



## 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 NISHIN HANDA  
Mailing Address 5643 PORTLAND STREET  
City/Town BURNABY Postal Code V5J2R7  
Phone Number(s) (H) \_\_\_\_\_ (C) 604-518-5003  
Email nishin@hansaldevelopment.com

#### Property

Name of Owner Aditya Bansal  
Civic Address of Property 6147 WALTHAM AVENUE

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.

05/10/21  
Date

[Signature]  
Applicant Signature

#### Office Use Only

Appeal Date June 3, 2021 Appeal Number BV# 6431

#### 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

<b>DATE:</b> May 3, 2021			<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> May 11, 2021 for the June 3, 2021 hearing.			
<b>APPLICANT NAME:</b> Nishin Handa			
<b>APPLICANT ADDRESS:</b> 5643 Portland Street, Burnaby BC V5J 2R7			
<b>TELEPHONE:</b> 604-518-5003			
<b>PROJECT</b>			
<b>DESCRIPTION:</b> New single family dwelling with secondary suite and detached garage			
<b>ADDRESS:</b> 6147 Waltham Avenue			
<b>LEGAL DESCRIPTION:</b>	<b>LOT:</b> 2	<b>DL:</b> 93	<b>PLAN:</b> EPP45768

Building Permit application BLD16-01564 will be denied by the Building Department because the design is not in compliance with Burnaby Zoning Bylaw No. 4742:

**Zone R4 / Sections 6.13(1)(b) and 6.14.2(1)(a)**

### COMMENTS:

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

- 1) To vary Section 6.13(1)(b) – "Vision Clearance at Intersections" of the Zoning Bylaw from 1.07 m (3.51 ft.) to a maximum of 1.80 m (5.92 ft.) for heights of constructed fences located in the required vision clearance.
- 2) To vary Section 6.14.2(1)(a) – "Fences" of the Zoning Bylaw requirement for the maximum fence height along the front property line from 1.07 m (3.51 ft.) to varying heights up to 1.73 m (5.67 ft.)
- 3) To vary Section 6.14.2(1)(a) – "Fences" of the Zoning Bylaw requirement for the maximum fence height along the south-side property line from 1.07 m (3.51 ft.) to varying heights up to 1.80 m (5.92 ft.)

*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. Retaining walls and Fences will conform to the requirements of Section 6.14.

JQ

Peter Kushnir  
Deputy Chief Building Inspector

Aditya Bansal  
6147 Waltham Avenue  
Burnaby BC V5H3T9

April 26, 2021

ATTN: Burnaby Board of Variance (BOV)  
Re: Application to Board for 6147 Waltham Avenue

I am applying to the BOV regarding my open building permit for 6147 Waltham Avenue. Our home has failed final inspection on account of our front concrete walls being too high.

Given that our property is located next to a heavily forested boulevard, the current height of our front walls is necessary in order to keep out bears, coyotes, and other wildlife. During construction, our dog was bitten by a coyote on the adjacent property within the subdivision, and on July 15, 2019 a bear went through our neighbour's front yard at 6138 and 6136 Kisbey Avenue. Not having our fences at their current height would have meant that same bear could have been in our yard, making it impossible for us to be in our yard. My two year old niece comes over to play and loves having a yard to play in. I would not want her to be at risk of a wildlife attack simply because of the City of Burnaby's bylaw.

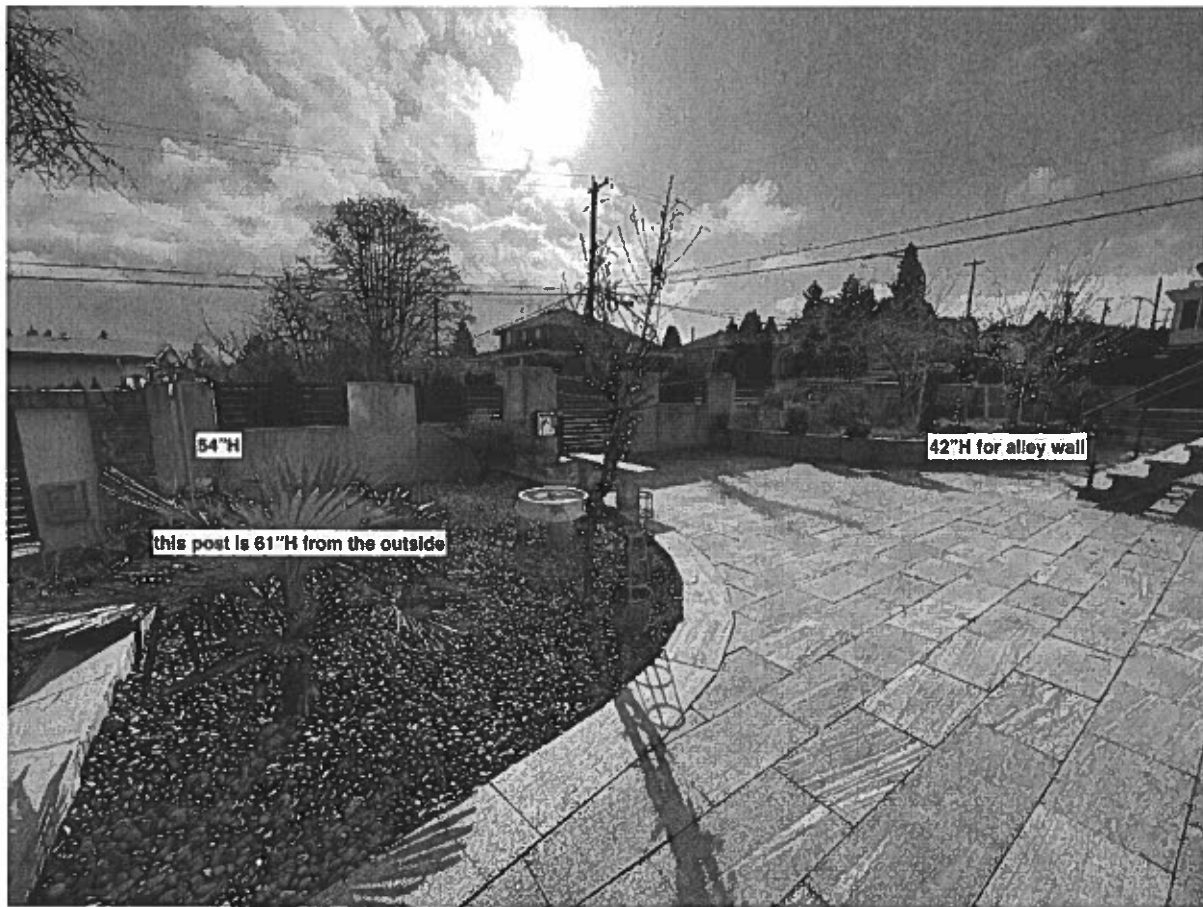
In addition to protection from wildlife, we need our front walls to be high enough to house a striker gate and camera. Our front walls are currently at that required height. A letter from the tradesman as well as specifications for the striker camera have been included. My mother suffers from severe hearing impairment and does not feel comfortable with answering the door to strangers, given that she cannot understand what they are saying and is extremely vulnerable to intruders or scammers. I need to ensure my mother is safe when I am not there, so having a striker gate at its current height protects her from unwanted intruders and allows her to see who is at the gate when someone presses the buzzer (which flashes a bright white light so that she is aware of someone being there). The height of our camera is the recommended height based on the slope of our property from the sidewalk to our gate. Having it any lower would make this camera useless. Almost anyone can hop over a 42" gate, making this very unsafe for my mother. Our previous home had short walls and gates and I would get a panicked phone call from my mother every single day.

To make matters worse, crime has been increasing in the area. My brother-in-law's vehicle was parked on Waltham Avenue in front of our home and it was broken into several times, with many items stolen. We simply cannot decrease the height of our fences and retaining walls because that would invite dangerous wildlife and unwanted intruders onto our private property. Please consider this application for the reasonable use and enjoyment of our property.

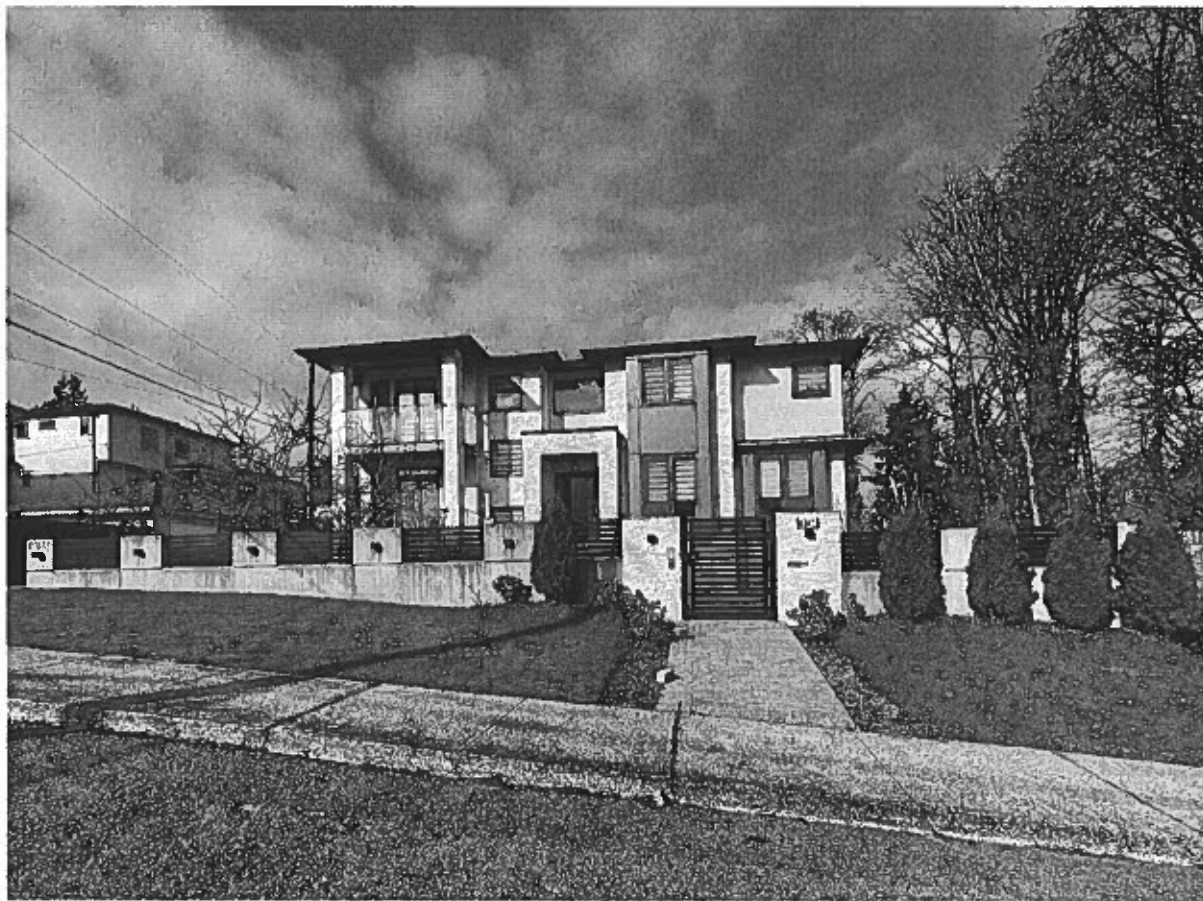
Thank you,

Aditya Bansal  
Property Owner

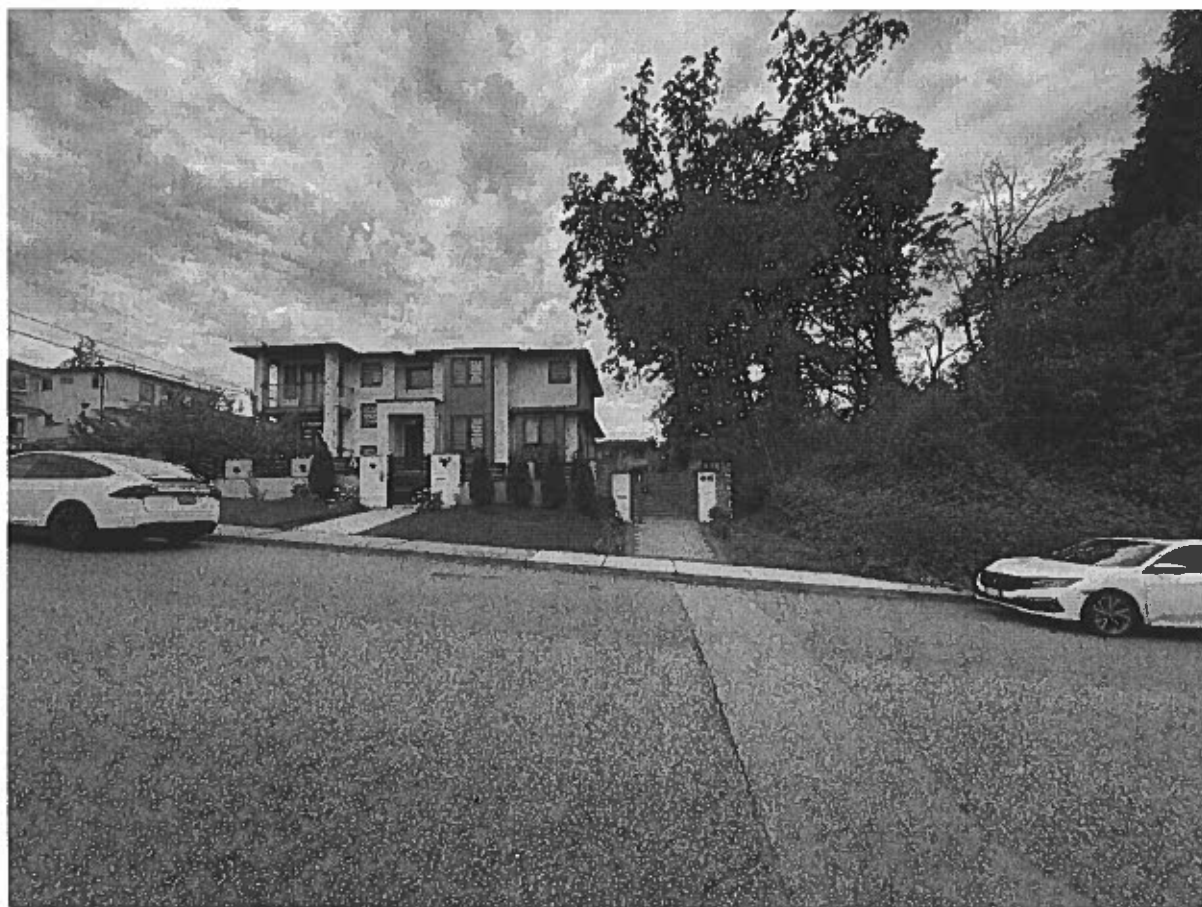
6747 WALTHAM



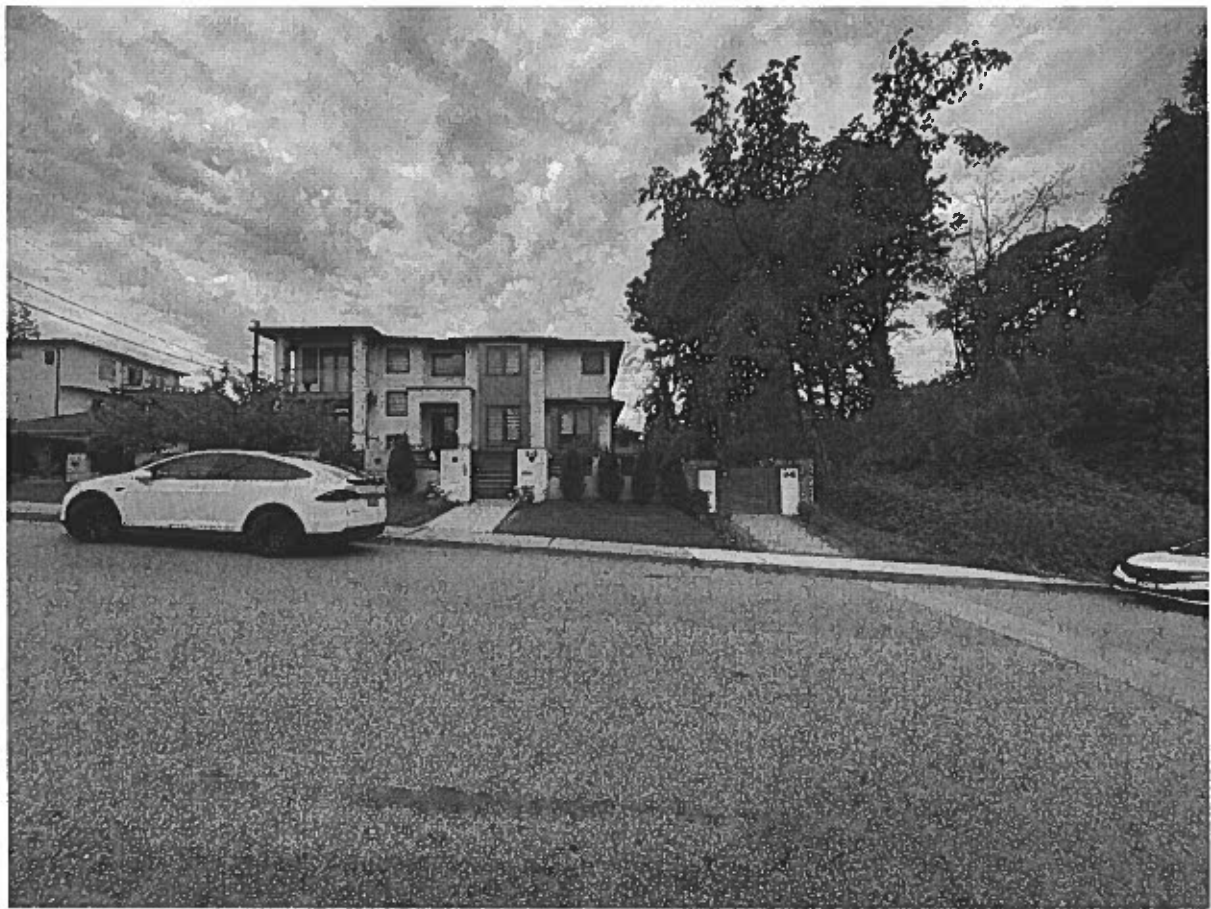


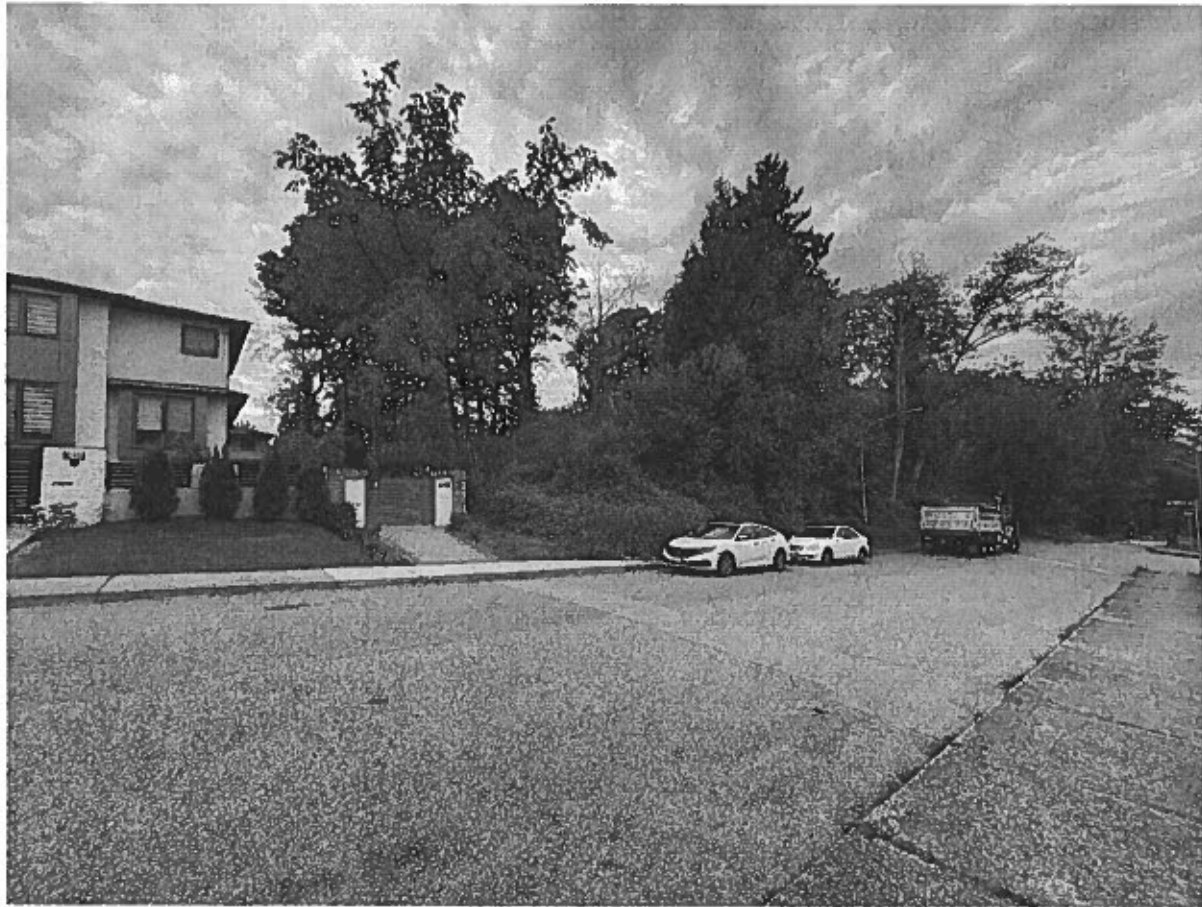












# ***TVISHA TECHNOLOGIES LTD***

**(LICENSED,INSURED,BONDED)**

***Phone-7788635434***

***email: arun\_812@yahoo.com***

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For the slope from the sidewalk to the front gate for both 6145 and 6147 Waltham Avenue, the required height of the camera is 64.17inch in accordance with the manufacturers guidelines. Lowering the gate and camera would render this camera useless because it will not accurately capture who is at the gate.

Arun Mehta

Tvisha Technologies Ltd

7788635434