



2021 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 ALAIR HOMES BURNABY
Mailing Address 35 NORTH HOWARD AVE
City/Town BURNABY Postal Code _____
Phone Number(s) (H) _____ (C) 604-265 6998
Email ROMAN.TAUBBEKOV@ALAIRHOMES.COM

Property

Name of Owner WILLIAM & SUSANNA TAM
Civic Address of Property 5680 EWART ST
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.

05/11/21
Date

[Signature]
Applicant Signature

Office Use Only

Appeal Date May 11 2021 Appeal Number BV# 6432

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**



BOARD OF VARIANCE REFERRAL LETTER

DATE: April 27, 2021		<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: May 11, 2021 for the June 3, 2021 hearing.			
APPLICANT NAME: Alair Homes Burnaby			
APPLICANT ADDRESS: 35 North Howard Ave, Burnaby			
TELEPHONE: 604-265-6998			
PROJECT			
DESCRIPTION: New single family dwelling with secondary suite and detached garage			
ADDRESS: 5680 Ewart St			
LEGAL DESCRIPTION:	LOT: A	DL: 159	PLAN: NWP14034

Building Permit application BLD19-00878 will be denied by the Building Department because the design is not in compliance with Burnaby Zoning Bylaw No. 4742:

Zone R2 / Sections 6.14.1(1)

COMMENTS:

The applicant is building a single family dwelling with secondary suite and detached garage. In order to allow the Building Permit revision to proceed, the applicant requests that the following variances be granted:

- 1) To vary Section 6.14.1(1) – “Retaining Walls” of the Zoning Bylaw requirement for the maximum retaining wall height from 1.2 m (3.94 ft.) to 1.80 m (5.91 ft.) for retaining wall located on west property line. This retaining wall contains series of retaining wall height up to 1.80m (5.91ft). The applicability of this variance, if granted, is limited to the scope of the proposal shown on the attached plans.
- 2) To vary Section 6.14.1(1) – “Retaining Walls” of the Zoning Bylaw requirement for the maximum retaining wall height from 1.2 m (3.94 ft.) to 2.87 m (9.4 ft.) for the on-site retaining wall located at the south to the house. This retaining wall contains series of retaining wall height up to 2.87m (9.4ft). The applicability of this variance, if granted, is limited to the scope of the proposal shown on the attached plans.
- 3) To vary Section 6.14.1(1) – “Retaining Walls” of the Zoning Bylaw requirement for the maximum retaining wall height from 1.2 m (3.94 ft.) to 2.80 m (9.17 ft.) for retaining wall located on east property line. This retaining wall contains series of retaining wall height up to 2.80m (9.17ft). 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. All new principal building projections into the resulting required yards will conform to the requirements of Section 6.12.
3. Principal building projection exemptions in the calculations of building depth will conform to the requirements of the Depth, Principal Building definition.
4. Guards and fences will conform to the requirements of BCBC 2018.

CL

A handwritten signature in dark ink, appearing to read "Kushnir", with a horizontal line drawn underneath it.

Peter Kushnir
Deputy Chief Building Inspector



PLANNING DEPARTMENT

Hardship Letter for City of Burnaby Board of Variance

Applicant Name: William Wing Kong Tam and Susanna Maria Tam 03/31/2021
Project address: 5680 Ewart Street, Burnaby

To Whom It May Concern:

This letter is to describe the reasons for which a request was submitted for relaxation of the Burnaby Zoning Bylaw 4742 in regards to the following section:

Section 6.14.1(1) in regards to the retaining walls height: retaining walls shall not exceed 1.2 m (3.94 ft.) in height, as measured at any point along the retaining wall.

To retain the soil behind the detached garage located at the back of the property, a portion of the retaining wall has to be 10 ft. This will exceed the allowable height as per section 6.14.1(1).

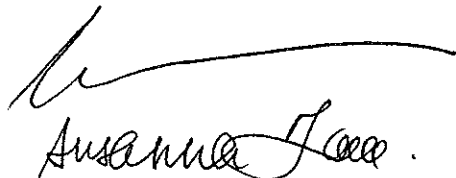
The overall elevation difference between the front (north) and the back (south) property lines is over 20 ft. The elevation difference between the grade at the south side of the house and the south property line is over 13 ft. Two car garage is located at the back of the property facing the back lane. The backyard depth measured between suite entrance porch and the retaining wall in question is 20 ft. The natural grade of the lot was not changed.

If the wall is erected as per bylaw guidelines (Section 6.14.1(3) the "useful" backyard (flat area of the same grade) will be reduced to about 12 ft. Also, we are respectfully asking for the relaxation for only the portion of the retaining wall that is concealed by the garage and therefore, will not create any additional massing at the back alley or impacts to our neighbors.

We have owned and lived at this property since 1985. We are rebuilding our home to accommodate our growing family (of three generations), with the intent for this home to be our "forever" home. We are hoping for the positive resolution of our application to maintain a portion of the retaining wall height at 10 ft.

Sincerely,

William Tam and Susanna Tam

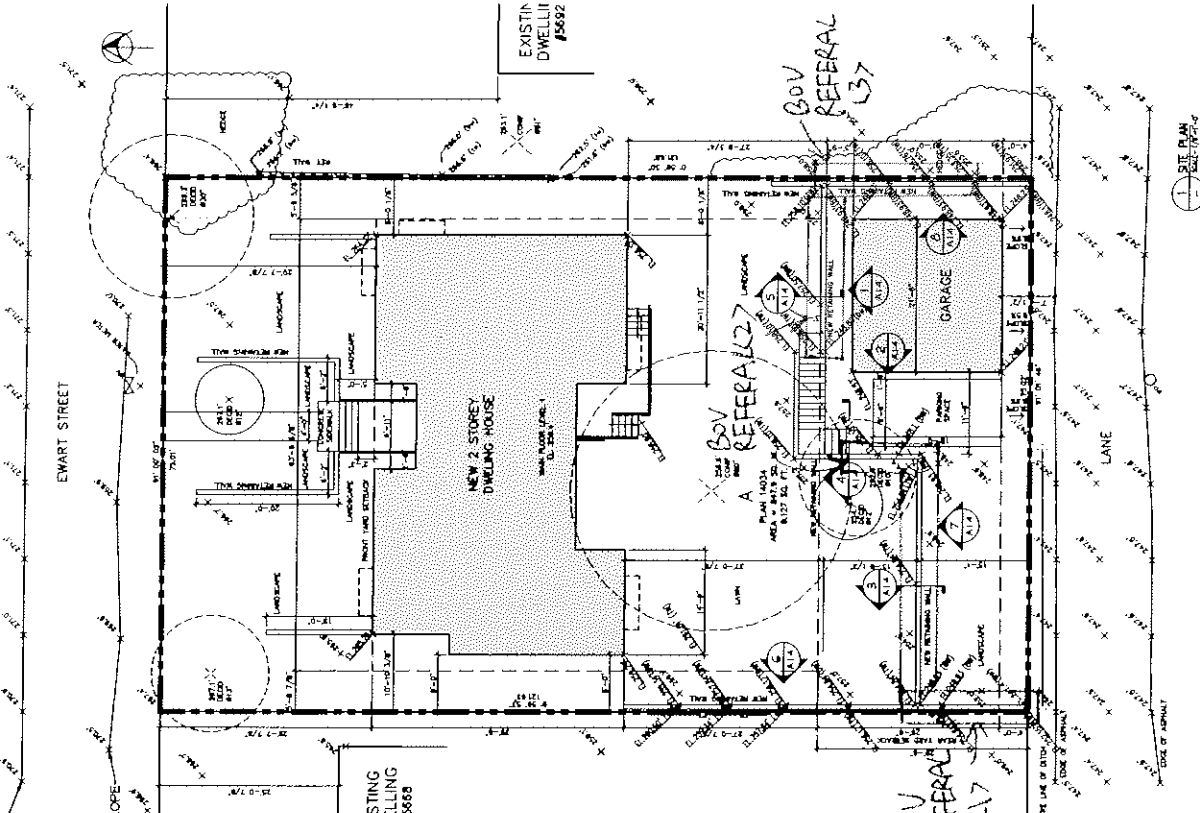


THE CLIENT'S NAME AND PROJECT NAME
THE PROJECT'S LOCATION
THE PROJECT'S ADDRESS
THE PROJECT'S PHONE NUMBER
THE PROJECT'S FAX NUMBER
THE PROJECT'S E-MAIL ADDRESS
THE PROJECT'S WEBSITE ADDRESS

CLIENT'S NAME

NO.	DESCRIPTION	DATE
1	ISSUED FOR BP	10/04/19
2	ISSUED FOR BP	10/04/19
3	ISSUED FOR BP	10/04/19
4	ISSUED FOR BP	10/04/19
5	ISSUED FOR BP	10/04/19
6	ISSUED FOR BP	10/04/19
7	ISSUED FOR BP	10/04/19
8	ISSUED FOR BP	10/04/19
9	ISSUED FOR BP	10/04/19
10	ISSUED FOR BP	10/04/19

PROJECT NAME	PRIVATE RESIDENCE
PROJECT TITLE	SITE PLAN
PROJECT NOTES	GENERAL NOTES
PROJECT ADDRESS	3680 SWART STREET, BURNABY, BC
PROJECT NUMBER	NEC24
DATE	SEP 12, 2019
DESIGNED BY	IV
CHECKED BY	AE
SCALE	A1



DOORS AND WINDOWS

DOORS AND WINDOWS SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING: ALL DOORS SHALL BE 36" HIGH AND 24" WIDE. ALL WINDOWS SHALL BE 48" HIGH AND 24" WIDE. ALL DOORS SHALL BE 1 1/2" THICK. ALL WINDOWS SHALL BE 1 1/2" THICK. ALL DOORS SHALL BE 1 1/2" THICK. ALL WINDOWS SHALL BE 1 1/2" THICK.

VENTILATION

VENTILATION SHALL BE PROVIDED IN ACCORDANCE WITH THE FOLLOWING: ALL ROOMS SHALL HAVE A MINIMUM OF 10 CFM OF VENTILATION. ALL BATHROOMS SHALL HAVE A MINIMUM OF 10 CFM OF VENTILATION. ALL KITCHENS SHALL HAVE A MINIMUM OF 10 CFM OF VENTILATION. ALL LIVING ROOMS SHALL HAVE A MINIMUM OF 10 CFM OF VENTILATION.

INSULATION

INSULATION SHALL BE PROVIDED IN ACCORDANCE WITH THE FOLLOWING: ALL WALLS SHALL HAVE A MINIMUM OF R-13 INSULATION. ALL ROOFS SHALL HAVE A MINIMUM OF R-30 INSULATION. ALL FLOORS SHALL HAVE A MINIMUM OF R-10 INSULATION. ALL CEILINGS SHALL HAVE A MINIMUM OF R-10 INSULATION.

FOUNDATION

FOUNDATION SHALL BE PROVIDED IN ACCORDANCE WITH THE FOLLOWING: ALL FOUNDATIONS SHALL BE 12" WIDE. ALL FOUNDATIONS SHALL BE 12" WIDE. ALL FOUNDATIONS SHALL BE 12" WIDE. ALL FOUNDATIONS SHALL BE 12" WIDE.

FLOORING

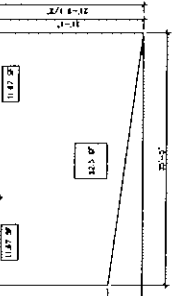
FLOORING SHALL BE PROVIDED IN ACCORDANCE WITH THE FOLLOWING: ALL FLOORS SHALL HAVE A MINIMUM OF 1/2" THICK CARPET. ALL FLOORS SHALL HAVE A MINIMUM OF 1/2" THICK CARPET. ALL FLOORS SHALL HAVE A MINIMUM OF 1/2" THICK CARPET. ALL FLOORS SHALL HAVE A MINIMUM OF 1/2" THICK CARPET.

PREPARED AND CHIMNEY

PREPARED AND CHIMNEY SHALL BE PROVIDED IN ACCORDANCE WITH THE FOLLOWING: ALL PREPARED SHALL BE 12" WIDE. ALL PREPARED SHALL BE 12" WIDE. ALL PREPARED SHALL BE 12" WIDE. ALL PREPARED SHALL BE 12" WIDE.

APPELLANCE

APPELLANCE SHALL BE PROVIDED IN ACCORDANCE WITH THE FOLLOWING: ALL APPELLANCE SHALL BE 12" WIDE. ALL APPELLANCE SHALL BE 12" WIDE. ALL APPELLANCE SHALL BE 12" WIDE. ALL APPELLANCE SHALL BE 12" WIDE.



FOUNDATION SHALL BE PROVIDED IN ACCORDANCE WITH THE FOLLOWING: ALL FOUNDATIONS SHALL BE 12" WIDE. ALL FOUNDATIONS SHALL BE 12" WIDE. ALL FOUNDATIONS SHALL BE 12" WIDE. ALL FOUNDATIONS SHALL BE 12" WIDE.

GENERAL NOTES

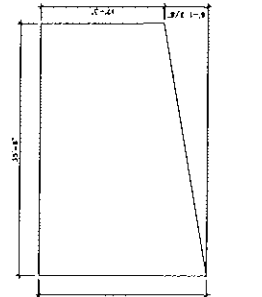
GENERAL NOTES SHALL BE PROVIDED IN ACCORDANCE WITH THE FOLLOWING: ALL GENERAL NOTES SHALL BE 12" WIDE. ALL GENERAL NOTES SHALL BE 12" WIDE. ALL GENERAL NOTES SHALL BE 12" WIDE. ALL GENERAL NOTES SHALL BE 12" WIDE.

STAIRS

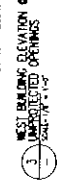
STAIRS SHALL BE PROVIDED IN ACCORDANCE WITH THE FOLLOWING: ALL STAIRS SHALL BE 12" WIDE. ALL STAIRS SHALL BE 12" WIDE. ALL STAIRS SHALL BE 12" WIDE. ALL STAIRS SHALL BE 12" WIDE.

WOOD FRAMING

WOOD FRAMING SHALL BE PROVIDED IN ACCORDANCE WITH THE FOLLOWING: ALL WOOD FRAMING SHALL BE 12" WIDE. ALL WOOD FRAMING SHALL BE 12" WIDE. ALL WOOD FRAMING SHALL BE 12" WIDE. ALL WOOD FRAMING SHALL BE 12" WIDE.



WOOD FRAMING SHALL BE PROVIDED IN ACCORDANCE WITH THE FOLLOWING: ALL WOOD FRAMING SHALL BE 12" WIDE. ALL WOOD FRAMING SHALL BE 12" WIDE. ALL WOOD FRAMING SHALL BE 12" WIDE. ALL WOOD FRAMING SHALL BE 12" WIDE.



FOUNDATION SHALL BE PROVIDED IN ACCORDANCE WITH THE FOLLOWING: ALL FOUNDATIONS SHALL BE 12" WIDE. ALL FOUNDATIONS SHALL BE 12" WIDE. ALL FOUNDATIONS SHALL BE 12" WIDE. ALL FOUNDATIONS SHALL BE 12" WIDE.

7 RETAINING WALL ELEVATION
SCALE - 1/4" = 1'-0"

3 WEST ELEVATION
SCALE - 1/4" = 1'-0"