



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 FILIPPO MARRAZZO
Mailing Address 7881 MEADOWOOD DRIVE
City/Town Burnaby Postal Code V5A-4C3
Phone Number(s) (H) 604.420.6906 (C) 778.839.5741
Email MARRAZZO 77 @ TELUS.NET

Property

Name of Owner DIAGIO PEPE & CARMINE TRACIOS
Civic Address of Property 2111 JONAS DRIVE
BBY.

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.

Date

OCT. 05 / 18

Applicant Signature

[Signature]

Office Use Only

Appeal Date NOV 1st 2018 Appeal Number BV# 6344

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

Eric van der Eerden
Howe Sound Home Designs
3014 Edgemont Boulevard
North Vancouver, B.C.
V7R 2N4
(604) 657-6463

The City of Burnaby
Board of Variance

October 4, 2018

Dear Members

RE: Board of Variance for 2111 Jordan Drive

It was our intension to adhere to the Zoning Bylaw with the best of our abilities. However, due to a series of misunderstandings and realizations, we have come to an impasse. It is because of the interpretations of the regulations that we are here seeking the advice and approval from the Board of Variance.

This project was initially started after having a brief discussion with Plan Checkers at the counter in City Hall. It appeared that by complying with the current conditions of a Corner Flanking Lot that our project would move forward with success. Consideration was also giving to the proposed detached garage and with the proposed rear yard addition; efforts were made to stay within the current zoning regulations for building setback.

The proposal was to surrender the existing driveway crossing for a new driveway and crossing located in the cul-de-sac flanking off of Delwood Court. This driveway would serve the proposed new garage and provide parking for an in-law suite to be located in the basement. Expansion of the existing structure would become critical to the design for the development of a new In-law suite and a Master Bedroom, En Suite and W.I.C. addition for the principle dwelling.

It was considered during all this time of development that the existing structure would be Grand-Fathered in its location as an existing non-conforming structure. The Designer and Builder, whom had collaborated on the development of this proposal, were not aware that the earlier work was not a matter of Building Permit record. While it could be said that there are signs that the dwelling had been altered at some earlier stage, it has always been the practice of both the Builder and the Designer to obtain the proper permits and permissions. It came as both surprise and disappointment to find that the previous work was not permitted. Then, realization that the previous work would be considered as part to the new proposal in order to bring it up to date as part of the Building Permit record.

The circumstance that now remains is one of great difficulty. It would be impractical to deconstruct the portion of the structure that is non-conforming. This portion of structure came into existence as a garage, intergraded into the structural components of a Permitted Residential Dwelling. Removal would require more than just the deconstruction of the non-conforming portions of the structure. While it was the combining of the garage space with the living space that created this conflict, merely reversing course does not significantly alleviate the problem. Both Front Yard and Side Yard Setback requirement have been compromised by changes to these requirements since the origin of this Residence. Rendering the space back to Garage does nothing to alter its relationship or orientation on the Lot. However, this approach would require the existing driveway to remain in place to service the garage, rendering the Proposed Garage useless and in conjunction dismantle any opportunity to provide the additional parking and additional space required for an In-law Suite.

We believe that the Setback Requirements for this Lot poses the hardship when set in conjunction with the Existing Structure. The infill of the Garage, from a layman's point of view, while not permitted, may have seemed a logical conclusion due to the fact that no structure was compromised. But, because there has been an alteration to a non-conforming structure we find ourselves without the ability to remedy this condition. It is with our hope in the mercy of the Board that we ask for an understanding that this Proposal was not presented to take advantage of current regulations, but to work with an existing condition

Thank you for your consideration

Eric van der Eerden
Howe Sound Home Designs





BOARD OF VARIANCE REFERRAL LETTER

DATE: September 12, 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 1, 2018 hearing.			
APPLICANT NAME: Fred Maddalozzo			
APPLICANT ADDRESS: 7881 Meadowood Dr, Burnaby BC, V5A 4C3			
TELEPHONE: 778-839-5741			
PROJECT			
DESCRIPTION: Interior alterations, addition, new secondary suite and new detached garage to an existing single family dwelling.			
ADDRESS: 2111 Jordan Drive			
LEGAL DESCRIPTION:	LOT: 52	DL: 131	PLAN: NWP26174

Building Permit application BLD18-00488 will be denied by the Building Department because the design is not in compliance with Burnaby Zoning Bylaw No. 4742:

Zone R2 / Sections 6.6(2)(g)(i), 102.8(1) and 102.9(1)

COMMENTS:

The applicant proposes to build Interior alterations, addition, new secondary suite and a new detached garage to an existing single family dwelling. In order to allow the Building Permit application to proceed, the applicant requests that the following variances be granted:

- 1) To vary Section 6.6(2)(g)(i) – “Accessory Buildings and Uses” of the Zoning Bylaw requirement for the minimum side yard width adjoining the flanking street from 24.60 feet to 11.72 feet.
- 2) To vary Section 102.8(1) – “Front Yard” of the Zoning Bylaw requirement for the minimum front yard depth from 29.9 feet (based on front yard averaging) to 27.70 feet.
- 3) To vary Section 102.9(1) – “Side Yards” of the Zoning Bylaw requirement for the minimum side yard width from 4.90 feet to 4.00 feet.

Note:

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.

JQ

Peter Kushnir
Deputy Chief Building Inspector

[illegible]

[illegible]

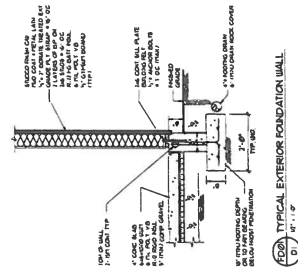
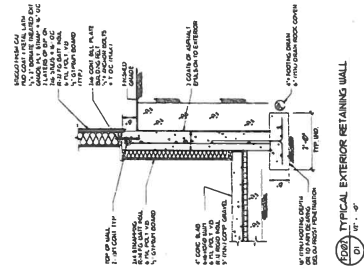
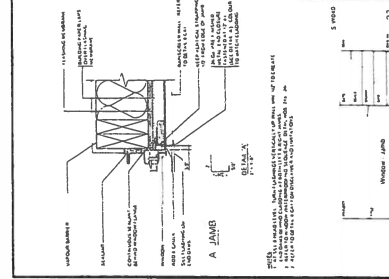
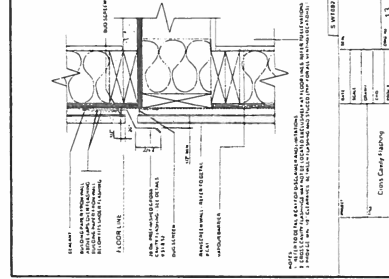
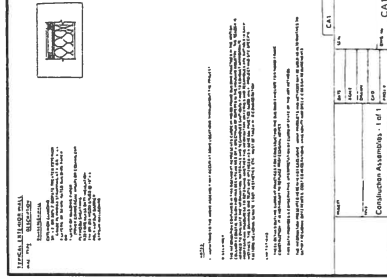
REVENUES			description
no.	date		
1	JUN 08/10		PRELIMINARY HOUSING
2	MAY 19/10		PAID FOR BUILDING PERMITS
3	JULY 14/10		PAID FOR BUILDING PERMITS

CONTRACTOR RELEASES ALL PARTS OF THIS DRAWING ARE THE EXCLUSIVE PROPERTY OF HOERL ANDERSON ASSOCIATES, INC. AND SHALL NOT BE USED WITHOUT THE WRITTEN CONSENT OF THE CONTRACTOR. SHALL REPORT ALL THEORETICAL AND OBSERVED ERRORS TO THE DESIGNER, AND WILL BE RESPONSIBLE FOR ALL CORRECTIONS. DRAWINGS DO NOT SCALE.

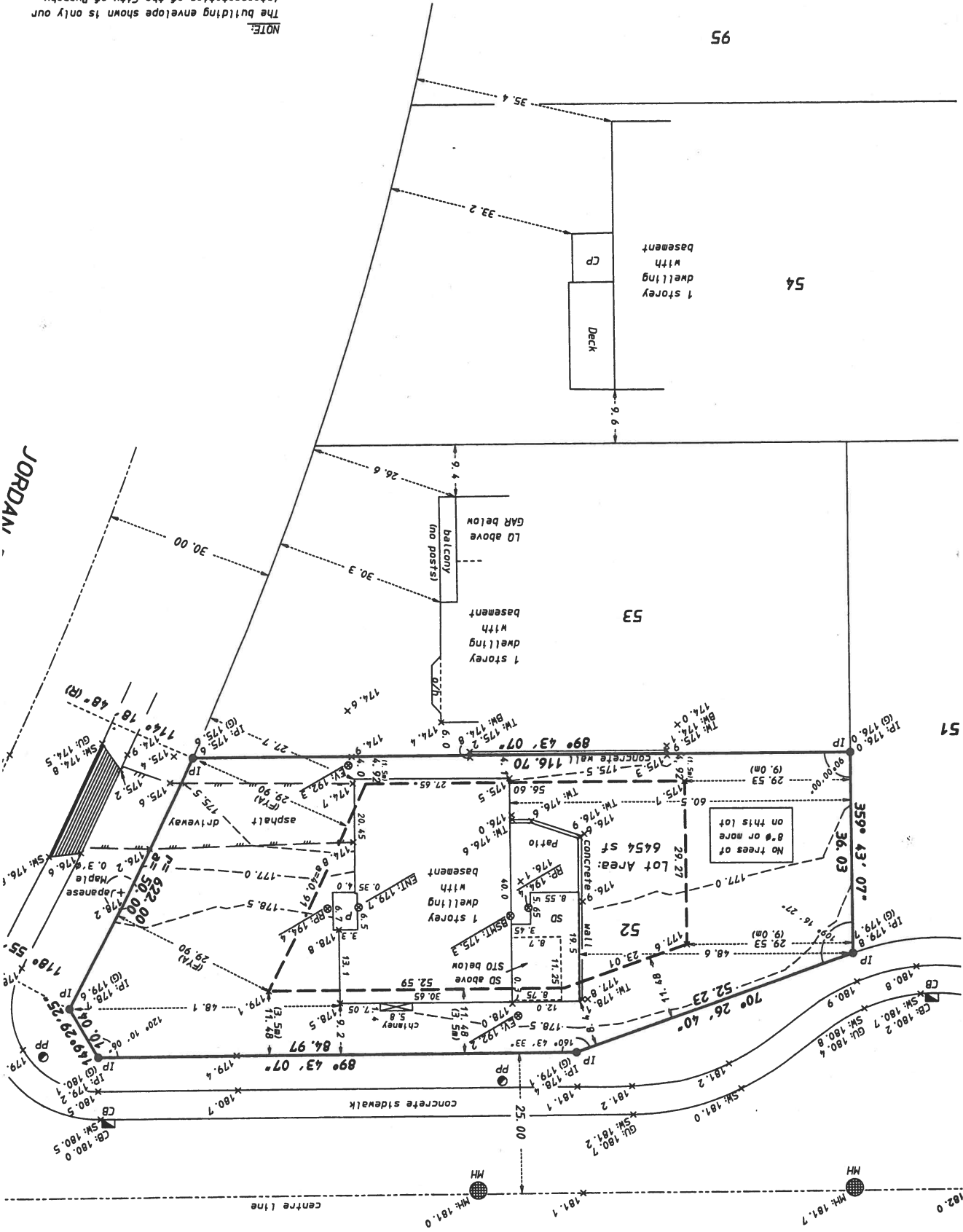
PROPOSED ADDITION
2111 JORDAN DRIVE
BURNABY, BC

CONSTRUCTION DETAILS

CREATED BY: ENL	DATE: JUN 01 2008	PROJECT NO: 1800	TRAINING NO: D
DESIGNED BY: ENL	SCALE: 1/2" = 1'-0" (UNUS)		



DELWOOD COURT



Centre line

RECT: correct

action
not valid unless
and sealed.

NOTE:
The building envelope shown is only our
interpretation of the City of Burnaby
building bylaws. The size and location
of the building envelope must be confirmed
by the City Planning Department prior
to any design work. Failure to do so
places sole responsibility for the design
onto the house designer.