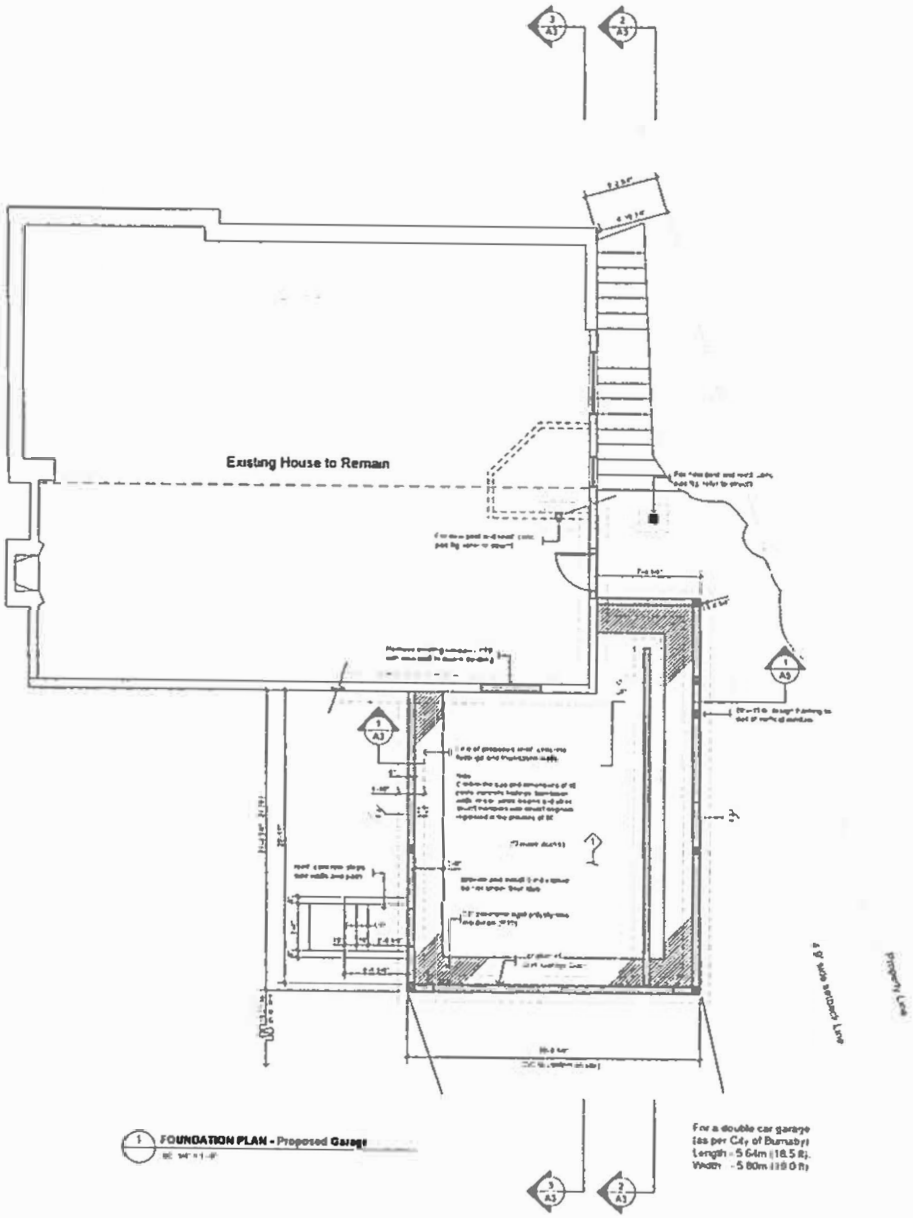
RENOVATION AND ADDITION TO

235 LIBERTY PLACE
BURNABY BC

Notes:

Project No.	2016-22
Date	Aug.2016
Scale	as noted

A.1.1



1 FOUNDATION PLAN - Proposed Garage

For a double car garage
(as per City of Burnaby)
Length - 5.64m (18.5 ft)
Width - 5.80m (19.0 ft)

GENERAL PROJECT NOTES

1. Work Included
All work shown in these drawings shall be included unless shown as "Not in Contract" (N.I.C.). In the event of conflict within these drawings, details take precedence over general arrangement drawings, and specifications and/or written notes take precedence over all drawings.

2. Code Conformance
All architectural, structural, mechanical and electrical work to be in strict conformance with the current edition of the BC Building Code 2012 and all other applicable bylaws and regulations of Authorities having Jurisdiction in the place of the project.

3. Verification of Existing Conditions
General Contractor to verify all grades, lines, levels, dimensions, clearances, size of manufactured components, and existing service sizes and locations before work begins, and shall notify the Architect of discrepancies discovered. Start of work shall signify contractors acceptance of the information shown in the contract documents. Contractor shall not scale drawings for dimensions.

4. Instructions and Change Orders
All project instructions, change orders, and claims shall be submitted to the Owner for review and processing. Only items so reviewed and signed, when required, by both parties to contract for construction shall be in force and effect.

5. Owner as Contractor
If owner acts as General Contractor, the design consultants assume no responsibility for consequences of failure by owner/contractor to build in strict conformance with the approved contract documents, use of them signifies owner's agreement and obligation for conformance.

6. Latest Revision Governs
The contractor shall ensure that only the latest revision of the approved contract documents is used for building. On receipt of revised drawings, contractor shall remove from the jobsite all copies of previous versions of the drawings. Contractor shall be solely responsible for any extra costs resulting from the use of obsolete versions of contract documents.

7. Licence for Use
The contract documents are an instrument of service and remain at all times the property of the Architect. The client / Architect agreement forms a licence for their use on the specific project for which they have been prepared. They may not be reproduced or used for other purposes except by written agreement between the client and the Architect.

OUTLINE SPECIFICATIONS

1. All exterior doors and skylights must comply with
   - AAMA / WDMA / CSA 101/I.S.2 / A440 - 08 North American Fenestration Standard / Specification for Windows, Doors and Skylights (NAFS) and
   - CSA A440S1-09 Canadian Supplement to NAFS.
2. All exterior Windows, doors and skylights must comply to a minimum standard of
   - Performance Class R
   - Performance Grade PG 1440 (PG30)
3. Temporary performance rating labels and permanent markings meeting Section 6.4 of the Canadian Supplement to NAFS must be affixed to all installed windows, doors and skylights, and visible at the time of an inspection.

TOHMM COBBAN
Architect
201-339 West Cordova Street
Vancouver B.C. V6B 1E5 - 604/685-4210

RENOVATION AND ADDITION TO

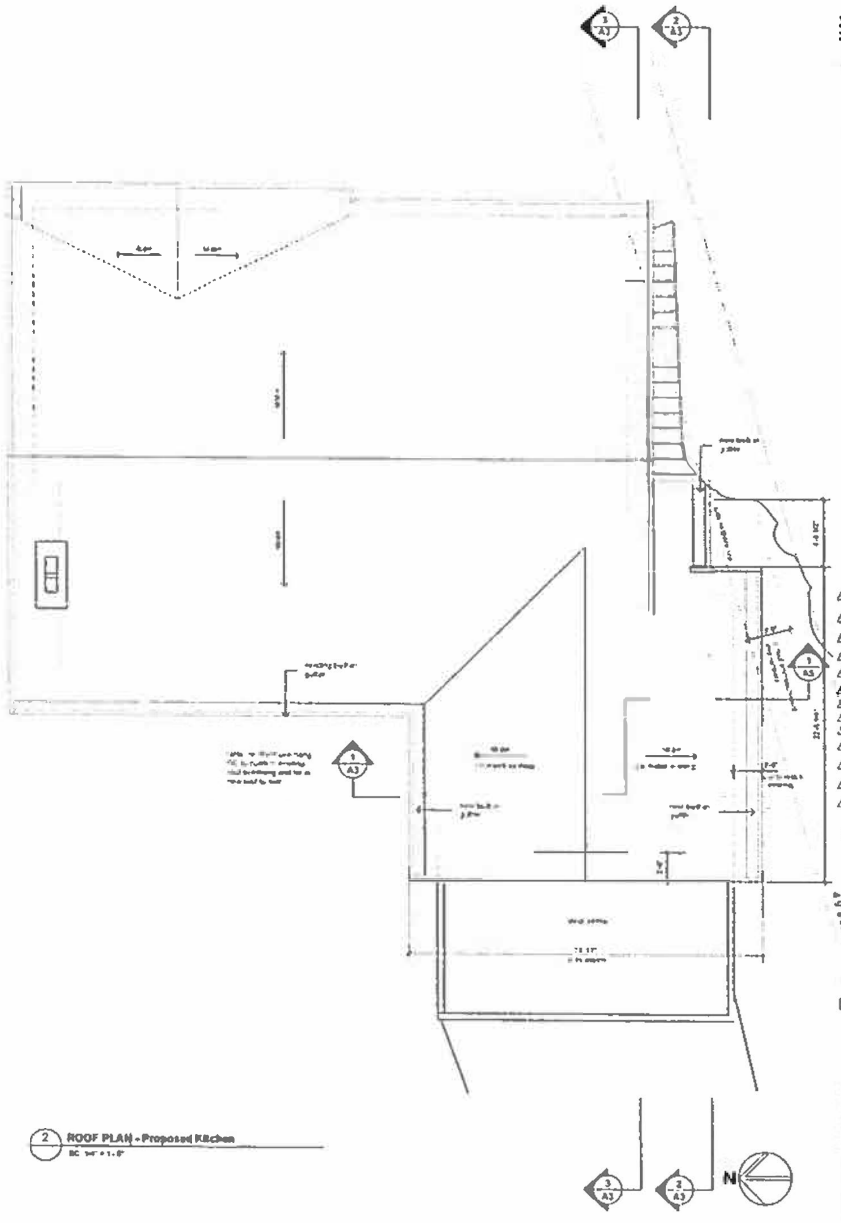
236 LIBERTY PLACE
BURNABY BC

Notes:

Project No.	2016-22
Date	Aug 2016
Scale	as noted

N

A.2



2 ROOF PLAN - Proposed Kitchen

TOHMM COBBAN
Architect
201-109 West Cordova Street
Vancouver B.C. V6B 1E5 - 604/685-0210

RENOVATION AND ADDITION TO

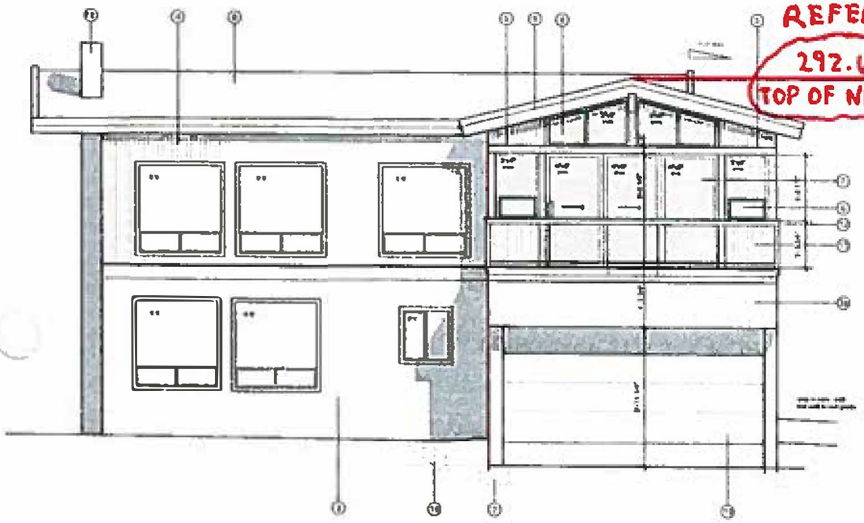
235 LIBERTY PLACE
BURNABY BC

Notes:

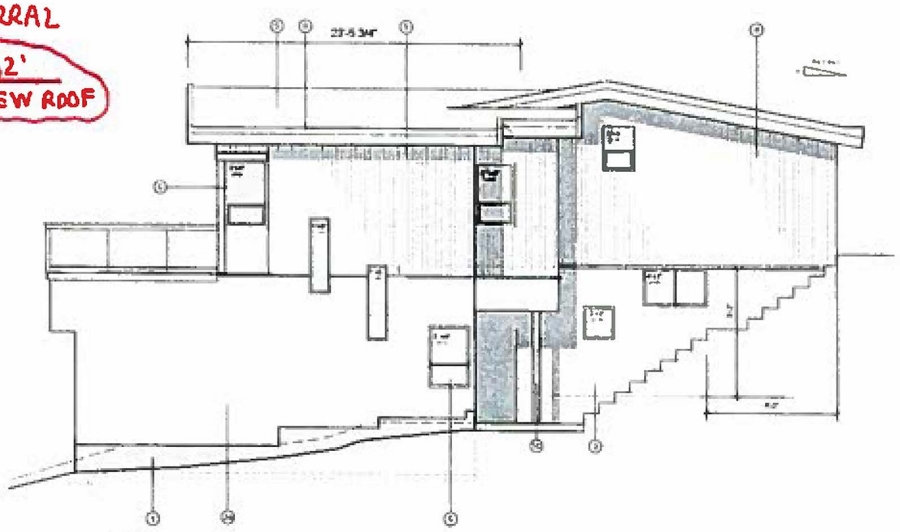
Project No.	2016-22
Date	Aug.2016
Scale	as noted

A.4

B.D.V.
REFERRAL
292.62'
TOP OF NEW ROOF



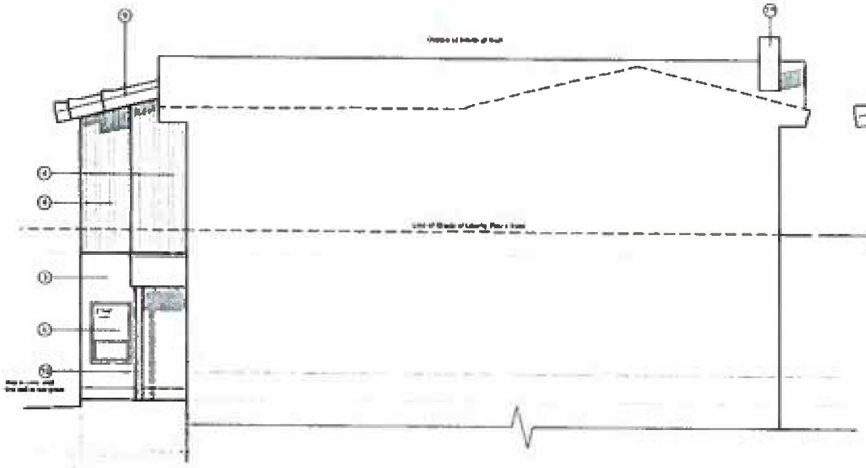
1 West Elevation
SC 1/4" = 1'-0"



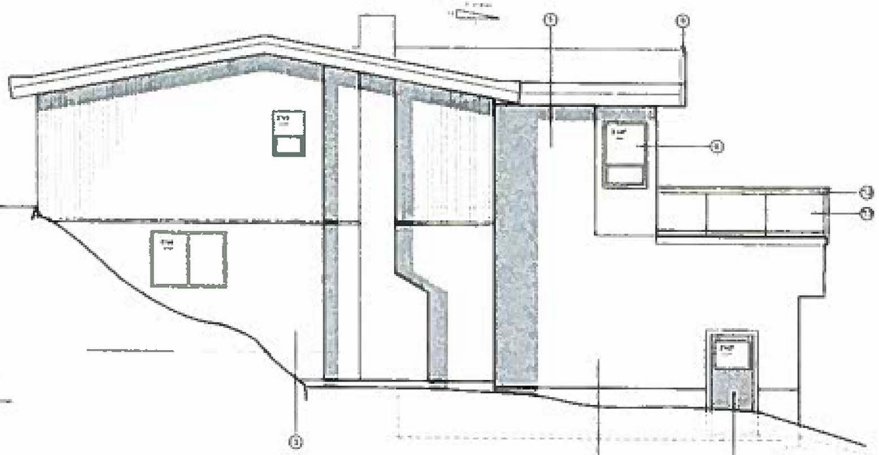
2 South Elevation
SC 1/4" = 1'-0"

Legend

1. New Concrete Foundation Wall
2. Concrete Footing
3. Existing stucco finish
4. New stucco finish to match existing
5. Existing vertical wood siding panels to remain
6. New vertical wood siding panels to match existing or to Owner's specs
6. Double glazed thermally broken window in aluminum or vinyl frames (typ.)
7. Double glazed thermally broken sliding doors in wood frames or as per Owner
8. Existing roofing to remain
9. New roofing to match
10. New prefinished metal flashing over wood fascia (grey) to match existing
11. Wood post 3x3 (new)
12. Wood stringers from 2 x 12 @ as per structural drawings
13. 2'-6" h wood or metal hand rail as per Concrete Manufacturer and Owner specs (existing)
14. Tempered glazing panels to Owner's specs (new)
15. Durable + waterproof membrane on exterior ply sheathing on 2 x 12's @ 16" o.c. or as per structural drawings
16. Location of new retaining wall w/ concrete pier caps and footing to suit
17. New concrete stone steps. Relocate if required by Owner
18. Existing downspout and tie-in gutter from new roof (to existing downspout)
19. Existing chimney
20. New segmented OH Garage Door
21. New solid core access door



3 East Elevation
SC 1/4" = 1'-0"



4 North Elevation
SC 1/4" = 1'-0"

TOHMM COBBAN
Architect
301-109 West Cordova Street
Vancouver B.C. V6B 1E5 : 604.685.4210

RENOVATION AND ADDITION TO

235 LIBERTY PLACE
BURNABY BC

Notes:

Project No.	2016-22
Date	Aug.2016
Scale	as noted

A.6