



2020 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 Maksim Mihic
Mailing Address 1366 Glen Abbey Dr
City/Town Burnaby Postal Code V5A 3Y4
Phone Number(s) (H) 604 320 7200 (C) 604 880 2058
Email maksim-mihic@dpworld.com

Property

Name of Owner Maksim Mihic
Civic Address of Property 7181 Golden St

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.

June 04, 2020

Date

[Signature]
Applicant Signature

Office Use Only

Appeal Date 2020 July 09 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

June 05, 2020

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

Re: Application to the Board of Variance - 7181 Golden Street, Burnaby, BC

Dear Members of the Board of Variance,

We write to you in regard to our application for the above noted property. We purchased the property in June 2015 and are proposing to construct a new single-family dwelling for our family. The lot is zoned Residential District (R2) and is a pie-shaped parcel. Over the last year we have been working with several design professionals to complete and submit our house plans to the City of Burnaby. Unfortunately, we are unable to advance our plans due to a procedural issue in relation to building depth as it relates to our pie-shaped lot.

We are respectfully seeking a minor relief from the Board in relation to the maximum allowable Building Depth for our home. All other aspects of the design and construction of the proposed residence meet City of Burnaby Zoning Bylaw requirements. The maximum permitted building depth for this property is 60.00' and the current proposal for the building depth is calculated at 67.03' based on the procedure prescribed by the building and planning staff. As such, we request relief from the Board on the basis that meeting the required building depth for this property would create the following hardships:

- a. The building depth measurement procedure only works for a standard lot; for a larger pie-shaped lot like ours, the procedure prevents our ability to design a dwelling to optimize the siting, sun-exposure, site grading and other site considerations; and
- b. The prescribed building depth measurement of a pie shape lot unfairly penalizes property owners, as due to the "horizontal distance" interpretation, building depth for certain house designs are measured on a diagonal, and are rendered non-compliant.

Our subject property (NWD Plan 40376), fronts on a cul-de-sac, which results in the back-property line being longer than the front property line; as a result, the northerly side lot line is angled, creating a pie shaped lot. If this property was a traditional rectangular parcel, the building depth for our home would be measured perpendicular to the front lot line. Based on the interpretation of Zoning Bylaw, our house would have a building depth of 57.92', and will be well within Zoning Bylaw requirement.

However, the City of Burnaby Zoning Bylaw does not distinguish pie-shaped lots from standard rectangular lots in relation to the measurement procedure for building depth. The current building depth measurement procedure for pie shaped lots is not in the Zoning Bylaw, nor are the building depth limitations publicly disclosed, which unfairly penalizes very few owners of pie-shaped properties. Such properties are typically larger, and potentially more valuable, therefore we respectfully request relief from this prescriptive requirement that prevents our ability to optimize the lot with a sensitive and appropriate house design.

The footprint of our proposed house has been designed to follow the placement and orientation of the adjacent dwellings, by aligning the front façade with the neighboring house and parallel to the street, which consequently matches the placement of the current house that we are demolishing. The interior spaces for the residence were conceived with 90 degree wall to wall intersections, which resulted in an esthetically pleasing and staggered wall design along the north property line. This was done to provide relief to the adjacent property and avoid the use of large, uninterrupted facades. In addition, the length of the building along the neighboring properties will not exceed 45', which in turn also enables our front and back yard space to be maximized while optimizing the house design in regards to the sun exposure. Finally, we want to highlight that our proposed house does not maximize our allowable floor area under the bylaw, and our floorplans demonstrate a house design and building footprint that creates significant open space voids in our allowable building envelope, providing a sensitive treatment to adjacent property owners.

In closing, we believe that the prescribed measurement procedure for building depth for a pie-shaped lot is unfair in this case and results in a hardship to us in optimizing our unique property, and we respectfully request a minor variance to enable our proposed house design to be accommodated.

We thank you for your time and consideration regarding our variance request and look forward to a favorable outcome.

Kind Regards,



Jovanka and Maksim Mihic
(owners of 7181 Golden Street)

BOARD OF VARIANCE REFERRAL LETTER

PLEASE NOTE THAT BOARD OF VARIANCE HEARINGS HAVE BEEN SUSPENDED IN SUPPORT OF THE PROVINCE'S CONVID-19 RESPONSE.

IT IS RECOMMENDED THAT YOU MAKE YOUR BOARD OF VARIANCE APPLICATION PROMPTLY. UPON RECONVENING THE BOARD, APPLICATIONS WILL BE HEARD ON A FIRST COME FIRST SERVED BASIS.

DATE: June 2, 2020		<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: June 9, 2020 for the July 9, 2020 hearing.			
APPLICANT NAME: Maksim Mihic			
APPLICANT ADDRESS: 1366 Glen Abbey Drive, Burnaby BC V5A 3Y4			
TELEPHONE: 604-880-2058			
PROJECT			
DESCRIPTION: New Single Family Dwelling with Secondary Suite and Detached Garage			
ADDRESS: 7181 Golden Street			
LEGAL DESCRIPTION:	LOT: 168	DL: 136	PLAN: NWP40376

Building Permit application BLD20-00142 will be denied by the Building Department because the design is not in compliance with Burnaby Zoning Bylaw No. 4742:

Zone R2 / Section 102.7

COMMENTS:

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

- 1) To vary Section 102.7 – “Depth of Principal Building” of the Zoning Bylaw requirement for the maximum building depth from 18.3 m (60 feet) to 20.43 m (67.03 feet). The applicability of this variance, if granted, is limited to the scope of the proposal shown on the attached plans.

Note:

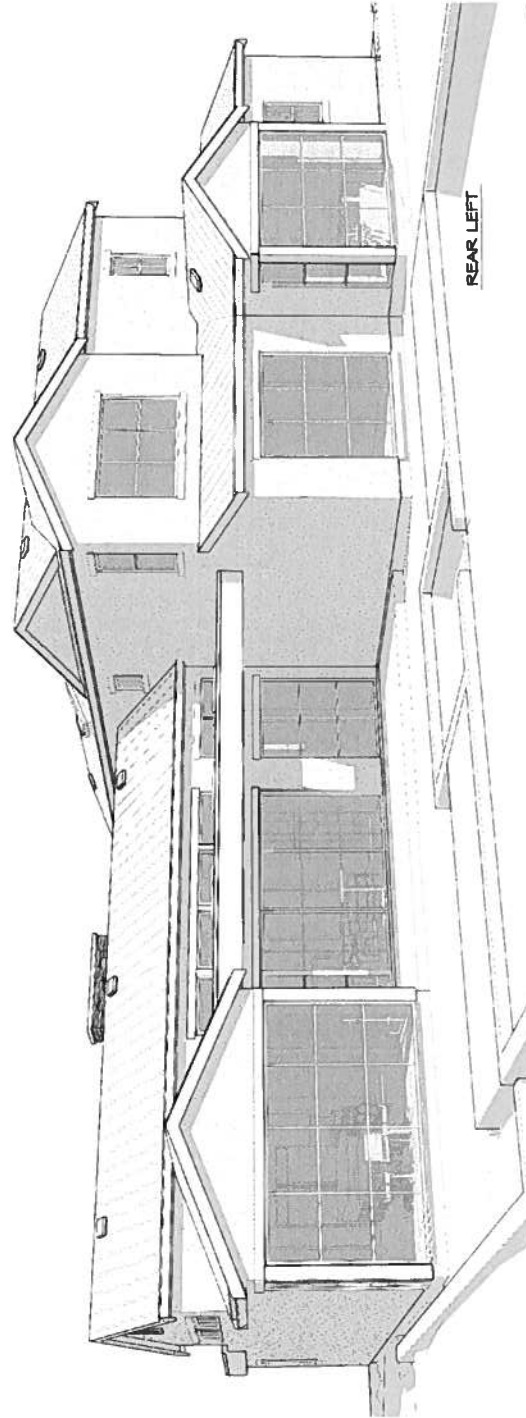
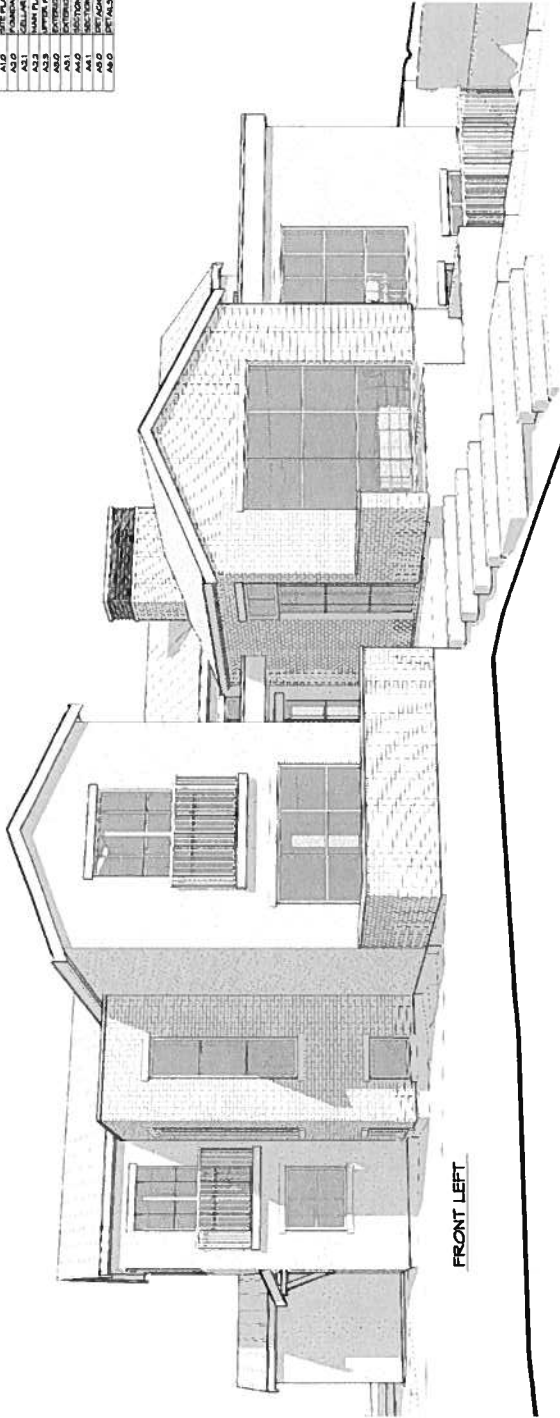
1. The applicant recognizes that should the project contain additional characteristics in contravention of the Zoning By-law, a future appeal(s) may be required.
2. The applicability of this variance, if granted, is limited to the scope of the proposal shown on the attached plans.
3. All new principal 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.

LE



Peter Kushnir
Deputy Chief Building Inspector

DRAWING INDEX	
SHEET	DRAWING TITLE
A0.0	TITLE SHEET
A1.0	FOUNDATION PLAN
A2.0	FLOOR PLAN
A3.0	CEILING PLAN
A4.0	INTERIOR ELEVATIONS
A5.0	EXTERIOR ELEVATIONS
A6.0	SECTION
A7.0	DETAILS
A8.0	DETAILS



MIHIC RESIDENCE

SU CASA
DESIGN

ADDRESS: 2643 MONTROSE AVE. ABBOTSFORD, BC TEL: (604) 864-4003 EMAIL: INFO@SU.CASADENCA

PROJECT NO: 19086

7181 GOLDENST., BURNABY BC

TITLE SHEET

SHEET NUMBER

A0.0

DATE: 2020-06-02 10:20:02 AM

THESE DRAWINGS CONFORM TO THE 2018 B.C. BUILDING CODE
 ALL DRAWINGS TO BE SUBMITTED TO THE LOCAL AUTHORITY FOR REVIEW AND APPROVAL
 IN ALL CONSTRUCTION PROJECTS THE DRAWING MUST BE ACCOMPANIED BY THE SIGNATURE OF THE DESIGNER IN THE B.C. BUILDING CODE

SU CASA DESIGN

7101 GOLDEN ST., BURNABY BC

From As indicated

DATE 2023-06-02 10:30:42 AM

A1.0

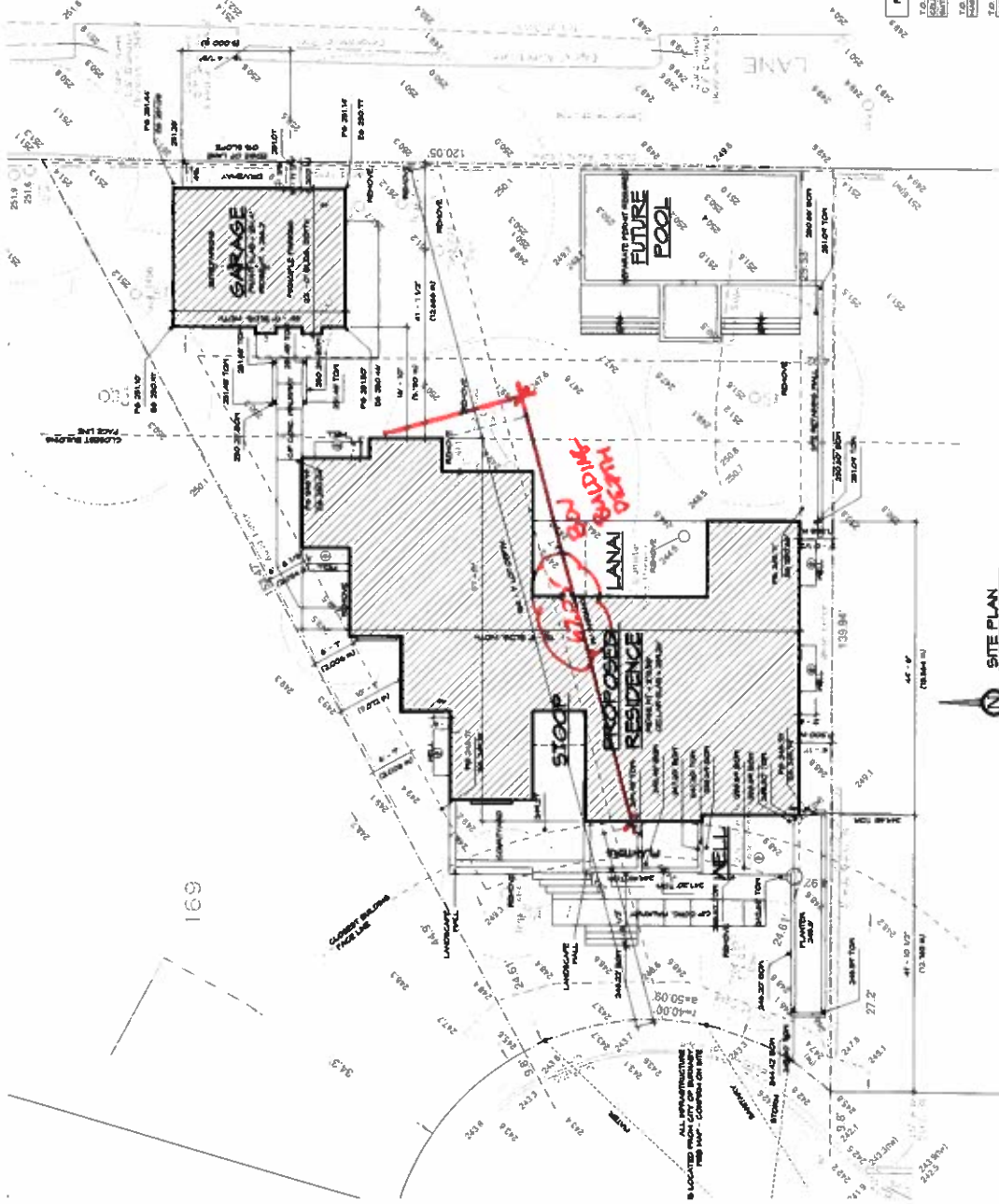
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7	4,000.00 SQ. FT.	8	4,000.00 SQ. FT.	9	4,000.00 SQ. FT.	10	4,000.00 SQ. FT.	11	4,000.00 SQ. FT.	12	4,000.00 SQ. FT.
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145	4,000.00 SQ. FT.	146	4,000.00 SQ. FT.	147	4,000.00 SQ. FT.	148					

FLOOR AREA SUMMARY			
T.O. COLLA			
CELLAR AREA	1463 SF		
HALL AREA	1463 SF		
	2926 SF		
T.O. MAIN FLR			
MAIN FLOOR AREA	2926 SF		
	2926 SF		
T.O. GARAGE SLAB & ENTRY			
GARAGE	846 SF		
	846 SF		
T.O. UPPER FLR			
UPPER FLOOR AREA	893 SF		
	893 SF		
TOTAL FLOOR AREA			

DRAWING INDEX	
SHEET	DRAWING TITLE
A0.0	TITLE SHEET
A1.0	ENTIRE PLAN
A2.0	PERIMETER PLAN
A3.1	CELLAR FLOOR
A3.2	MAIN FLOOR
A3.3	UPPER FLOOR PLAN
A3.0	SECTION ELEVATIONS
A4.0	SECTION ELEVATIONS
A4.1	SECTIONS
A4.2	SECTIONS
A5.0	STANDARD DETAILS
A6.0	DETAILS

THESE DRAWINGS CONFORM TO THE 2018 B.C. BUILDING CODE
ALL DRAWINGS TO BE MADE IN CONFORMANCE WITH SUCH CODES. ANY DISCREPANCIES ON DRAWINGS ARE TO BE RESOLVED BY THE DESIGNER AND THE CONTRACTOR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LATEST EDITION OF THE B.C. BUILDING CODE.



SITE PLAN

THE PL

MIHIC RESIDENCE

SU CASA
DESIGN

ADDRESS: 2643 MONTROSE AVE, ABBOTSFORD BC TEL: (604) 854-4308 EMAIL: INFO@SU.CASADESIGN.BC

PROJECT No. 19066

7161 GOLDEN ST., BURNABY BC

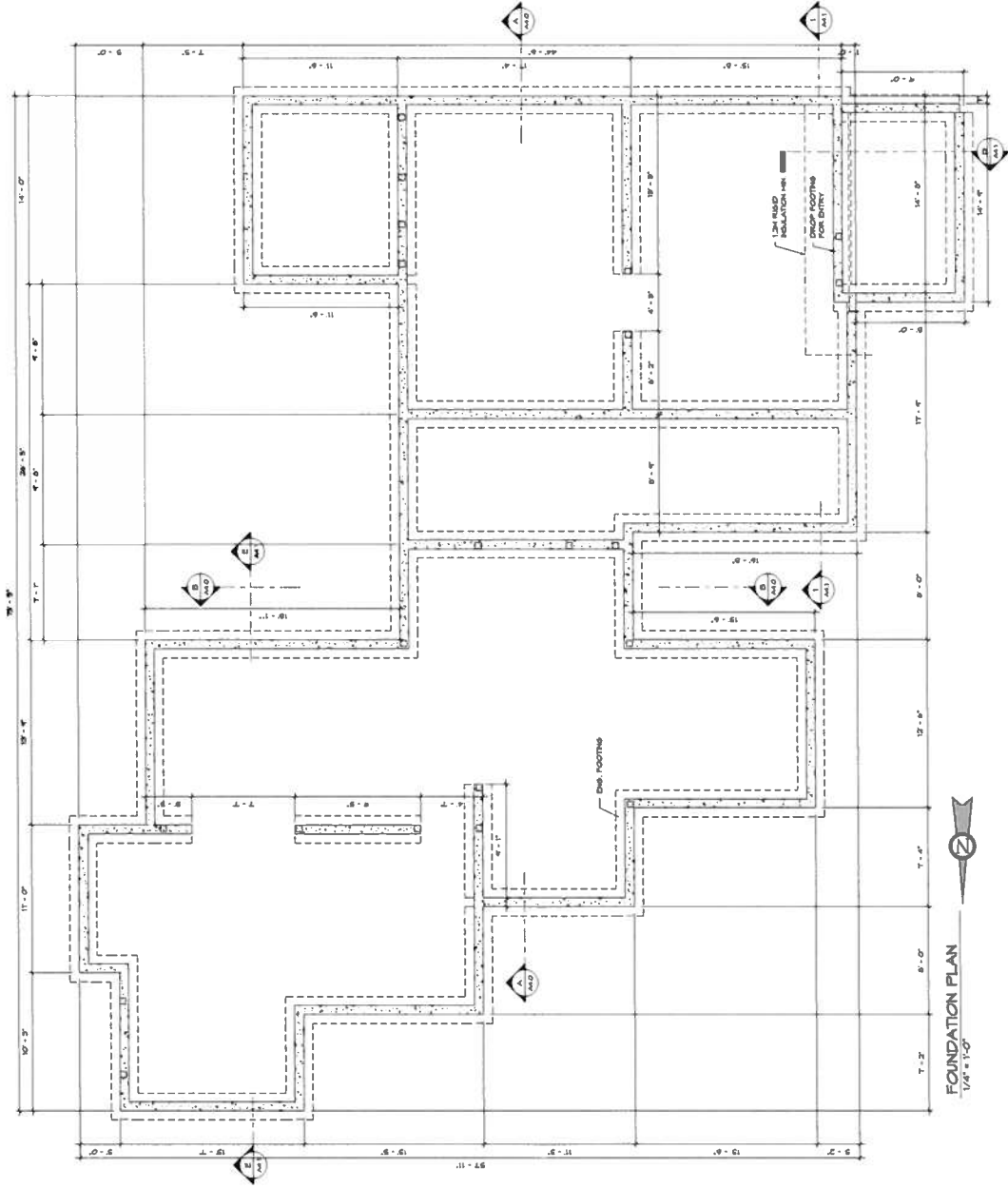
TITLE FOUNDATION PLAN

SCALE 1/4" = 1'-0"

DATE 2020-06-02 10:26:03 AM

A2.0

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ALL DIMENSIONS TO BE READ IN CONJUNCTION WITH EACH OTHER. ANY DISCREPANCIES OR OMISSIONS ARE TO BE REPORTED TO THE DESIGNER IN WRITING. A REVISION WORK SHEET IS THE SOLE AUTHORITY FOR ANY CHANGES TO THESE DRAWINGS. THE USER OF THESE DRAWINGS ASSUMES ALL LIABILITY FOR ANY DAMAGE TO THE USER OR OTHERS.



DESIGN
SU CASA

BAYL: NFO@SUCASDESIGNCA

ADDRESS 2643 MONTROSE AVE. ABBOTSFORD, BC TEL: (604) 864-4003

7181 GOLDEN ST., BURNABY BC

SCALE	As indicated
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A3.0

ALL DRAWINGS TO BE READ IN CONNECTION WITH EACH OTHER. ANY DISCREPANCIES ON DRAWINGS ARE TO BE REPORTED TO THE DESIGNER BEFORE PREPARING WORK. IT IS THE CONTRACTOR'S RESPONSIBILITY TO CARRY OUT ALL WORK IN ACCORDANCE WITH THE REQUIREMENTS OF THE LATEST EDITION OF THE B.C. BUILDING CODE.

EXTERIOR NOTES

- FLASH ALL UNPROTECTED EXTERIOR OPENINGS
- CAULK JOINTS BETWEEN DISJUNCT MATERIALS
- REFER TO ROOF PLAN FOR OVERHANG DIMENSIONS



THESE DRAWINGS CONFORM TO THE 2018 B.C. BUILDING CODE

DESIGN
SU CASA

7181 GOLDEN ST., BURNABY BC

EXTERIOR ELEVATIONS

DATE 2020.08.02 20:30:06

A3.1

THESE DRAWINGS CONFORM TO THE 2018 B.C. BUILDING CODE

EXTERIOR NOTES

- PLANK ALL UNPROTECTED EXTERIOR OPENINGS
- GASK JOINTS BETWEEN DISJUNCTURE MATERIALS
- REFER TO ROOF PLAN FOR OVERLAP
- DIMENSIONS



DESIGN
SU CASA

A6.0

THESE DRAWINGS CONFORM TO THE 2018 B.C. BUILDING CODE