



# 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 Andrew Beunk  
Mailing Address 8448 13<sup>th</sup> Ave  
City/Town Burnaby Postal Code V3N 2G9  
Phone Number(s) (H) 604 517 8772 (C) 778 837 8315  
Email abeunk@gmail.com

### Property

Name of Owner Andrew & T. Kimberley Beunk.  
Civic Address of Property 8448 13<sup>th</sup> Ave.  
Burnaby

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

01/15/19

Applicant Signature

### Office Use Only

Appeal Date Feb 7 2019 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

January 12, 2019

City of Burnaby – Building and Planning Dept.

RE: BOV Application – 8448 13<sup>th</sup> Ave., Burnaby – Garage setback

Dear Sir / Madame,

My wife and I purchased our home at 8448 13<sup>th</sup> Ave in April of 2013. I serve as a Pastor of a neighbourhood church and our home was purchased because of its nearby location to our church.

Prior to closing the deal on our home we submitted a site plan of our lot, along with a proposed renovation plan, to the City in order to review initial approval. The plan dated March 2013 was reviewed by the City and we were given an initial green light to proceed. The process led us to believe we had purchased a property with no outstanding building issues.

In the following months, a full building permit application was submitted and approved. On both the site plan reviewed in March 2013 and the building permit application approved in June 2013, the existing garage on our lot was shown, complete with dimensions indicating its precise location. At no time did the City identify that the garage violated the setback allowance.

In the fall of last year we were made aware by the City that our Building Permit file was still open. Both I and my builder were surprised by this because we had not heard anything for almost 5 years about an outstanding permit file. We both remembered providing our inspector with the requested engineering review that we thought was necessary to complete the project and close the file. Now, 5 years later, we were told that the engineering review was not satisfactory.

Now, towards the end of 2018, as we are trying to close out the Building Permit file, the Plan checker identified that one corner of the garage is 2 ½ inches too close to the western property line. This was the first time the issue had been identified in spite of the fact that our site plan had been reviewed by the Building Dept. at least twice five years earlier.

The garage is approximately 28 years old. Never has my neighbour expressed any concern that garage is too close to the property line (see attached letter from my neighbor, Mrs. Nancy Burrows). She has lived in her home more than 60 years.

Modifying the existing garage to bring in into compliance with the current setback allowance will require a major renovation, likely a complete reconstruction.

I kindly request that you recognize this as an unnecessary burden and hardship for me and approve my application for a variance.

As I shared with both Mr. Luka Mladin and Mr. Peter Kushnir since even before owning the home I have done all that felt I could do in order to secure proper Building reviews, and permit applications. In fact, a permit application that I submitted in Sept. 2019 for a solar panel project was what alerted the Planning Dept. that my previous Building Permit was still not closed. I write this because as a citizen of Burnaby I have from the beginning sought to do what I thought was necessary to ensure my property meets Code requirements.

I kindly request, that as a citizen trying to do the right thing, you not unnecessarily penalize me for a 2 ½ inch setback violation of a structure that was built around 28 years ago.

My sincere thanks to you for considering this application.

Warm regards,

A handwritten signature in dark ink, appearing to be 'AB' with a long horizontal stroke extending to the right.

Rev. Andrew Beunk

A handwritten signature in dark ink, appearing to be 'TK' with a large, flowing loop extending to the right.

Mrs. T. K. Beunk



## BOARD OF VARIANCE REFERRAL LETTER

<b>DATE:</b> January 15, 2019			<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> January 15, 2019 for the February 07, 2019 hearing.			
<b>APPLICANT NAME:</b> Andrew Beunk			
<b>APPLICANT ADDRESS:</b> 8448 13 <sup>th</sup> Ave, Burnaby, BC, V3N 2G9			
<b>TELEPHONE:</b> 778-837-8315			
<b>PROJECT</b>			
<b>DESCRIPTION:</b> Addition, interior alterations and carport enclosure to ESFD			
<b>ADDRESS:</b> 8448 13 <sup>th</sup> Ave			
<b>LEGAL DESCRIPTION:</b>	<b>LOT:</b> 8	<b>DL:</b> 25	<b>PLAN:</b> NWP1465

Building Permit BLD13-00402 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 R5 / Section 6.6(2)(d)

#### COMMENTS:

The applicant currently has a building permit for an addition and interior alterations but has also enclosed the carport without permit to an existing single family dwelling. In order to allow the revised Building Permit application to proceed, the applicant requests that the following variance be granted:

- 1) To vary Section 6.6(2)(d) – “Accessory Buildings and Uses” of the Zoning Bylaw requirement for the minimum side yard setback from 3.94 feet to 3.7 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

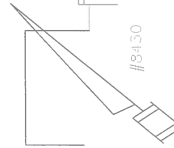
  
Peter Kushnir  
Deputy Chief Building Inspector

IBM  
Mark in sidewalk  
Elev. 361.07' (Datum)  
(GPR02005 Datum)

**B.C. LAND SURVEYOR'S PLAN OF TOPOGRAPHIC SURVEY  
ON LOT 8 BLOCK 2 DISTRICT LOT 25 GROUP 1  
NWD PLAN 1465**

CITY OF BURNABY

The intended plot size of this plan is 22" (560mm) in width  
by 17" (432mm) in height (C size) when plotted at a scale of 1" = 20'



P.I.D. 012-194-069  
CITY ADDRESS  
#8448 13th Avenue

NOTE:  
Elevations shown are in FEET and  
derived from GEODETIC DATUM (GPR02005)

B.M.:  
Monument #164  
13th Avenue & Cumberland Street  
GEODETIC ELEV. 374.01' (GPR02005)

LOT 99  
This document shows the relative location  
of the surveyed structures and features  
with respect to the boundaries of the  
parcel described above. This document  
shall not be used to define property lines  
or property corners.

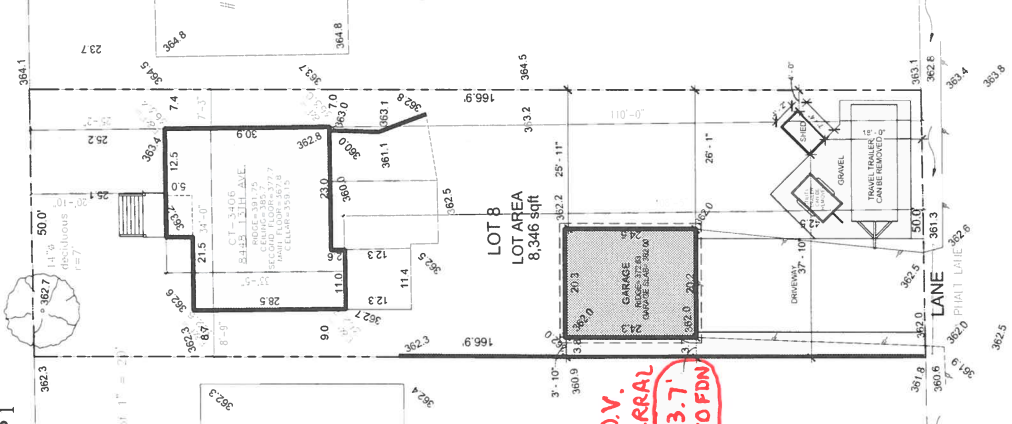
This plan was prepared for mortgage  
and is for the exclusive use of our client  
and the signatory accepts no responsibility  
or liability for any damages that may be  
suffered by a third party as a result of  
reproduction, transmission or alteration to  
this document without consent of the signatory.

NOTE: LOT DIMENSIONS DERIVED FROM LAND TITLE OFFICE RECORDS  
LOT DIMENSIONS DERIVED FROM PLANS 1465 & 30661

SOUTH FRASER LAND SURVEYING LTD.  
#101-7460 130th STREET  
SURREY, B.C.  
604-599-1866  
1.384/2ELV

**SITE PLAN**  
3/32" = 1'-0"

#8448 13th Avenue  
ASPHALT PAVEMENT



HOUSE #	SETBACK
#8450	26.8'
#8438	31.0'
#8458	19.2'
#8418	19.8'
AVERAGE	24.2'
MINIMUM	19.7' (6m)
REQUIREMENT	

LOT 9

LOT 91

LOT 8  
LOT AREA  
8,346 sq ft

**B.O.V. REFERRAL  
3.7 TO FDN**

THIS DOCUMENT IS NOT VALID  
UNLESS ORIGINALLY SIGNED AND SEALED

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Certified correct this 5th day of MARCH 2013

B.C.L.S.

1.384/2ELV



**NOORT HOMES**  
4111 St. Johns Street  
New Westminster, B.C.  
TEL: (604) 591-1866 FAX: (604) 591-1866

1/2

No.	Date	Rev.	Description	By
1			CHUBBAC NOTES	
1			1) All building construction and Plans to be submitted to the City of Burnaby for approval.	
2			2) All proposed building to be built in accordance with the City of Burnaby rules and regulations.	
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SITE PLAN

8448 13TH AVE  
BURNABY

G-2300

DATE: 11/1/2019 11:23:39 AM

SCALE: 3/32" = 1'-0"

DRAWN: PMAESSEN

No.	Date	Rev.	Description
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- GENERAL NOTES**
- 1) All building construction and Plans to be in accordance with the latest edition of the International Building Code (IBC) and the International Residential Code (IRC).
  - 2) All structural members to be built in accordance with the latest edition of the International Building Code (IBC) and the International Residential Code (IRC).
  - 3) All framing to be 2x10, unless otherwise noted.
  - 4) All framing over all waterproofing to be 2x10, unless otherwise noted.
  - 5) All framing over all waterproofing to be 2x10, unless otherwise noted.
  - 6) Safety glass is shown where required by code.
  - 7) All exterior doors and windows to be installed in accordance with the latest edition of the International Building Code (IBC) and the International Residential Code (IRC).
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# GARAGE PLAN

8448 13TH AVE.  
BURNABY

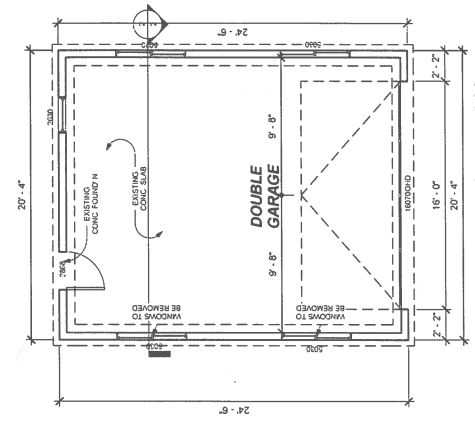
G-2300

DATE: 1/11/2019 11:23:59 AM

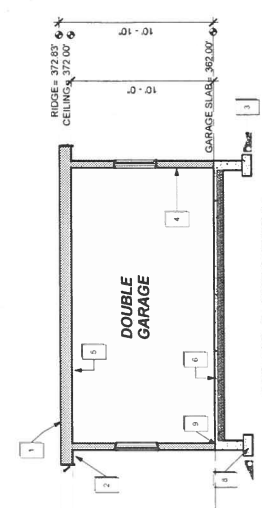
SCALE: 1/4" = 1'-0"

REVISIONS

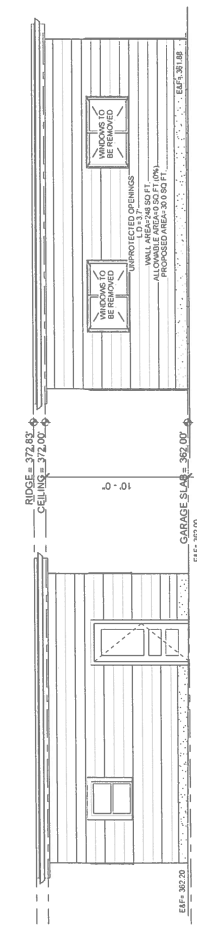
**NOORT HOMES**  
1100 West 10th Avenue  
New Westminster, B.C.  
V3L 3H1  
TEL: (604) 525-1111 FAX: (604) 525-1112



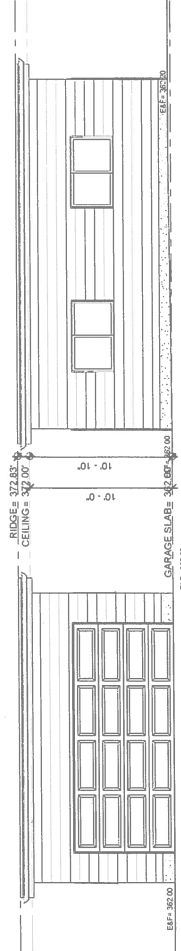
**GARAGE PLAN**  
AREA = 497 SF



**CROSS SECTION**



**NORTH ELEVATION**



**WEST ELEVATION**



**EAST ELEVATION**

**SOUTH ELEVATION**

- CONSTRUCTION ASSEMBLY**
1. ROOF ASSEMBLY  
BURIED ROOF ASSEMBLY  
2X10 JOISTS  
VAPOR BARRIER
  2. SOFFIT  
4" CONT. ALUM.  
FASCIA GUTTER  
VENTED  
2X10 JOISTS  
SOFFIT
  3. DRAIN TILE  
4" CONT.  
DRAIN  
6" GRAVEL
  4. EXTERIOR WALL ASSEMBLY  
1/2" DRYWALL  
R14, 5 MIL U.V.  
2X4 STUDS @ 16" OC  
BUILDING PAPER  
EXTERIOR FINISH-VINYL SIDING / CEDAR SIDING/  
STUCCO
  5. CEILING INSULATION  
INSULN 9W CONT. V.B.  
6 MIL U.V. R40  
5" DRYWALL
  6. A-BOLTS  
1/2" DIA. A-BOLTS  
@ 6" OC 4x5 FELT
  7. SLAB FLOOR ASSEMBLY  
3" CONC. SLAB  
6 MIL U.V. POLY  
5" GRAVEL FILL
  8. FOOTING  
16"x8" CONC. FTG.