



BOARD OF VARIANCE M I N U T E S

Thursday, May 06, 2021, 5:00 p.m.
Council Chamber, City Hall
4949 Canada Way, Burnaby, BC

PRESENT: Mr. Rana Dhatt, Chair *(participated electronically)*
Ms. Jacqueline Chan, Resident Representative *(participated electronically)*
Ms. Brenda Felker, Resident Representative *(participated electronically)*
Mr. Gulam Firdos, Resident Representative *(participated electronically)*
Mr. Al Luongo, Resident Representative *(participated electronically)*

STAFF: Ms. Joy Adam, Development Plan Technician
Ms. Eva Prior, Acting Deputy City Clerk

1. **CALL TO ORDER**

The Chair called the meeting to order at 5:00 p.m. and conducted the roll call. Due to the COVID-19 pandemic, all Board members participated electronically.

For the benefit of the Board members who were participating remotely, the Chair reviewed the staff present at the meeting.

The Chair recognized the ancestral and unceded homelands of the hə́nqəmínəh and Skwxwú7mesh speaking peoples, and extended appreciation for the opportunity to hold a meeting on this territory.

The Chair reviewed the purpose of the Board of Variance Hearing, and provided instructions for members of the public participating through teleconference.

2. **MINUTES**

2.1 **Minutes of the Board of Variance hearing held on 2021 April 08**

MOVED BY MS. FELKER
SECONDED BY MS. CHAN

THAT the minutes of the Board of Variance Meeting held on 2021 April 08 be now adopted.

CARRIED UNANIMOUSLY

3. **APPEAL APPLICATIONS**

3.1 **BOV #6428 – 4630 Burke Street**

APPELLANT: Qi Li

REGISTERED OWNER OF PROPERTY: Xing Liu

CIVIC ADDRESS OF PROPERTY: 4630 Burke Street

LEGAL DESCRIPTION OF PROPERTY: LOT: 46 DL: 33 PLAN: NWP15590

APPEAL:

An appeal for the relaxation of Section 6.3.1 (Distances Between Buildings On The Same Lot) of the Burnaby Zoning Bylaw which, if permitted, would allow for the construction of a new single family home with a secondary suite and detached garage at 4630 Burke Street. This relaxation would allow for a minimum distance between buildings of 2.13 metres (7.0 feet) where a minimum distance of 4.50 metres (14.76 feet) is required.

APPELLANT'S SUBMISSION:

A letter was received from Patrick (Xing) Liu and Grace Hay requesting a variance to reduce the minimum required distance between the garage and the main building. Mr. Liu and Ms. Hay advised that the depth of their lot is only 107.50 feet, combined with the 40.25 foot required front yard setback, there is very little room left on the property to build the detached garage and maintain the required distance of 14.76 feet as required by the Zoning Bylaw.

The applicants advised that the neighbouring properties at 4684 and 4676 Burke Street were both granted variances of the minimum required distance between their garage and main buildings of 6.67 feet and 9.13 feet respectively.

Mr. Liu and Ms. Hay appeared before the Board of Variance via Zoom.

BURNABY PLANNING AND BUILDING DEPARTMENT COMMENTS:

| | | | |
|--------------------|---------------|----------------|-------------------|
| BV # | 6428 | Address | 4630 Burke Street |
| X-Reference | BOV #21-00012 | Hearing | 2021 May 06 |

| | |
|----------------|---|
| Project | New single family dwelling with secondary suite and detached garage |
| Zoning | R4 Residential District |

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| Neighbourhood | Forest Glen – Single Family Neighbourhood |
| Appeal(s) to vary: | Section 6.3.1 – “Distances Between Buildings on the Same Lot” of the Burnaby Zoning Bylaw which, if permitted would allow for the minimum distance from 4.50 m (14.76 ft.) to 2.13 m (7.00 ft.). |
| Zoning Bylaw intent: | The Zoning Bylaw requires a separation between a principal building and a detached garage on the same lot to ensure that the overall massing of the buildings does not have a negative impact on the subject site and neighbouring properties, as well as to provide for sufficient outdoor space. |
| Variance Description: | A distance between buildings of 2.13 m (7.00 ft.) as measured from the proposed 2 car garage to the proposed principal building is requested where a minimum distance of 4.50 m (14.76 ft.) is required. |
| Subject Site Considerations | |
| <ul style="list-style-type: none"> ○ The site is a rectangular lot approximately 17.51 m (57.46 ft.) wide by 32.76 m (107.5 ft.) deep with a moderate slope of approximately 2.45 m (8.06 ft.) from the rear to the front. ○ The site fronts onto Burke Street to the north and a lane to the south (rear). Vehicular access is proposed to remain from the lane to the rear. | |
| Neighbourhood Context Considerations | |
| <ul style="list-style-type: none"> ○ The subject site, zoned R4, is located in the Forest Glen neighbourhood which is an established single and two family dwelling neighbourhood. ○ Bordering the subject site to the west, is an existing single family dwelling and carport on a corner lot. Directly east of the subject site a new single family dwelling with secondary suite and detached garage is also proposed where an existing single family dwelling and carport is located currently. Neighbouring the subject site across Burke Street, is a two family dwelling with carport and garage. | |
| Specific Project Considerations | |
| <ul style="list-style-type: none"> ○ In this case the proposed rear yard setback of the principal building will be 9.79 m (32.13 ft.) because the proposed dwelling observes a front yard setback of 12.29 m (40.33 ft.). The front yard setback was calculated based on the average depth of the front yards of the neighbouring properties on each side of the subject site. The proposed design fits into the established streetscape by meeting these requirements. | |

- The southwest corner of the subject lot is proposed to be occupied by the detached two car garage, 6.40 m (21.00 ft.) wide by 5.94 m (19.50 ft.) deep in size. Almost the entire width of the garage 6.40 m (21.00 ft.) overlaps the principal building. The windows of the kitchen on the main floor and the living and kitchen area of the secondary suite on the cellar level face onto the overlapping portion of the detached garage. Outdoor living space will be available immediately east of the garage in the rear yard and in the generous front yard.
- It is also noted that most of the existing houses on the south side of Burke Street have shorter lot depths due to the configuration of the street block. This, combined with their consistently deep front yard setbacks, which are almost twice as deep as the standard R4 front yard setback, means that the other houses also observe a similar pattern of reduced distance between principal buildings and detached garages.

ADJACENT OWNERS' COMMENTS:

Correspondence was received from the owner/occupant 4638 Burke Street in support of the appeal.

Correspondence was received from the owner/occupant at 4684 Burke Street in support of this appeal.

MOVED BY MR. FIRDOS
SECONDED BY MR. LUONGO

THAT based on the plans submitted, this appeal be allowed.

CARRIED UNANIMOUSLY

BOARD MEMBER COMMENTS:

Mr. Dhatt found hardship due to physical site characteristics, and voted to approve the variance.

Ms. Chan found hardship due to physical site characteristics, and voted to approve the variance.

Ms. Felker found hardship due to physical site characteristics, and voted to approve the variance.

Mr. Firdos found hardship due to physical site characteristics, and voted to approve the variance.

Mr. Luongo found hardship due to physical site characteristics, and voted to approve the variance.

4. **NEW BUSINESS**

No items of new business were brought forward at this time.

5. **ADJOURNMENT**

MOVED BY MR. LUONGO
SECONDED BY MS. CHAN

THAT the Hearing adjourn at 5:26 p.m.

CARRIED UNANIMOUSLY

Mr. R. Dhatt, Chair

Ms. J. Chan

Ms. B. Felker

Mr. G. Firdos

Mr. A. Luongo

Ms. Eva Prior
Acting Deputy City Clerk