



# 2019 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 LAWRENCE HIGA  
Mailing Address P.O. BOX 91160  
City/Town WEST VANCOUVER BC Postal Code V7V 3N6  
Phone Number(s) (H) 604 922-5261 (C) 604 779 9372  
Email SMARTERWEAR@LIVE.COM

### Property

Name of Owner FRANK SORIANO  
Civic Address of Property 2090 SPERLING 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

SEP 15/19

Applicant Signature

Higa

### Office Use Only

Appeal Date FEB 7 2019 Appeal Number BV# 6351

#### Required Documents:

- ☒ Fee Application Receipt
- ☒ Building Department Referral Letter
- ☒ Hardship Letter from Applicant
- ☒ Site Plan of Subject Property

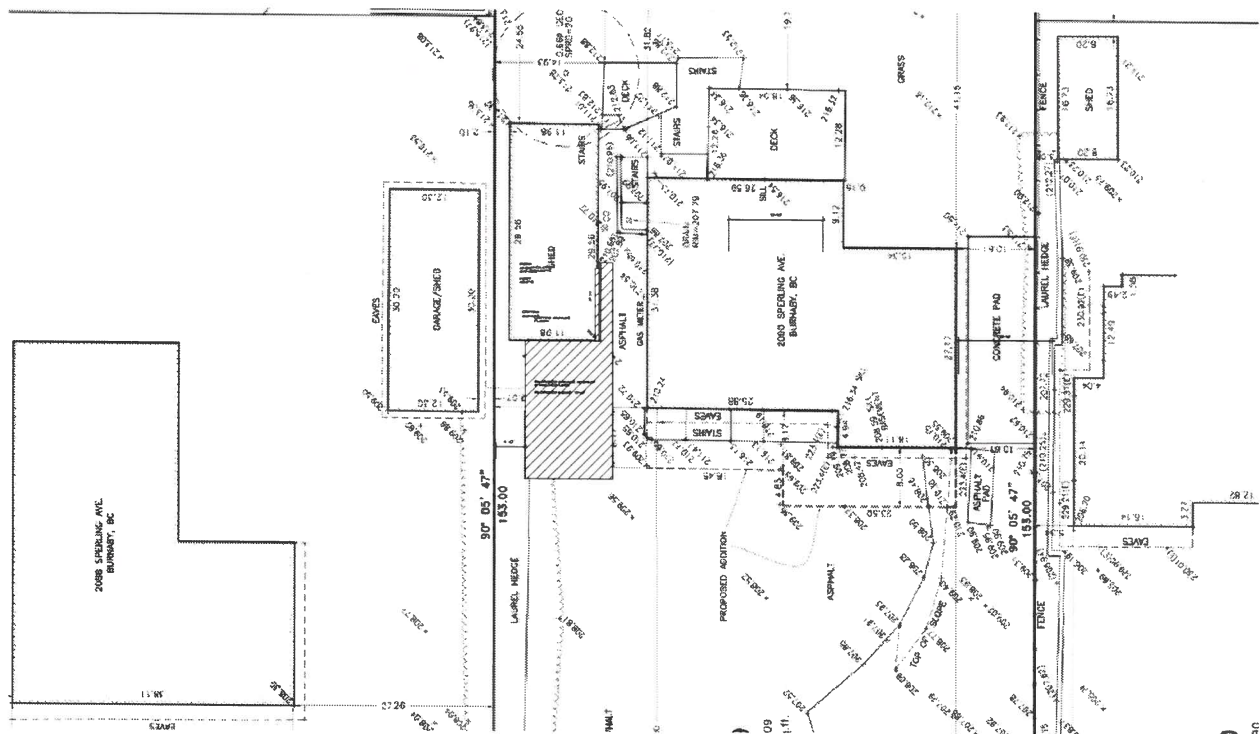
Any documents submitted in support of this Board of  
Variance Appeal will be made available to the Public

JANUARY 15 / 19

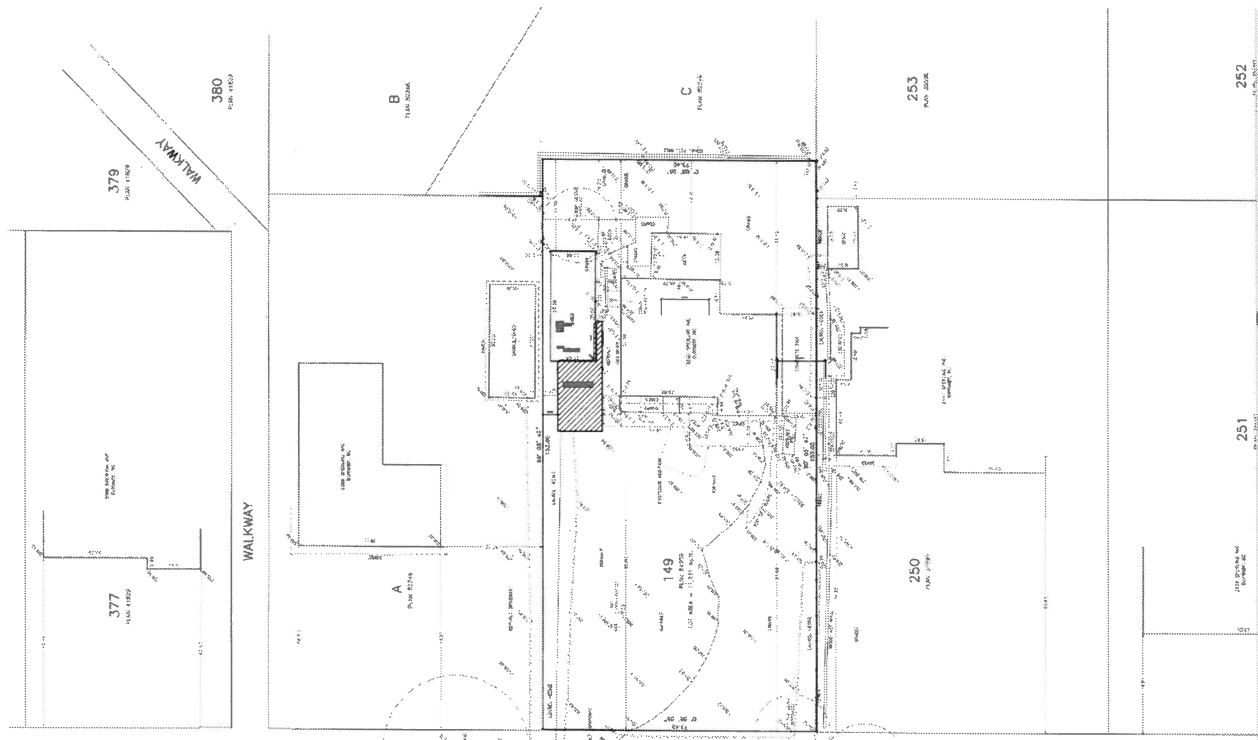
2090 Sperling Avenue,  
Burnaby, BC

We propose to add onto the existing garage to create tandem parking as there is no back lane and there is no possible way to build a garage in the rear of the property and keep the garage the requisite distance from the existing house. We respectfully ask that you allow us to build the garage as proposed as it is the least intrusive design for both the neighbors and the homeowners.

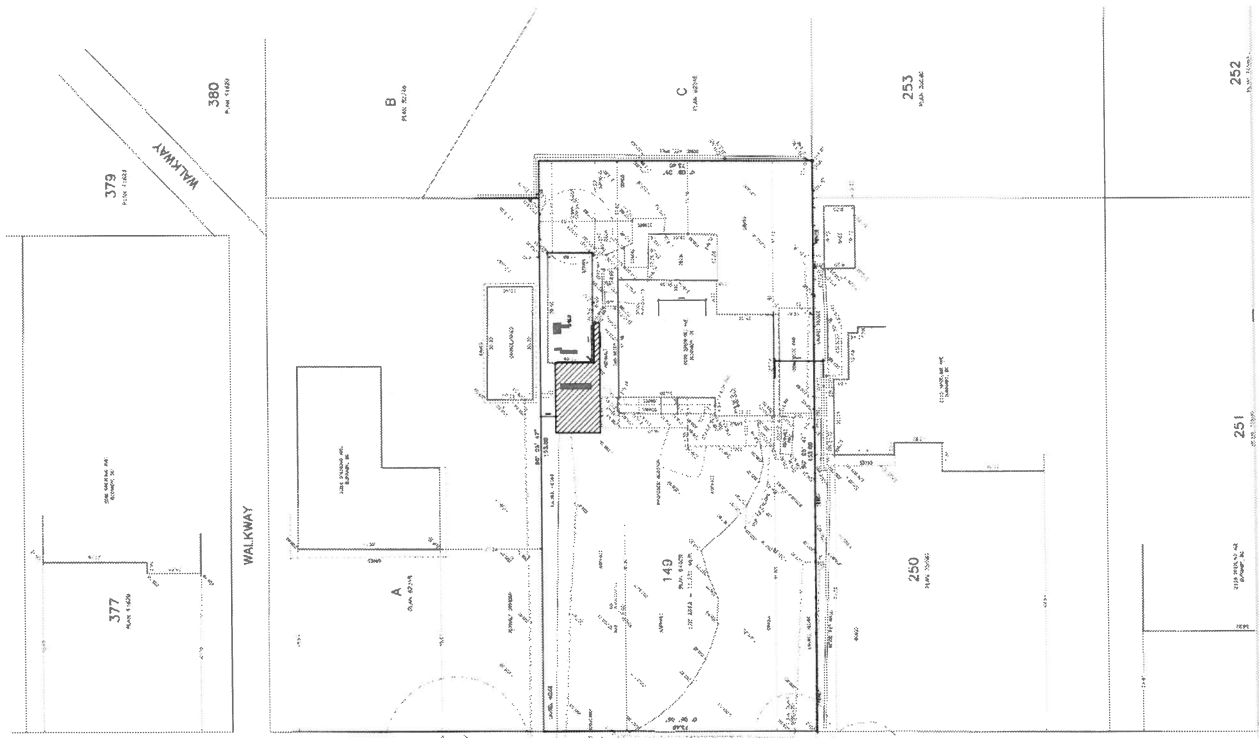
There are a number of reasons why this is the least intrusive design in every direction. By building the garage in this manner it creates the smallest possible footprint as it both utilizes and reduces the existing driveway and is largely or entirely invisible from any neighbor.



Note that the proposed addition sits behind hedges/trees that are higher than the proposed addition. Moreover, the principal residence obscures the proposed addition so it is almost totally obscured from the neighboring properties.



Aesthetically, the garage is far less imposing as from the street, you can only see the front elevation from the street (Westerly neighbors). As the Westerly neighbors themselves have large vegetation, it will be impossible for them too see the garage from their house. Furthermore, it is and will remain almost entirely obscured by the existing hedge and from the Eastern neighbor's tree which will afford all neighbors even more privacy.





The aerial photos also indicate that the garage will not be visible from either the adjacent or any neighboring properties.



By building the garage in this manner, the house and the tall hedge will obscure the garage entirely from the Southern neighbors. It will be largely invisible to the Eastern neighbors as the existing garage is already obscured by an existing tree and what can possibly be seen from the Eastern neighbors, will be totally obscured by the existing garage.

The Northern neighbors' existing garage and hedge will obscure the garage for themselves and the Northern adjoining neighbor's house will obscure the garage entirely for any other Northern neighbor. Moreover the Northern neighbor's existing tall hedge will further obscure any new construction and already casts more of a shadow than the proposed garage structure.

Given that no neighbor is impacted by the proposed structure and that it is impossible to build any garage near the house without violating the distance bylaws between a garage and the house, I urge you to hear and grant our variance.

LAWRENCE HIGA  
Higa



## BOARD OF VARIANCE REFERRAL LETTER

<b>DATE:</b> January 3, 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 7, 2019 hearing.			
<b>APPLICANT NAME:</b> Lawrence Higa			
<b>APPLICANT ADDRESS:</b> PO Box 91160, West Vancouver, BC V7V 3N6			
<b>TELEPHONE:</b> 604-779-9372			
<b>PROJECT</b>			
<b>DESCRIPTION:</b> Addition and alteration to the existing detached garage			
<b>ADDRESS:</b> 2090 Sperling Avenue			
<b>LEGAL DESCRIPTION:</b>	<b>LOT:</b> 149	<b>DL:</b> 131	<b>PLAN:</b> 54909

Revised Building Permit application BLD18-00820 will be denied by the Building Department because the design is not in compliance with Burnaby Zoning Bylaw No. 4742:

### Zone R2 / Sections 6.3.1 / 102.9(1)

#### COMMENTS:

The applicant proposes to extend and convert the existing detached carport to a garage for an existing single family dwelling. Note: the BLD18-00820 has been already issued for additions and alterations to the 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 6.3.1 – “Distance between Buildings on the same Lot” of the Zoning Bylaw requirement for the minimum distance from 14.8 feet to 4.2 feet.
- 2) To vary Section 102.9(1) – “Side Yard” of the Zoning Bylaw requirement for the minimum side yard width from 4.9 feet to 3.9 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.

*Note:* 4. Fences and retaining walls will conform to the requirements of Section 6.14.  
A previous Board of Variance appeal (B.V.1936 May 4, 1979) seeking relaxation for rear yard setback from minimum 30 feet to 19.5 feet was denied.

*Note:* A previous Board of Variance appeal (B.V.1953 June 8, 1953) seeking relaxation for rear yard setback from minimum 30 feet to 24 feet was approved.

AB

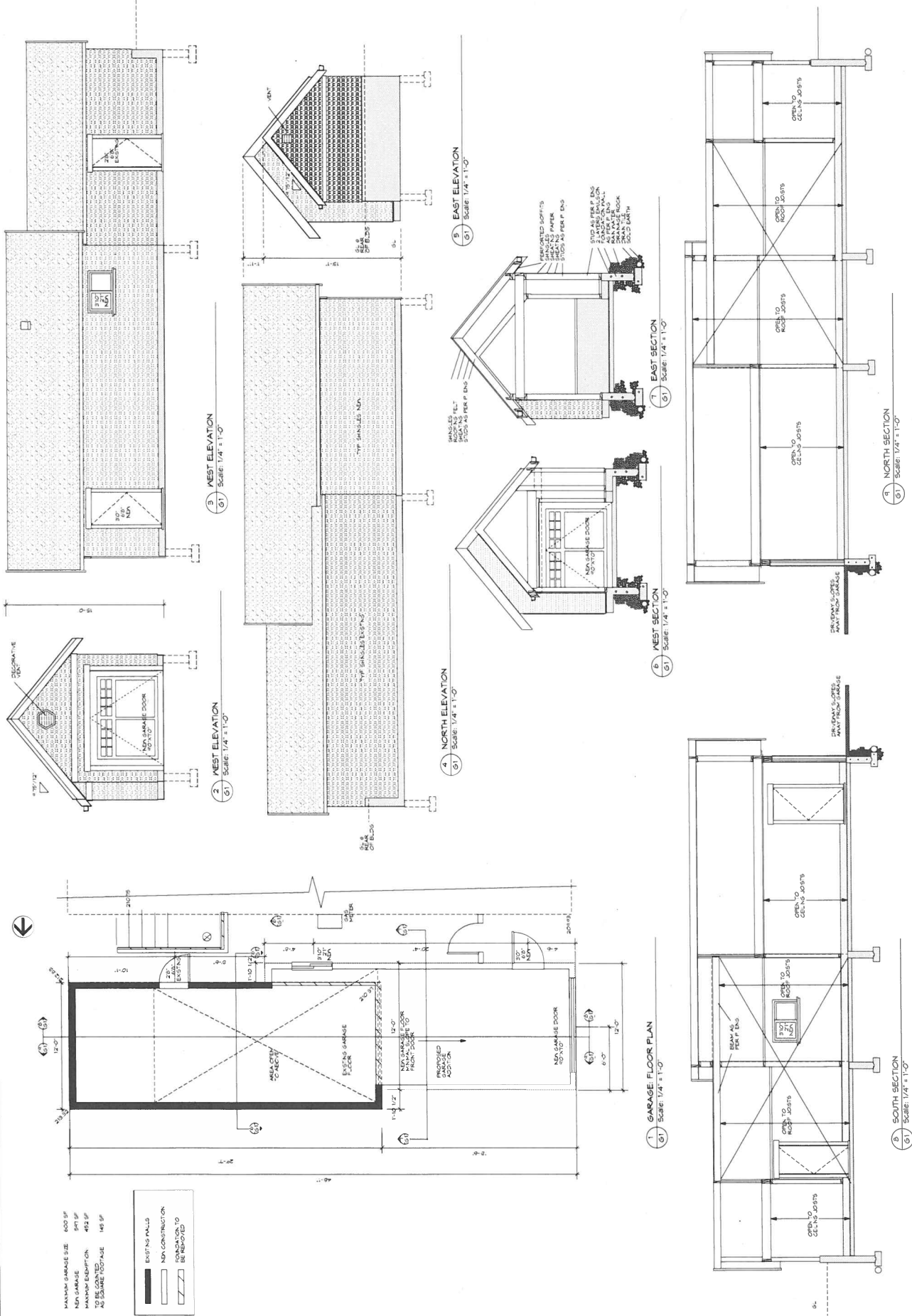
Peter Kushnir  
Deputy Chief Building Inspector

# SORIANO RESIDENCE

**DRAWN BY  
LAWRENCE HIGA  
604 779-9372**

GARAGE  
RENO/ADDITION[illegible]

5



# LEGAL DESCRIPTION

LOT 144 OF LOT 131  
GROUP 1, NWD  
PLAN 54409

ZONING: R2

LOT AREA: 11,231

MAXIMUM FSR: 4492

BASEMENT: 1635.545

MAIN FLOOR: 1825.50

UPPER FLOOR: 1006.36

TOTAL: 4467.405

(LESS 100 OPEN FLOOR AREA EXEMPTION)

(LESS COVERED PORCH EXEMPTION) (39.8)

TOTAL FLOOR AREA 4327.605

GARAGE (MAX)

PROPOSED 597.77

LESS EXEMPTION (452)

TOTAL COUNTED TOWARDS FSR 145.77

GFA: 4473.375

IMPERMABLE MAX

.7 X 11,291 7903.70

PROPOSED IMPERMABLE:

HOUSE: 2240.58

GARAGE: 597.00

DRIVENWAY 1189.32

SIDEWALK 201.96

F. SIDEWALK 108.00

N/LAW SIDEWALK 16.90

PATIO: 73.92

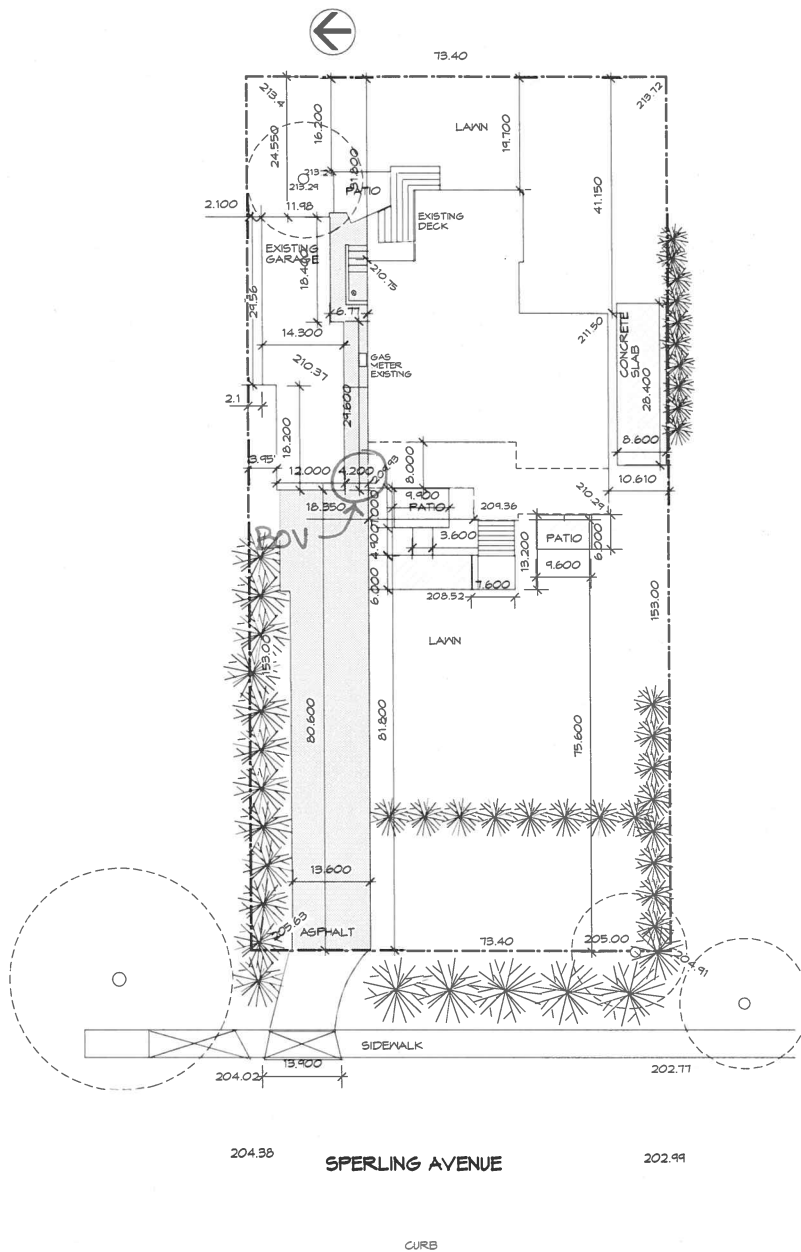
FRONT PATIOS: 111.63

BACK STEPS 84.94

FRONT STEPS 84.56

CONCRETE PAD (EXISTING) 247.09

TOTAL IMPERMABLE: 4,934.93



1 SITE PLAN  
S1 Scale: 1/16" = 1'-0"