



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 Tim Tse
Mailing Address 180 East 50th Avenue
City/Town Vancouver Postal Code V5X 1A3
Phone Number(s) (H) _____ (C) 604-716-5688
Email tim.tse99@gmail.com

Property

Name of Owner Darryl Ho
Civic Address of Property 5490 Monarch Street

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 04, 2018
Date

[Signature]
Applicant Signature

Office Use Only

Appeal Date Nov 15 2018 Appeal Number BV# 6339

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

Tim Tse

180 East 50th Avenue

Vancouver, BC V5X 1A3

October 4, 2018

Board of Variance

City of Burnaby

4949 Canada Way

Burnaby, BC V5G 1M2

Dear: Board of Variance Members

I want to thank you for hearing my hardship in this matter. We planned to build a 3 level house and swimming pool at 5490 Monarch Street. By the end of March 2018, we demolished the old house and excavated the site. Excavating the site was extremely difficult due to the big grade difference from the front to the back. Once the digging for the foundation was completed, there was slope of about 20 feet difference from the front of the house to the rear of the house. The back of the house was level to the existing yard.

I ordered the forms to build the foundation. We formed the foundation and had it inspected. Inspection passed and we poured the concrete. We continued with the construction of the house. In early August, the pool plans were reviewed and the deficiency list sent to us. The plan checker wanted us to revise the site plan for the house to match the site plan for the pool and to ensure that all retaining walls for the pool do not exceed 5.91 feet. We made the changes for the pool and also updated the house plans.

During the revision with the plan checker, we realized that the rear of the house is higher than the maximum height for a 3 Storey House by a few feet. Because the foundation and frame are built, we cannot raise the grade at the rear. Our rear doors are currently at the current grade. Increasing the grade is going to be above the slab height at the rear. The retaining walls at the current grade for the pool are at 5.90 feet. If we raise the grade then we will not be able to build the pool. Most of the west side neighbour's rear yard is the same grade that we currently have. The grade on the east property is

more varied where the grade drops more dramatic. Both the neighbours properties and yards will not be impacted by our proposed variance.

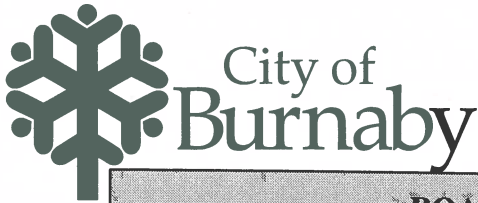
Our proposed variance will not impair any supply of light and air to the adjacent properties. It will likely improve them. There's not increase of hazard from fire or other dangers to our property or the adjacent properties. It does not diminish or impair property values within the neighbourhood, does not increase traffic congestion, does not increase any public expenditure, does not create any nuisances, and does not affect public health, safety, comfort, morals or general welfare of the people in Burnaby.

Should the City of Burnaby carry out the strict letter of the zoning regulation regarding this matter then it will create great hardship on the owner. They will not be able to build the pool and they will have to incur great expense to remedy the deficiency with the grade. I hope you will grant this variance that will impact the owners immensely but does not impact the neighbourhood or the city.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Tim Tse', with a long horizontal flourish extending to the right.

Tim Tse



BOARD OF VARIANCE REFERRAL LETTER

| | | | |
|---|----------------|--|-----------------------|
| DATE: October 2, 2018 | | <i>This is not an application. Please submit this letter to the Clerk's office (ground floor) when you make your Board of Variance application.</i> | |
| DEADLINE: October 9, 2018 for the November 01, 2018 hearing. | | | |
| APPLICANT NAME: Tim Tse | | | |
| APPLICANT ADDRESS: 180 East 50th Avenue, Vancouver, B.C., V5X 1A3 | | | |
| TELEPHONE: 604-716-5688 | | | |
| PROJECT | | | |
| DESCRIPTION: New Single Family Dwelling with Secondary Suite and Detached Garage | | | |
| ADDRESS: 5490 Monarch Street | | | |
| LEGAL DESCRIPTION: | LOT: 17 | DL: 80 | PLAN: NWP20936 |

Building Permit BLD18-00545 has been issued but will require a revision that will be denied by the Building Department because the design is not in compliance with Burnaby Zoning Bylaw No. 4742:

Zone R2 / Sections 102.6(1)(a)

COMMENTS:

The applicant currently has a building permit for a new single family dwelling with secondary suite and detached garage. In order to allow the permit to proceed, the applicant requests that the following variance be granted:

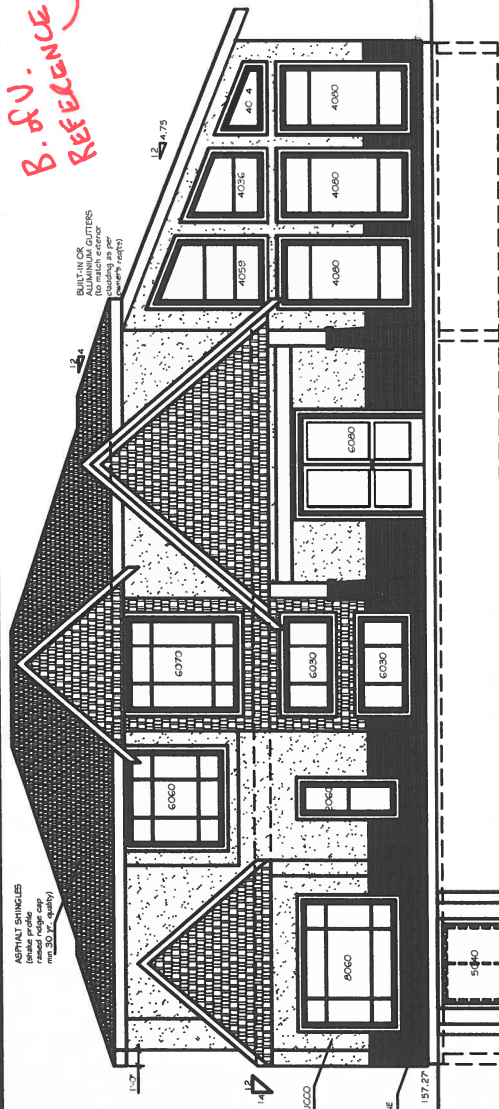
- 1) To vary section 102.6(1)(a) – “Height of Principal Building” of the Zoning Bylaw requirement for the maximum building height from 29.50 feet to 32.94 feet measured from the rear average grade for the proposed single family dwelling with a sloping roof.

- 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.

MS

Peter Kushnir
Deputy Chief Building Inspector

ASPHALT SHINGLES
(shingles profile
must be 30 yr. quality)



FRONT (NORTH) ELEVATION
SCALE: 1/4" = 1' - 0"

EX = 156.60
FIN = 156.60

EX = 161.40
FIN = 156.60

EX = 156.60
FIN = 156.60

EX = 156.60
FIN = 156.60

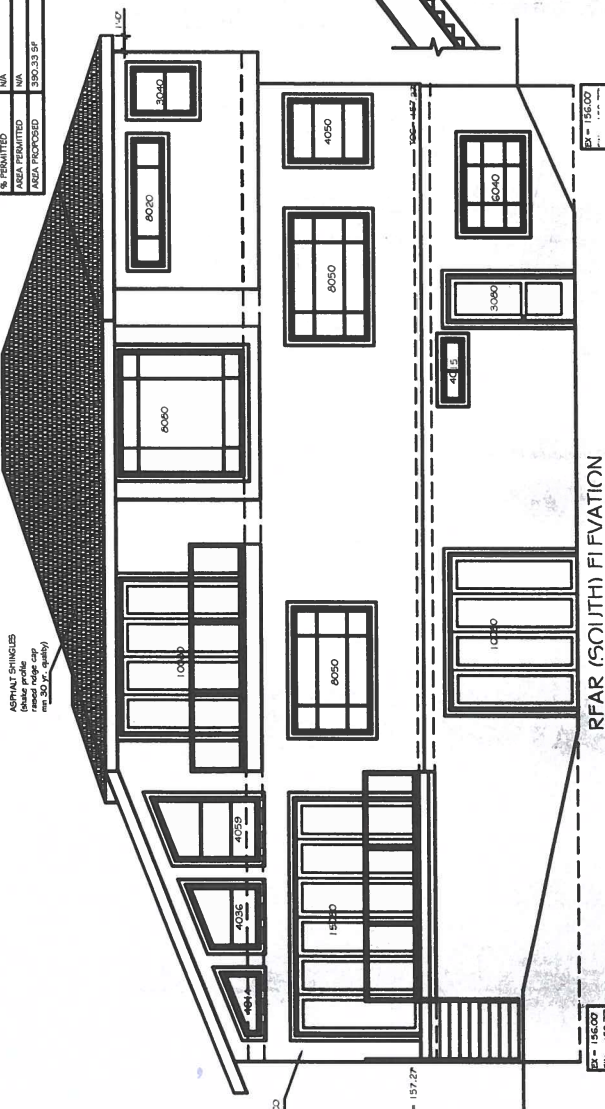
EX = 156.60
FIN = 156.60

EX = 156.60
FIN = 156.60

UNRESTRICTED OPENINGS CALCULATION

| | FRONT | REAR | LEFT | RIGHT |
|------------------|-----------|---------------|----------------|-----------|
| TOTAL WALL AREA | 540.00 SF | 1370.00 SF | 757.00 SF | 540.00 SF |
| OPENING DISTANCE | N/A | 4.92' (1.50M) | 10.00' (3.05M) | N/A |
| % PERMITTED | N/A | 16% | 16% | N/A |
| AREA PERMITTED | N/A | 102.40 SF | 126.86 SF | N/A |
| AREA PROPOSED | 330.33 SF | 102.00 SF | 67.00 SF | 428.00 SF |

ASPHALT SHINGLES
(shingles profile
must be 30 yr. quality)



REAR (SOUTH) ELEVATION

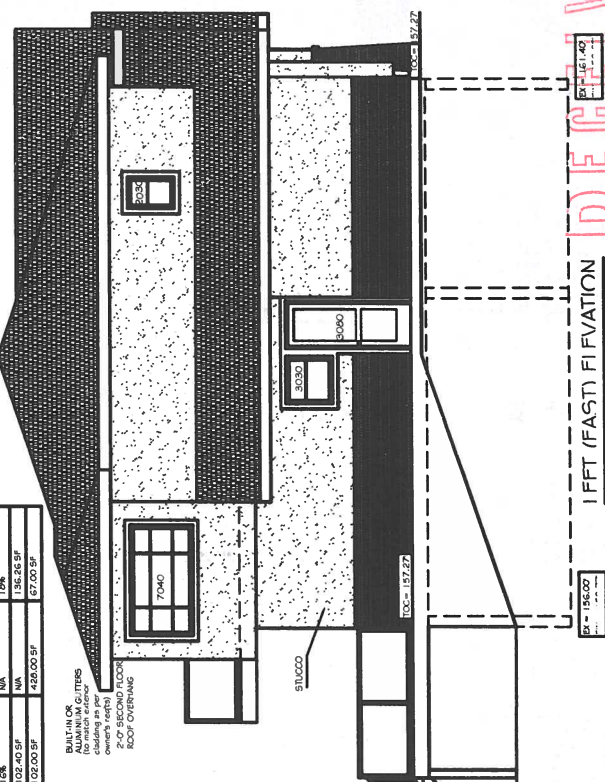
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EX = 156.60
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EX = 156.60
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EX = 156.60
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EX = 156.60
FIN = 156.60

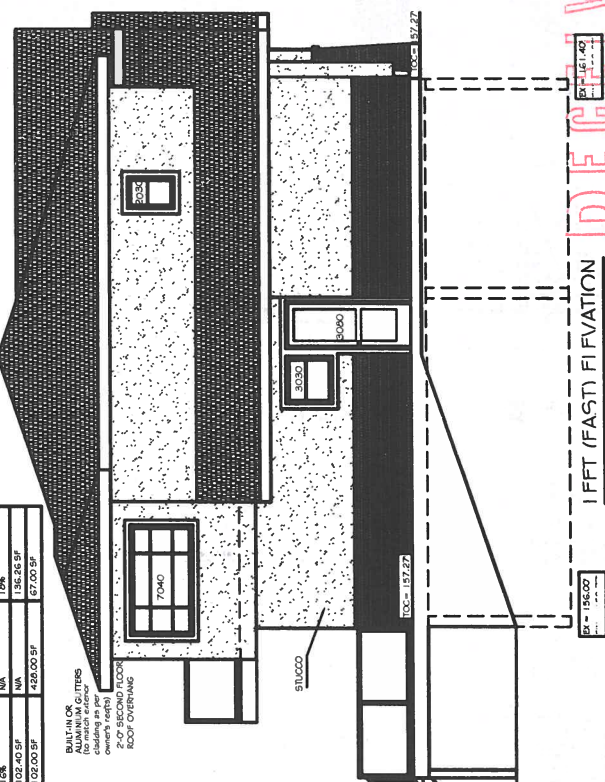


LEFT (EAST) ELEVATION

EX = 156.60
FIN = 156.60

EX = 156.60
FIN = 156.60

EX = 156.60
FIN = 156.60



RIGHT (WEST) ELEVATION
SCALE: 1/4" = 1' - 0"

EX = 156.60
FIN = 156.60

EX = 156.60
FIN = 156.60

EX = 156.60
FIN = 156.60

Big Home Design

6480 MONARCH STREET
BURNABY BC

DESIGNER: BUI
PHONE: 604 441 181
DATE: 02/04/17
SCALE: AS SHOWN
CHECKED BY:
REV. NUMBER:
DRAWING NAME:
DRAWING NO.:

DECLINED

OCT 02 2018

BUILDING DEPARTMENT

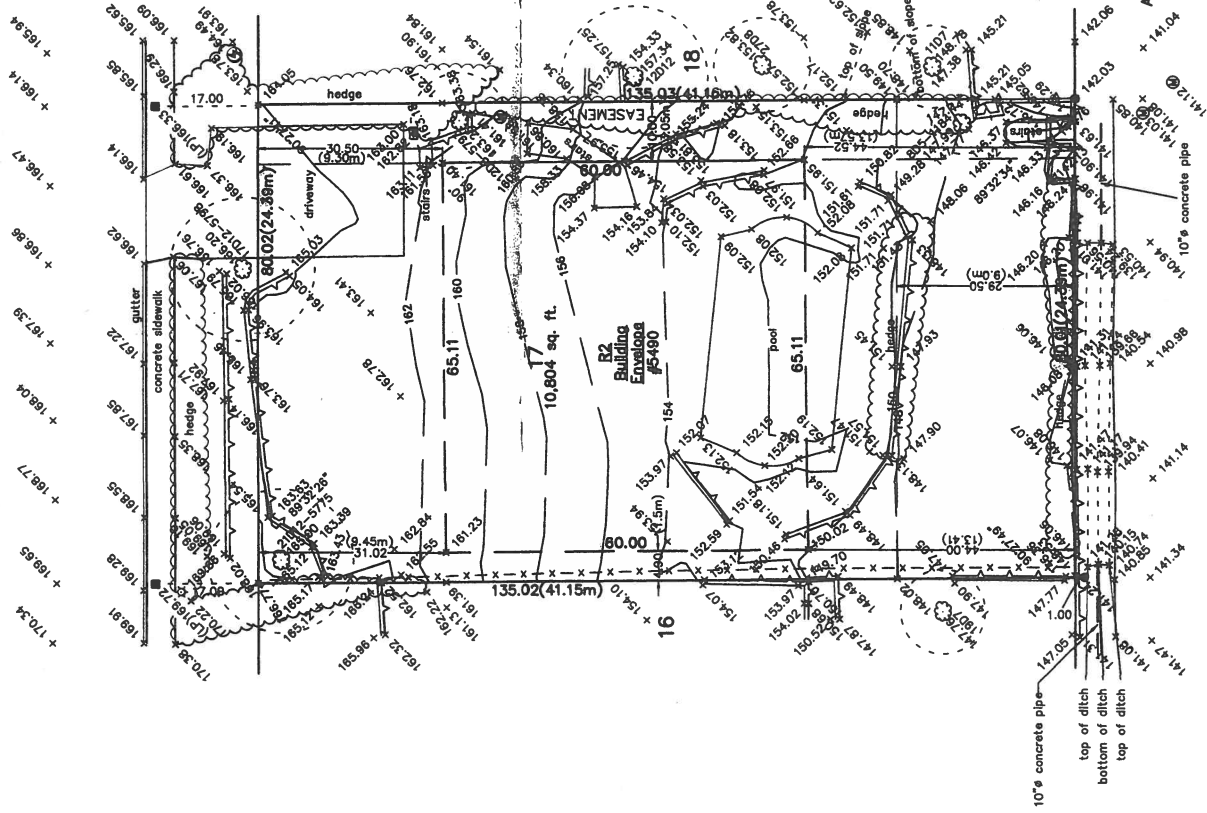
**SURVEY PLAN OF LOT 17
DISTRICT LOT 80, GROUP 1
NEW WESTMINSTER DISTRICT, PLAN 20936**

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

| Applicable Adjacent House | Depth of Front Yard |
|---------------------------|---------------------|
| 5470 Monarch Street | 32.41 ft |
| 5480 Monarch Street | 30.19 ft |
| 5510 Monarch Street | 30.17 ft |
| 5530 Monarch Street | 29.21 ft |
| Total | 121.98 ft |
| Average | 30.50 ft |

RECEIVED
OCT 03 2018
BUILDING DEPARTMENT

MONARCH STREET



CIVIC ADDRESS
5490 MONARCH STREET
BURNABY, B.C.

ZONING: R2

CERTIFIED CORRECT
DATED THIS 12TH DAY OF FEB., 2017

IVAN NGAN B.C.L.S.

L N L S METRO VANCOUVER
LAND SURVEYORS
4932 VICTORIA DRIVE, VANCOUVER, BC, V5P 3T6
T 604.327.1535 WEB WWW.LNLS.CA

PID: 010-093-290
FILE: 17576_03TP

- NOTES:**
- Lot dimensions are derived from field survey.
 - Elevations are based on the CVD285VMD Datum and are derived from control monument 51H4603 situated on the North Side of Monarch Street in pathway 78.20 feet wide.
 - For elevation control, use control monument or lead plugs in concrete sidewalk only. Elevation control must be checked against second source. Contractor assumes all responsibilities and risk when carrying out work using elevation control.
 - Building envelope shown is just an approximate interpretation of City Zoning Bylaws. Consult Planning Department for final building envelope prior to design.
 - All trees and stumps shown are required by municipal bylaws.
 - All dimensions are to exterior faces unless otherwise noted.
 - Symbols plotted are for illustrative purposes and are not representative of their true size.
 - denotes standard top post (IP).
 - denotes lead plug (LP).
 - denotes hydro pole.
 - denotes lamp standard.
 - denotes top of wall.
 - denotes bottom of wall.
 - denotes catch basin.
 - denotes manhole.
 - denotes tree.
 - denotes drip line radius (feet).
 - denotes C-contourous diameter (inches).