



2018 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 Di Li
Mailing Address 2171 W. 15TH Ave
City/Town Vancouver Postal Code V6K 2Y4
Phone Number(s) (H) _____ (C) 604-773-5135
Email Li-Di1979@hotmail.com

Property

Name of Owner Miromitsu Akitaya / Yoko Akitaya
Civic Address of Property 8786 Aubrey St Burnaby
V5B 2E5

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.

August 03 2018
Date

[Signature]
Applicant Signature

Office Use Only

Appeal Date Sept 6 2018 Appeal Number BV# _____

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

APPLICANT: Qi Li

REGISTERED OWNER OF PROPERTY: Hiromitsv Akitaya / Yoko Akitaya

CIVIC ADDRESS OF PROPERTY: 6786 AUBREY ST

LEGAL DESCRIPTION OF PROPERTY: Block 48; District Lot 132; Plan 1493

APPEAL:

An appeal for the relaxation of Section 104.9 of the Burnaby Zoning Bylaw which, if permitted, will allow for construction of a new single family dwelling with secondary suite and attached garage at 6786 Aubrey Street. The front yard setback will be 40.44 feet measured to the foundation where a minimum front yard setback of 53.93 feet is required based on front yard averaging.

EXPLANATION:

The subject site, which is zoned R4 Residential District This lot is 39.39m depth and has a frontage of 20.12m.

1. The depth of neighbors 6826 and 6846 is 54.36m (178'), the depth of 6786 is 39.39m (129'), the difference is 14.97m (49'), and set back for existing house of 6826 is 81.24', and the house is very close to the back property line of 6786. so set back of 6826 and 6846 from Aubrey ave. should not be used as the reference set back for the front yard set back of the 6786.
2. As part of southeast corner of 6786 was cut for the government's rear lane, it makes the the backyard irregular, so the new house should shift to the front side as far as possible.
3. The depth of 6778 and 6768 is 37.16m (122'), which is very close to the depth of 6786, so the front yard set back of 6786 should refer to the average of the front yard set back of the two houses 6778 and 6768 $(36.87' + 43.86') / 2 = 40.365'$, the front yard set back of the 6786 is 40.44' ($< 40.365'$).
4. If the front yard set back of the 6786 new house is 40.44' , it is basically in the same location as the old house and will not affect the original neighborhood environment.

Based on the above 4 points, we request to relax the front yard set back of the 6786 to 40.44' .


Aug 03 2018.

BOARD OF VARIANCE REFERRAL LETTER

DATE: August 8, 2018		<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>
DEADLINE: August 14, 2018 for the September 06, 2018 hearing.		
APPLICANT NAME: Qi Li		
APPLICANT ADDRESS: 2171 W 15 th Avenue, Vancouver, B.C., V6K 2Y4		
TELEPHONE: 604-773-5135		
PROJECT		
DESCRIPTION: New single family dwelling with secondary suite and detached garage.		
ADDRESS: 6786 Aubrey Street		
LEGAL DESCRIPTION:	Block 48 except: firstly: Parcel "A" (Plan 13311) and Road Secondly: Part Subdivided by Plan 44980; DL 132, Group 1 New Westminster District Plan 1493	

Building Permit application BLD18-00426 will be denied by the Building Department because the design is not in compliance with Burnaby Zoning Bylaw No. 4742:

Zone R4 / Section 104.9

COMMENTS:

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

- 1) To vary Section 104.9 – "Front Yard" of the Zoning Bylaw requirement for the minimum front yard depth from 53.93 feet (based on front yard averaging) to 40.44 feet.

Notes:

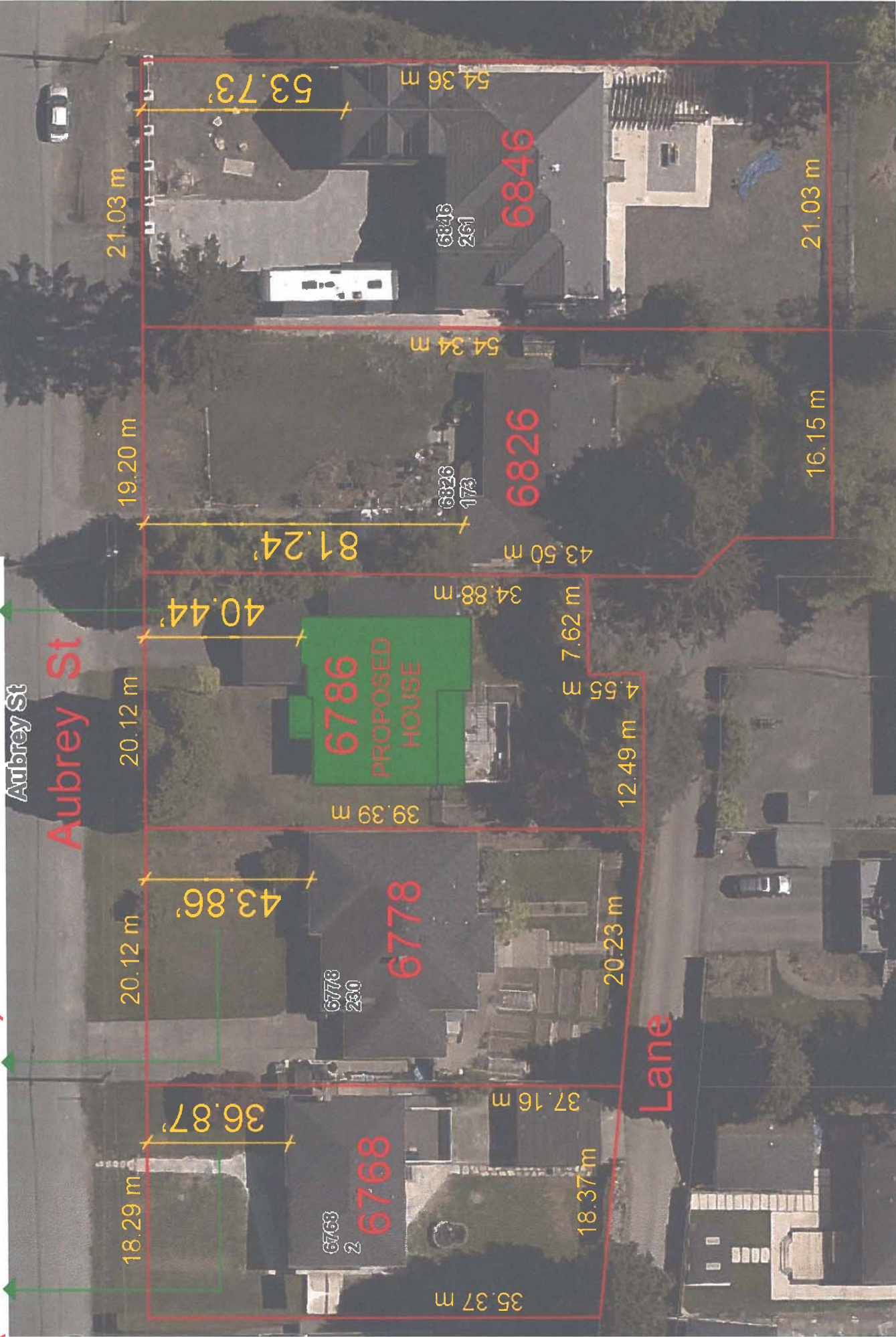
1. The applicant recognizes that should the project contain additional characteristics in contravention of the Zoning By-law, a future appeal(s) may be required.
2. The applicability of this variance, if granted, is limited to the scope of the proposal shown on the attached plans.
3. All new principal building projections into the resulting required yards will conform to the requirements of Section 6.12.
4. Fences and retaining walls will conform to the requirements of Section 6.14.

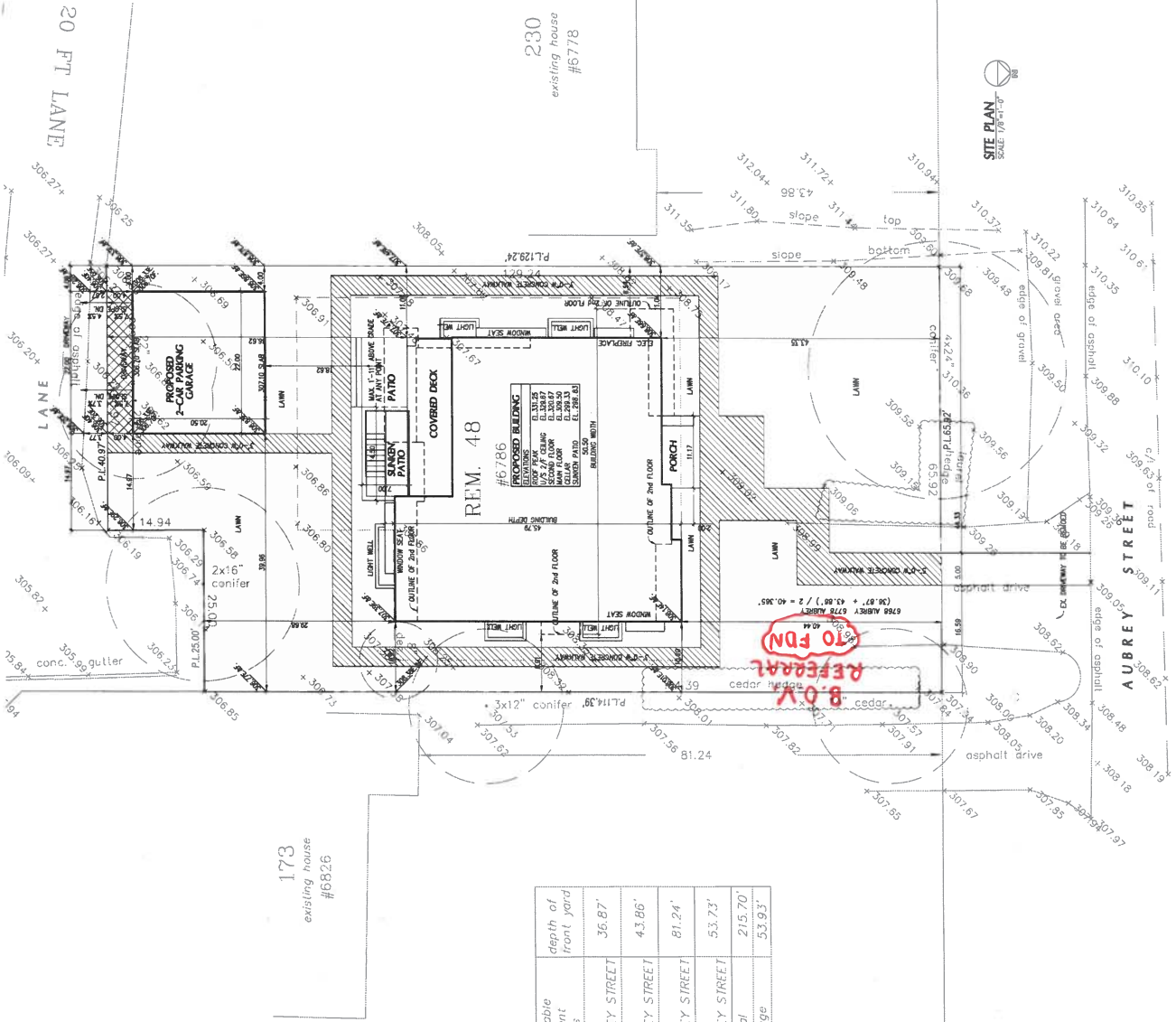
LM



Peter Kushnir
Deputy Chief Building Inspector

$$(36.87' + 43.86') / 2 = 40.365' < 40.44'$$

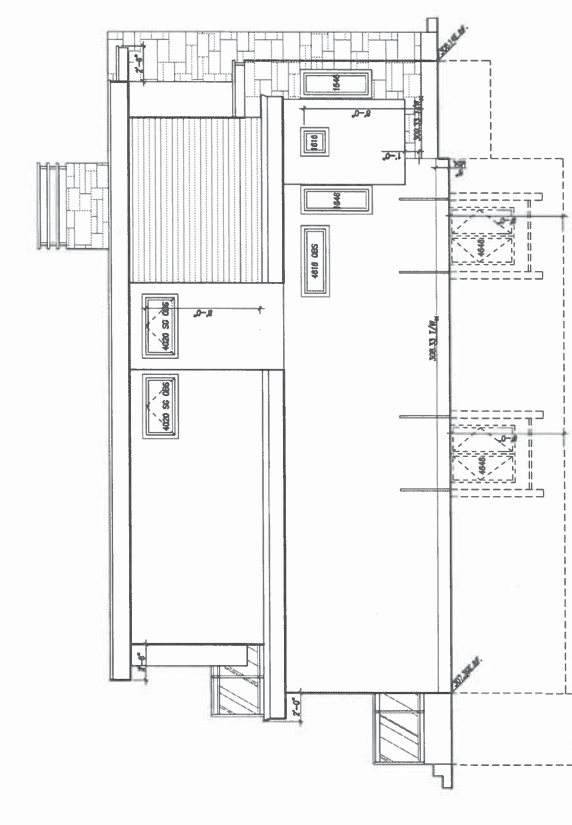
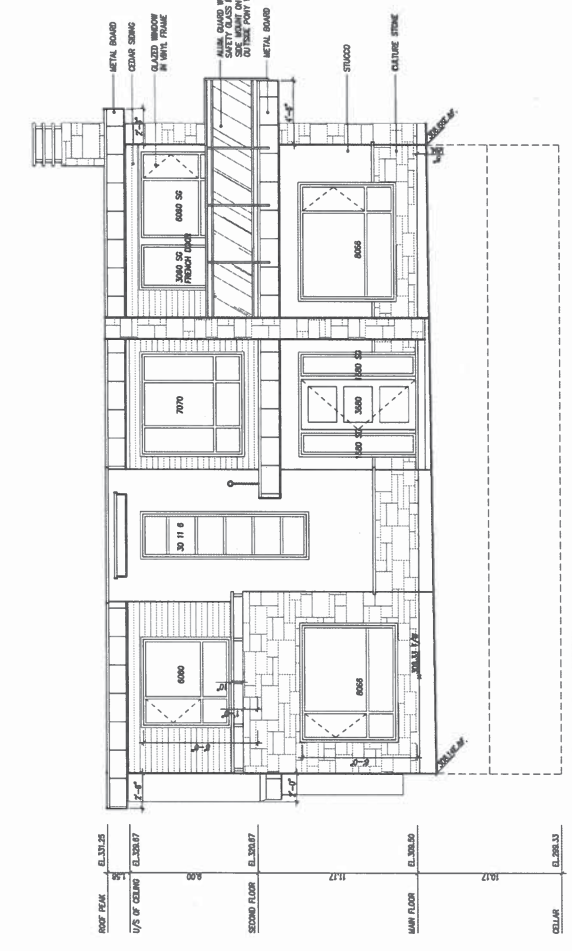


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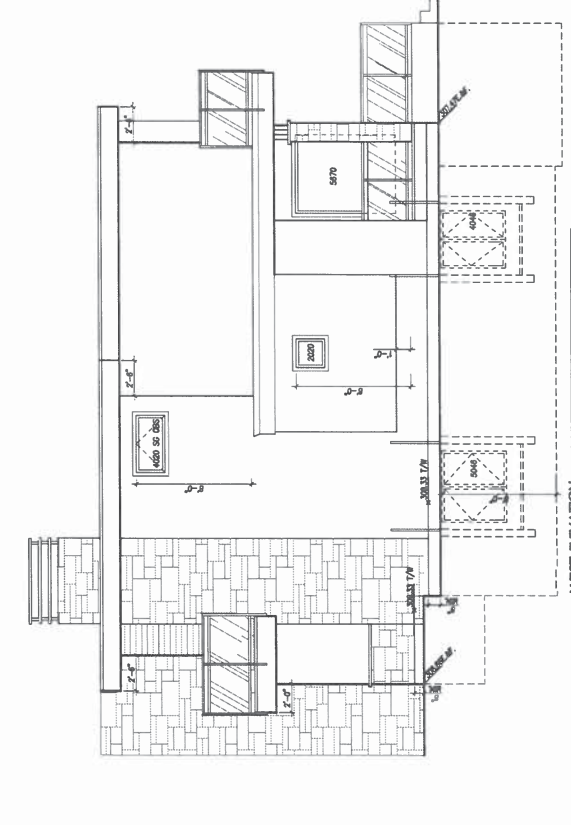
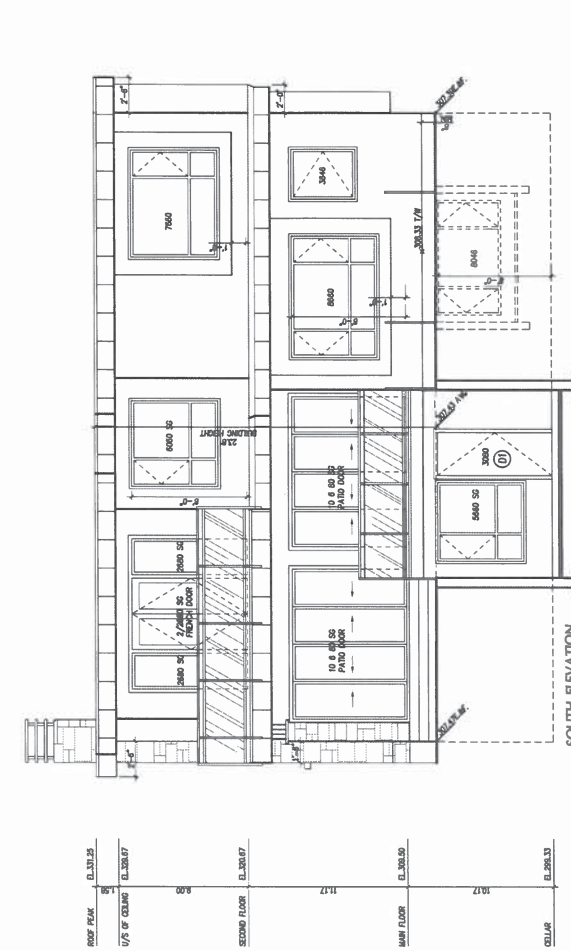
applicable adjacent houses	depth of front yard
6768 AUBREY STREET	36.87'
6778 AUBREY STREET	43.86'
6826 AUBREY STREET	81.24'
6846 AUBREY STREET	53.73'
Total	215.70'
average	53.93'

#0846

BE OBTAINED FROM THE ARCHITECT. THE GENERAL CONTRACTOR AND SUB-CONTRACTORS SHALL VERIFY ALL DIMENSIONS AND FIELD MEASUREMENTS TO THE ARCHITECT'S OFFICE. THE ARCHITECT'S OFFICE SHALL BE RESPONSIBLE FOR THE DESIGN, CONSTRUCTION AND FINISHES OF THE BUILDING. THE ARCHITECT'S OFFICE SHALL BE RESPONSIBLE FOR THE DESIGN, CONSTRUCTION AND FINISHES OF THE BUILDING. THE ARCHITECT'S OFFICE SHALL BE RESPONSIBLE FOR THE DESIGN, CONSTRUCTION AND FINISHES OF THE BUILDING.



NOTE: ALL WINDOWS SHALL CARRIED ENERGY STAR LABEL. (SEE SPECIFICATIONS FOR WINDOW ENERGY RATING) (SEE SPECIFICATIONS FOR WINDOW ENERGY RATING) (SEE SPECIFICATIONS FOR WINDOW ENERGY RATING)



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PROJECT TITLE: 6700 AUBREY STREET, BIRMINGHAM, AL
ARCHITECT: J. ALLEN FOR BPA
DATE: 11/14/2014
PROJECT NO.: 23-141-1008
SHEET NO.: 9

A4
Revision No. 9

Consultants: No. 0114 Revision: 0114