



## 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 Vijay Mittal  
Mailing Address 7654 Stanley Cresc  
City/Town Burnaby BC Postal Code V5E 1W1  
Phone Number(s) (H) \_\_\_\_\_ (C) 604-721-2139  
Email \_\_\_\_\_

#### Property

Name of Owner Vijay Mittal  
Civic Address of Property 7688 Morley Drive  
Burnaby, BC.

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 03 2019

Applicant Signature

#### Office Use Only

Appeal Date

Sept 05 / 2019

Appeal Number BV#

[Signature]

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

From: Vijay Mittal  
7654 Stanley Cres.  
Burnaby , V5E1W1

To: Burnaby Board of Variance  
Burnaby City Hall  
4949 Canada Way, Burnaby, BC  
V5G 1M2

March 18, 2019

Re: Variance to Front Yard Setback to allow the extension of a Covered Patio into the required Front Yard Average Setback at 7688 Morley Drive.

Dear Board of Variance Members,

We are requesting a variance to the Building Bylaw that regulates Front Yard Setbacks. Existing older homes located to the SE of the subject property that are setback well beyond the required front yard setback for the R1 Zone (29.5') have increased the front yard average requirement for this lot to 66.91'. We feel that these deep setbacks cause us a hardship that greatly reduces our building envelope. The Subject Lot is a corner lot, therefore the front yard averaging takes into account only the setbacks of the 2 homes immediately SE of this property ( 6525 & 7655 Canada Way). The properties located across the street to the NW have buildings much closer to the property line and had this not been a corner lot the front yard average would have been much less and no variance would be required. For Instance, the next two properties at 7697 Morley Drive and 6479 Canada Way are located 42.5' and 41.3' respectively away from the Front Property Line. Based on these Calculations our proposed Covered Patio would still be setback approx 12'-0" further than these homes.

This request is for the relaxation to allow a proposed single storey covered patio to be extended by 7'1". The Front Yard Average requires 66.91' from the front property line to the forward most part of the building. The Building bylaw allows covered Patios to extend 3.94' into the front yard. The proposed covered edge of the patio will be located 55'11" from the Front Property Line.

We feel that the proposed Covered Patio will fit the intent of the bylaw and does not negatively impact any of the neighboring properties, or streetscapes. We have also made a great effort to design the building itself within the allowable building envelope and are only requesting the covered patio to be included in the variance as opposed to any interior floor area.

Thank you for your time and consideration.

Sincerely



Vijay Mittal  
604-721-2139

## BOARD OF VARIANCE REFERRAL LETTER

<b>DATE:</b> September 02, 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> September 10, 2019 for the October 03, 2019 hearing.			
<b>APPLICANT NAME:</b> Vijay Mittal			
<b>APPLICANT ADDRESS:</b> 7654 Stanley Crescent Burnaby BC V5E 1W1			
<b>TELEPHONE:</b> 604-721-2139			
<b>PROJECT</b>			
<b>DESCRIPTION:</b> New Single Family Dwelling with Secondary Suite and Attached Garage			
<b>ADDRESS:</b> 7688 Morley Drive			
<b>LEGAL DESCRIPTION:</b>	<b>LOT: 7</b>	<b>DL: 91</b>	<b>PLAN: NWP11642</b>

Building Permit application BLD19-00217 will be denied by the Building Department because the design is not in compliance with Burnaby Zoning Bylaw No. 4742:

### Zone R1 / Section 101.8

#### COMMENTS:

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

- 1) To vary Section 101.8 – “Front Yard” of the Zoning Bylaw requirement for the minimum front yard depth from 20.39 metres (66.91 feet) (based on front yard averaging) to 18.24 metres (59.83 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.

LE



Gloria Grill  
Building Code Engineer

Residential Home Plans For:  
7688 Morley Drive  
Burnaby, BC

Address	7008 Hurley Drive, Burnaby BC
Lot#	Lot 7
Legal Description	Lot 7, DL Lot 9, Group 1 NND Plan 11642
Lot Size	1194.56m <sup>2</sup> (1271.2 sq)
Lot Coverage	Allowable: 40% 1000 sq ft Proposed: 3726 sq ft
Building Size	Main: Allowable: 6350.9 sq ft Proposed: 6350.8 sq ft
	Main Upper Open Area Cellar Attic Staircase Attached Garage Covered Entry (P.A.R.) Covered Deck Canteen and Balcony Deck Allowance
	2688 sq ft 2170 sq ft 0 sq ft 1837 sq ft 1837 sq ft 451.5 sq ft 55 sq ft 372.8 sq ft 58.8 sq ft 508.07 sq ft
Above Gr. Max.	Max. Allowable: 5110.48 sq ft Proposed: 4858 sq ft
Height	Max. Allowable: 29.50' Proposed: 29.35'
Proposed Use	Single Family Dwelling
Zoning	R1
Heating	Radiant In Floor

## Drawing List

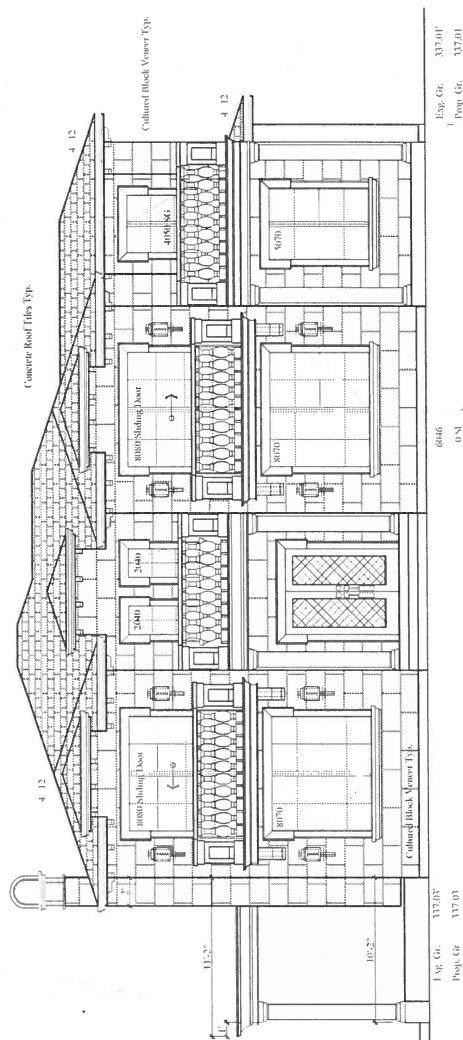
Page No.	Drawing
A1-0	Site Plan
A2-0	Cellar Floor Plan
A3-0	Main Floor Plan
A4-0	Upper Floor Plan
A5-0	Front and Left Elevation
A6-0	Roof and Left Elevation
A7-0	Cross Section and Energy Calculations
A8-0	Details
A9-0	Details
A 10	Details

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A9-0	Details
A-0	Details



<p> <b>Kapoor Home Design Ltd.</b>                  Suite 201 - 8661 261 Langley Rd V2Y 0G9                  799-51-1371                  kapoorhome@gmail.com             </p>	<p>                 I hereby certify that the above is a true and correct copy of the original as submitted to me by the applicant. I have not been paid for this service. I am not responsible for the accuracy of the information provided by the applicant. I am not responsible for the accuracy of the information provided by the applicant. I am not responsible for the accuracy of the information provided by the applicant.             </p>
<p> <b>Amrit Mittal</b>                  7688 Morley Drive Burnaby BC                  V5C 2M1             </p>	<p>                 I hereby certify that the above is a true and correct copy of the original as submitted to me by the applicant. I have not been paid for this service. I am not responsible for the accuracy of the information provided by the applicant. I am not responsible for the accuracy of the information provided by the applicant. I am not responsible for the accuracy of the information provided by the applicant.             </p>

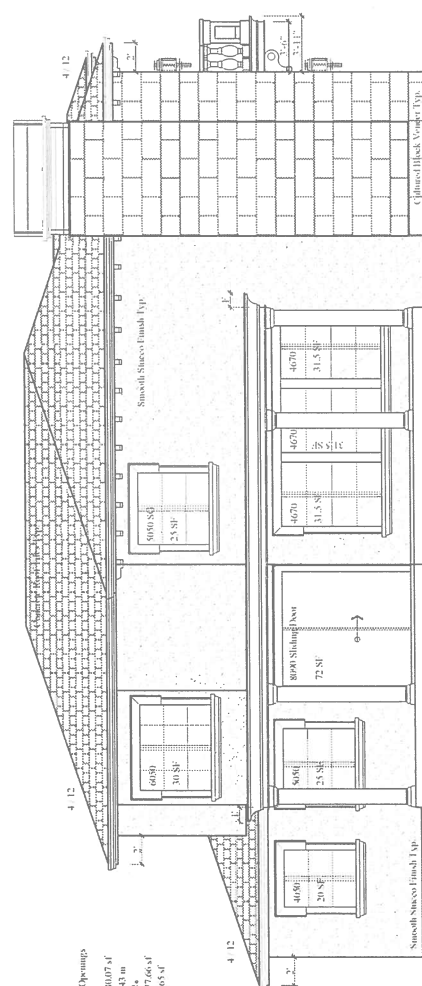
ELEV.	
367.03'	Max. Point Peak
365.44'	Pwp. Roof Peak
369.06'	T-0 Upper Floor Wall Plate
360.06'	Upper Floor Elevation
360.00'	T-0 Main Floor Top Plate
360.00'	Main Floor Elevation
358.00'	T-0 Discharge Tray Plate
357.54'	Room Average Grade
359.00'	Cellar Slab Elevation



Exp. Cr.	337.01°
Prop Cr.	337.01

Right Elevation  
1' 4" 1'-0"

Andrew Wells to Cook.



Ap. Cir.	337.03
Don. Cir.	337.03

Front Elevation  
1'-4" = 1'-0"

Wall Area	1280.07 sf
in. Dist.	17.43 m
Allowable %	92%
Permitted Area	1177.66 sf
Yield Area	26.65 sf

$\lambda_{\text{exp.}} \text{ (ir. } 332.00^\circ)$

