

Board of Variance
City of Burnaby
4949 Canada Way,
Burnaby, British Columbia, V5G 1M2

February 9, 2016

RE: 4829 Canada Way (Lot A, Block 6, Plan EPP54656)

With this application, we are kindly and respectfully seeking reliefs and minor variances to the Burnaby zoning Bylaw No. 4742 (the "Zoning Bylaw"):

1. THAT the Board of variance grant a relief and variance of 2.25 ft (0.685m) to permit the dwelling depth to be 58 ft. (17.67m), where the section R3 [103.7(a)] of the Zoning Bylaw requires to be 55.75 ft. (17.00m);
2. THAT the Board of Variance grant a relief and variance of 3.24 ft. (0.99m) to permit the front yard setback to be 25.43 ft. (7.75m), where the section R3[103.8] of the Zoning Bylaw requires to be 28.67 ft. (8.74m).

BACKGROUND

The subject Lot A (4829 Canada Way) was created as part of a three lot the subdivision of existing lot REM 15 Except Parcel A Plan 10410. The lot REM 15 had an older dilapidated dwelling which created an eyesore to the neighbourhood. As part of the subdivision, we were required to dedicate 8.2 ft.(2.5m) road frontage on Canada Way to install sidewalk, curb and gutter at our own expense see Appendix A (attached). We understand it was necessary to align the sidewalks and road surface. These newly installed sidewalks will enhance the neighbourhood and make it safe for the pedestrians. We are looking forward to being part of the neighbourhood to enjoy our evening walks.

In addition to the road frontage on Canada Way, we were required to dedicate and build 20 ft. (6.1m) rear lane. This lane was required to connect the two existing cul-de-sacs Jambor Ct. and Dundonald Ave. Due to the existing location of the lane on the west side connecting to the Jambor Ct, Lot A was required to dedicate 41.95 ft. (12.785 m) to create a truncation arc to align the lane to connect the Jambor Ct and Dundonald Ave. Therefore it required an additional

21.9 ft. (6.678m) road dedication. This additional dedication reduced the lot width on west side from 35.787 to 29.109m

HARDSHIP

We demonstrate the hardship with the following points:

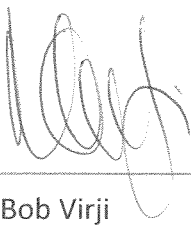
- A. We dedicated 28.22 ft (8.6m) land to widen the Canada Way and to create a lane at the rear of the properties. We understand, due to the traffic volume on the Canada Way a residential driveway would not be safe for the occupants. Therefore a lane access to the newly created dwelling is required. Since the dwellings at 3738 Jambor Ct and 4827 Canada Way already have lane access from Jambor Ct, the lane behind Lot A could have been avoided. The access to Lot A could have been provided from the lane ending behind Lot B. This would have left the Lot A depth to 41.887 m (35.787m +6.1m). The proposed dwelling would have been complying with both sections R3[103.7(a), 103.8] of the Zoning Bylaw.
- B. Due to the irregular existing lane from Jambor Ct, the Lot A was required to dedicate an additional 20.9 ft. (6.678m) to connect the Jambor Ct. to Dundonald Ave . This additional dedication left the west property line depth at 29.109 m. Due to this irregular and unusual existing lane design, the Lot A was required to dedicate addition land reducing the depth of the property. Had this been a conventional lane, the effective lot depth would have been 35.787 m, and our design would have been complying with both sections R3[103.7(a), 103.8] of the Zoning Bylaw.
- C. The section R3[103.8] of the Zoning Bylaw requires the front yard setback to be the average of two adjacent homes. This requires the Lot A to consider the setbacks of 4827 Canada Way and 3762 Jambor Ct. The proposed dwelling is relatively aligned with the dwelling at 4827 Canada Way. The dwelling located at 3762 Jambor Ct is on a through lot fronting both Canada Way and Jambor Ct, and it is facing the Jambor Ct. It appears that due to the traffic on Canada Way the builder located the dwelling as far away from the Canada Way as possible. This created a relatively large setback from the Canada Way. Based on the aerial photo from the City of Burnaby maps (see Appendix B) , the dwelling at 3762 Jambor Ct is setback further north than the two adjacent dwelling at 4827 Canada Way and 3768 Jambor Ct. We believe that the purpose of this regulation was to create a more harmonious and consistent landscape and view in the City. However in this case it will create an exact opposite effect by pushing the proposed dwelling further north. The proposed dwelling is relatively aligned with dwelling at 4827 Canada Way. In addition, travelling west on Canada Way the setback will increase from 6.0 m to 7.75 m to 8.45 to 14.5m. We believe this will enhance the neighbourhood's appearance.

CONCLUSION

We are seeking your help to allow the above reliefs and variances from the Zoning Bylaw. We believe the improvements on the Canada Way will enhance the pedestrian safety, the alignment and connection of Jambor Ct. and Dundonald Ave will create better traffic flow, and the Dundonald Ave cul-de-sac will enhance and add to the neighbourhood. We are building three family homes on these lots. Father and two and their families are planning to occupy these homes. All three homes are modern but complimentary to the neighbourhood. The proposed three dwelling will allow my two sons and I will be adjacent to each other and help raise our families. We believe these two minor variances are not going to adversely affect the neighborhood, but they will enhance it. We are hopeful that you will view these variances with favorable but supportable views.

Thank you for considering our appeal of hardship to seek variance.

Respectfully submitted'



Bob Virji



Faizal Virji



Farhan Virji

6339 Canada Way
Burnaby, BC V5E3P3

Attachments:

Appendix A: Subdivision Plan

Appendix B: Arial Photo

Appendix C: Survey Plan with Setbacks of Adjacent Homes

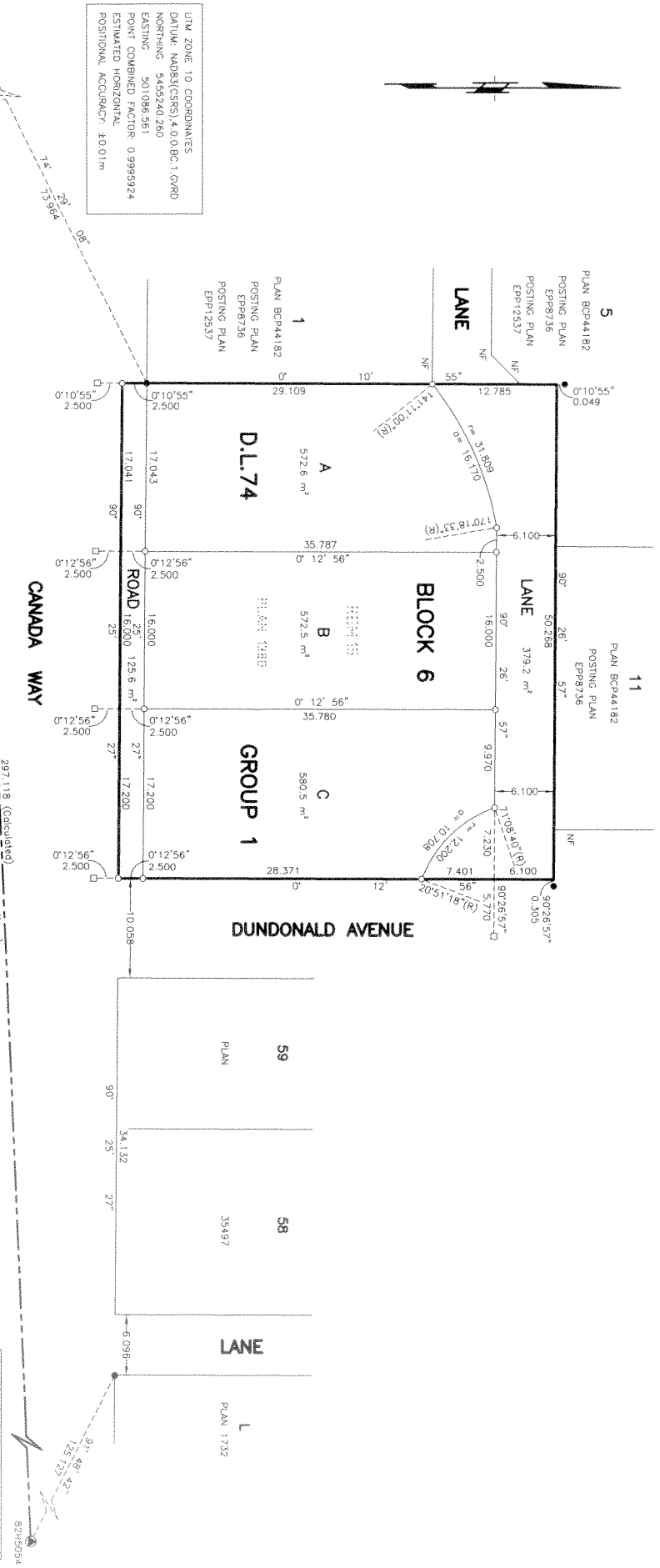
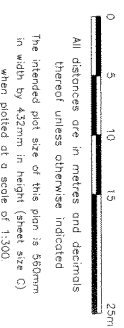
Appendix D: Site Plan 4829 Canada Way

Appendix E: Rendering of 4829 Canada Way

SUBDIVISION PLAN OF LOT 15 EXCEPT: PARCEL "A"
(EXPLANATORY PLAN 10410): BLOCK 6, DISTRICT LOT 74,
GROUP 1, NEW WESTMINSTER DISTRICT, PLAN 1380

PURSUANT TO SECTION 67, LAND TITLE ACT
 BCGS-929026

PLAN EPP54656



UTM ZONE 10 COORDINATES
 DATUM: NAD83(CSRS) 4.0 B.C. 1.0 VRD
 NORTHING: 5455240.260
 EASTING: 501098.561
 POINT COMBINED FACTOR: 0.9995924
 ESTIMATED HORIZONTAL POSITIONAL ACCURACY: ±0.01m

UTM ZONE 10 COORDINATES
 DATUM: NAD83(CSRS) 4.0 B.C. 1.0 VRD
 NORTHING: 5455252.840
 EASTING: 501383.282
 POINT COMBINED FACTOR: 0.9995939
 ESTIMATED HORIZONTAL POSITIONAL ACCURACY: ±0.01m

- LEGEND:**
- Control Monument Found
 - ▲ Standard Iron Peg Found
 - Standard Iron Peg Placed
 - Lead Flag Placed
 - NF Noting Found
 - (R) Rodal Bearing

A Covenant, in the name of the City of Burnaby pursuant to Section 219 of the Land Title Act is a condition of approval for this subdivision.

This plan lies within the jurisdiction of the Appraising Officer for the City of Burnaby.

Ken K. Wong and Associates
 Control and B.C. Land Surveyors
 5624 E. Hastings Street
 Burnaby, B.C. V5B 1R4
 Telephone: 294-8881
 Fax: 294-0625
 150628 FB926 P.82-83
 R-9986, 17-412C
 Drawn by: SW

FILE: SU-2745

This plan lies within the Greater Vancouver Regional District.

The field survey represented by this plan was completed on the 14th day of September, 2015.
 Steven E. Wong, BCLS 947



Canada Wy

Jambor Ct

Woodsworth St

Dundonald Av

Length: 11.53 m

Length: 14.14 m

4819 c

3768 3

3762 2

4827 1

4829 A

4838 B

4839 C

5448 D

5180 4

3738 5

3728 6

3718 7

5438 8

3741 11

3731 10

5430 9

3772 59

4845 58

3752 51

3734 50

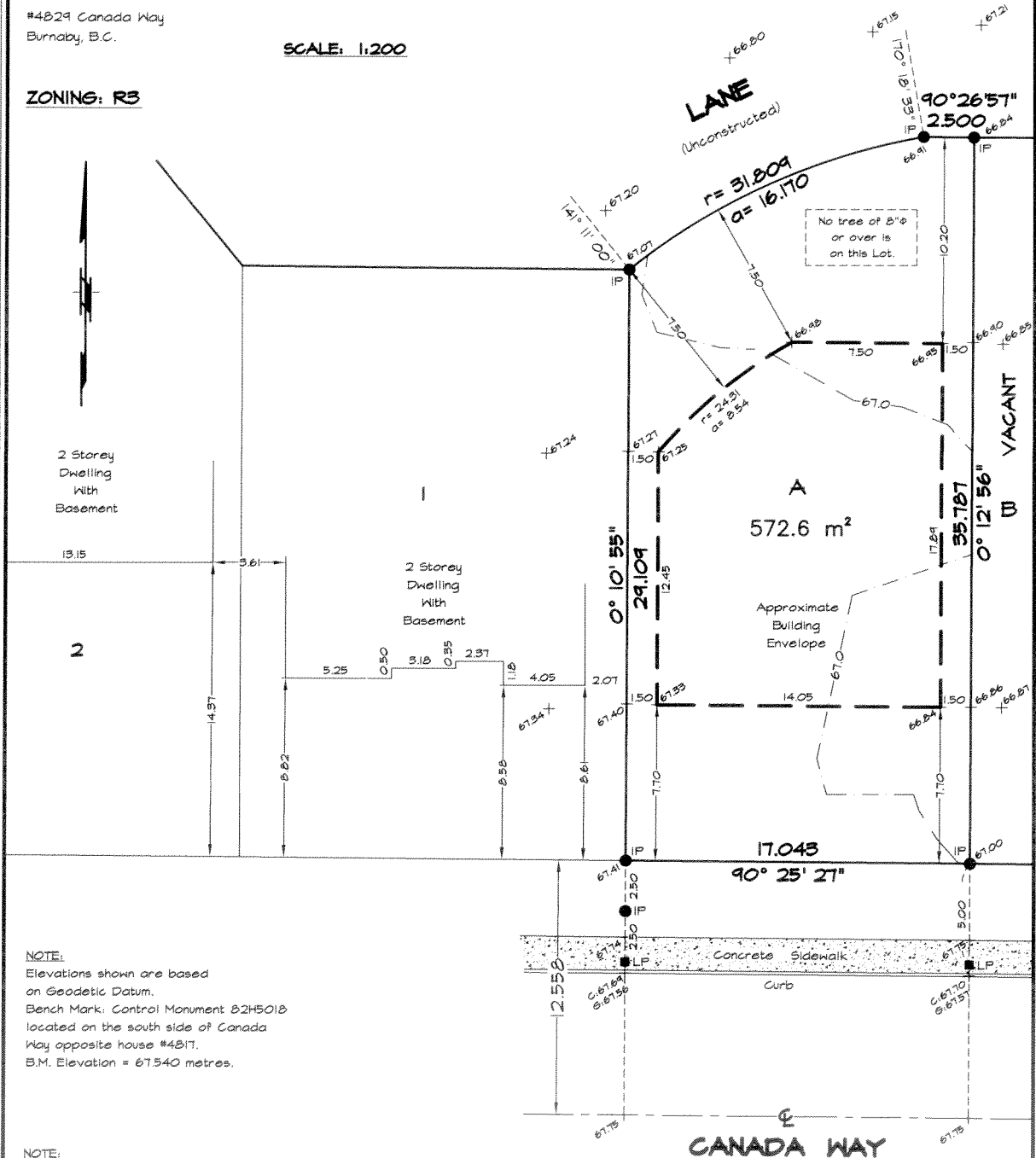
3728 49

**PLAN OF SURVEY OF LOT A, BLOCK 6, DISTRICT LOT 74,
GROUP 1, NEW WESTMINSTER DISTRICT, PLAN EPP54656**

#4829 Canada Way
Burnaby, B.C.

SCALE: 1:200

ZONING: R3



NOTE:
Elevations shown are based on Geodetic Datum.
Bench Mark: Control Monument 82H5018 located on the south side of Canada Way opposite house #4817.
B.M. Elevation = 67.540 metres.

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 of Burnaby planning department prior to any design work. Failure to confirm with the planning department will place the responsibility onto the house designer.

CERTIFIED CORRECT:
Lot dimensions are correct according to ground survey.

B.C.L.S.

January 28th, 2016.

- LEGEND:**
- IP denotes iron post.
 - LP denotes lead plug.
 - C denotes curb.
 - G denotes gutter.

SETBACK OF ADJACENT DWELLINGS			
HOUSE NO.	LOT NO.	MIN. FRONT SETBACK	AVERAGE
3762	2	14.37	8.74
4827	1	8.58	
4835	B	6.00 (Vacant)	
4835	C	6.00 (Vacant)	
TOTAL:		34.95	

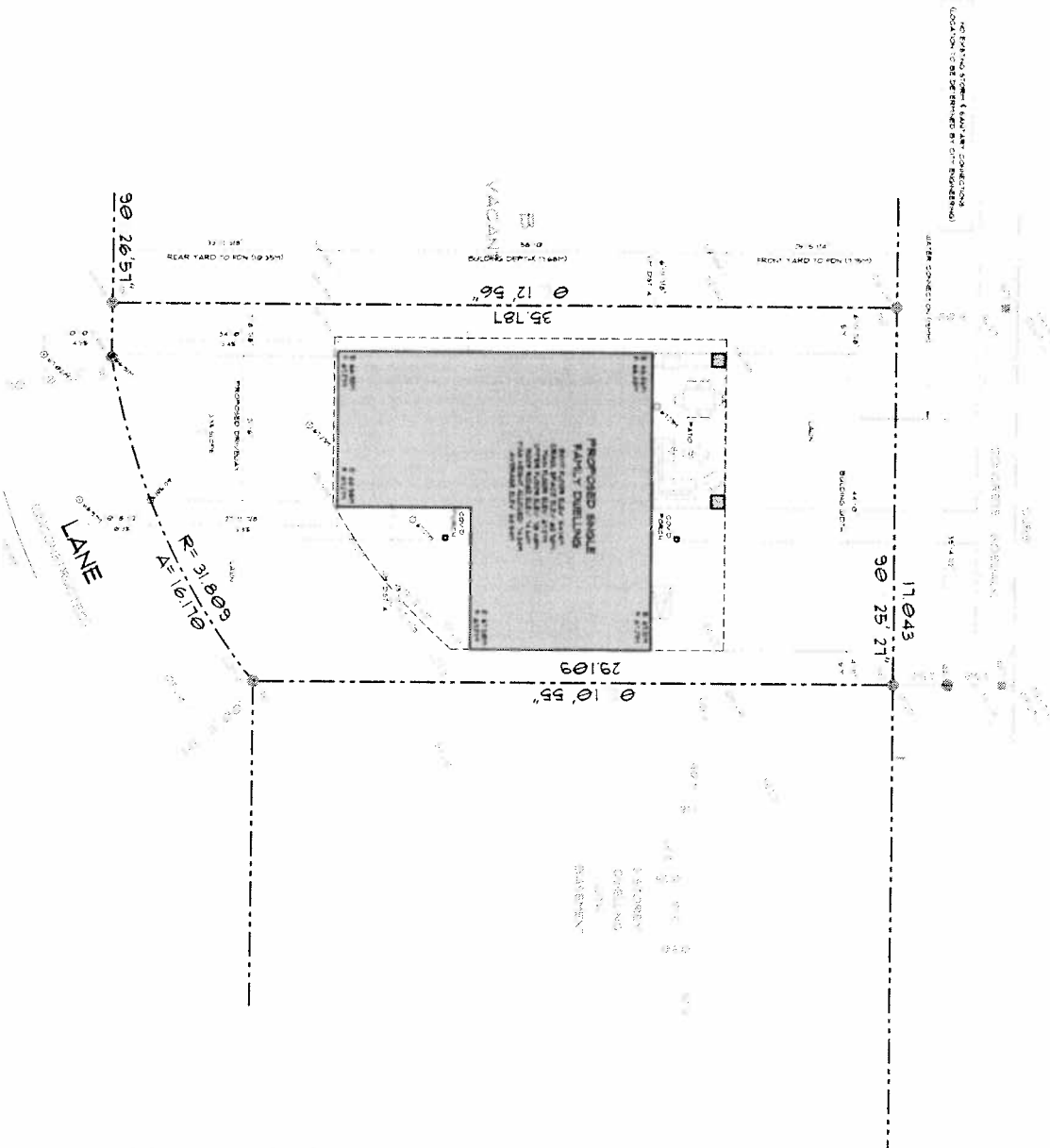
For construction, use lead plugs in sidewalk or City survey monument only for elevation control.

All trees are plotted in accordance with Burnaby Tree Bylaw 1996.

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Ken K. Wong and Associates
Canada and B.C. Land Surveyors
5624 E. Hastings Street
Burnaby, B.C. V5B 1R4
Telephone: 294-8881
Fax: 294-0625
150628 FB426 P.82-83
DATA FILE: 150628.RAW.CSO
R-9586, SU-2145
Drawn by: SW

FILE: TA-7407B

CANADA WAY

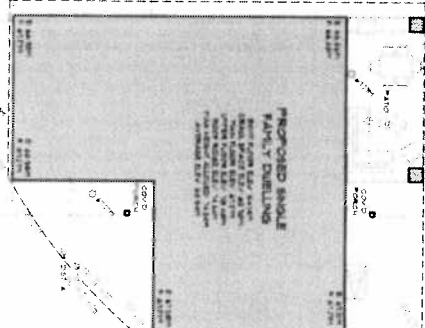


NO EXISTING ABOVE-GRADE UTILITIES
 LOCATION TO BE DETERMINED BY CITY ENGINEER

REAR YARD TO RDN (10' 00\"/>

FRONT YARD TO RDN (10' 00\"/>

VACANT BUILDING DEPTH (10' 00\"/>



LANE

R=31.809
 ΔE=16.170

29' 10\"/>

17' 04.3
 30' 25' 21"

1:500 SCALE
 ORIGIN: 49.250000
 EASTING: 1000000.000000
 NORTHING: 5500000.000000

PROJECT INFORMATION

DATE	2014-01-15
PROJECT NO.	100-100-100
CLIENT	ABC DEVELOPMENT
PROJECT NAME	PROPOSED SINGLE FAMILY DWELLING
PROJECT ADDRESS	123 CANADA WAY, VANCOUVER, BC
PROJECT AREA	1000 SQ. FT.
PROJECT TYPE	RESIDENTIAL
PROJECT STATUS	PRELIMINARY
PROJECT OWNER	ABC DEVELOPMENT
PROJECT CONTACT	123-456-7890
PROJECT EMAIL	info@abcdev.com
PROJECT WEBSITE	www.abcdev.com



Site Plan

1:0

GENERAL DESIGN REQUIREMENTS

1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE BC BUILDING CODE AND ALL APPLICABLE REGULATIONS.
 2. THE PROPOSED DWELLING SHALL BE CONSTRUCTED ON A PERMANENT FOUNDATION.
 3. THE PROPOSED DWELLING SHALL BE CONSTRUCTED WITH A MINIMUM OF 10% OVERLAP WITH THE EXISTING LOT BOUNDARIES.
 4. THE PROPOSED DWELLING SHALL BE CONSTRUCTED WITH A MINIMUM OF 10% OVERLAP WITH THE EXISTING LOT BOUNDARIES.
 5. THE PROPOSED DWELLING SHALL BE CONSTRUCTED WITH A MINIMUM OF 10% OVERLAP WITH THE EXISTING LOT BOUNDARIES.

Appendix - E

