



## 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 SUKHDEV SIDHU SARBJOT SIDHU  
Mailing Address 5749 McKee Street, Burnaby  
City/Town Burnaby Postal Code V5J2V2  
Phone Number(s) (H) 604 439 6701 (C) 604 329 1064  
Email Sarbjot.Sidhu@ballard.com  
TheSidhuFamily@shaw.ca

#### Property

Name of Owner SUKHDEV SIDHU SARBJOT SIDHU  
Civic Address of Property 7557 Lambeth Drive, 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.

Sep 3 / 21  
Date

S Sidhu  
Applicant Signature

#### Office Use Only

Appeal Date Oct 07

Appeal Number BV# ~~6040~~ 6439

#### 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: August 31, 2021		<i>This is <u>not</u> an application. Please submit this letter to the Clerk's office (ground floor) when you make your Board of Variance application.</i>	
DEADLINE: September 7, 2021 for the October 7, 2021 hearing.			
APPLICANT NAME: Sukhdev Sidhu			
APPLICANT ADDRESS: 5749 McKee St., Burnaby, B.C., V5J 2V2			
TELEPHONE: 778-995-1537			
<b>PROJECT</b>			
DESCRIPTION: New single family dwelling with suite ready and detached garage			
ADDRESS: 7557 Lambeth Dr.			
LEGAL DESCRIPTION:	LOT: 336	DL: 86	PLAN: 46634

Building Permit application BLD21-00253 will be denied by the Building Department because the design is not in compliance with Burnaby Zoning Bylaw No. 4742:

### Zone R1 / Sections 101.6(1)(a) and 101.7(b)

#### COMMENTS:

The applicant proposes to build a new single family dwelling with a suite ready and detached garage at 7557 Lambeth Drive. In order to allow the Building Permit application to proceed, the applicant requests that the following variances be granted:

- 1) To vary section 101.6(1)(a) – “Height of Principal Building” of the Zoning Bylaw requirement for the maximum building height from 9.00 m (29.53 ft.) to 10.49 m (34.42 ft.) measured from the rear average grade for the proposed single family dwelling with a sloped roof. The principal building height measured from the front average grade will be 7.96 m (26.13 ft.). The applicability of this variance, if granted, is limited to the scope of the proposal shown on the attached plans.
- 2) To vary Section 101.7(b) – “Depth of Principal Building” of the Zoning bylaw requirement for the maximum building depth from 18.30 m (60.00 ft.) to 18.45 m (60.52 ft.). 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. Retaining walls and Fences will conform to the requirements of Section 6.14.

MS

Edmond Lin  
Assistant Chief Building Inspector

Sukhdev, Sidhu, Sarbjot Sidhu,  
Sabdeep Sidhu, and Livleen Sidhu  
5749 McKee Street  
Burnaby, BC V5J 2V2

September 4, 2021

**Attn: Honourable Members of the Board of Variance**  
c/o Planning Department, City of Burnaby  
4949 Canada Way  
Burnaby, BC V5G 1M2

Dear Honourable Members  
of the Board of Variance:

**Re: Request for variances to zoning bylaws**

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We are writing to request two variances to the zoning bylaws for 7557 Lambeth Drive, Burnaby, British Columbia (the "**Property**"), including a variance of Sections 101.6(1)(a) (Height of Principal Building) and 101.7(b) (Depth of Principal Building) of the Burnaby Zoning Bylaw. These variances, if permitted, would allow us to construct a new residential home on the Property.

**1. The First Variance: Allowable Height of a Principal Dwelling**

Our Property slopes significantly from front to back. The approximate elevation difference between the front and rear lot lines is almost 9.45 m (31.0 ft.), with the rear lot line lower than the front. Due to this intense slope towards the rear, the average rear grade used to calculate the allowable height for the home is significantly reduced (the "**Allowable Height**"). This reduced Allowable Height creates a hardship for us, as it requires current ceiling heights to be reduced to non-building code compliant heights. We are therefore requesting that the Allowable Height for the proposed house on the Property be increased by 1.49 m (4.90 ft.)

The proposed height variance will not negatively impact the neighbouring properties or the character of the neighbourhood, as the proposed height of the new house is less than the height of the existing house on the Property. When designing the house, we knew there would be challenges with the height. Our home designer explained these challenges and carefully designed a house that would not negatively impact our neighbours and that would meet the intent of the Allowable Height bylaw as closely as possible. A surveyor came to the Property and took elevation shots of the roof on the existing house (the survey is attached for your reference - the calculations for the existing roof height are located on the bottom of the survey to the left of the setbacks chart). We then designed our new home well under the height of the existing home. The existing house has two main upper roofs. The main roof ridge of the existing house is 76.84 m (252.1 ft.) above sea level. The upper ridge of the roof is 77.54 m (254.4 ft.) above sea level. For our new home, we are proposing a roof ridge of 76.7 m (251.63 ft.) This puts the proposed house roof ridge home at approximately .84 m (2.77 ft.) under the ridge height of the existing roof. As the roof ridge of the proposed home is lower than the current roof ridge, there is no negative impact to our neighbours. We have also asked and received support from our future adjacent neighbours: Jinxing Ji at 7547 Lambeth Drive, Amrik S. Butter at 7567 Lambeth Drive, and Mojjan Jabal at 7576 Lambeth Drive.

We made every effort to reduce the amount of the height variance required, including lowering the main floor elevation by almost 1.87 m (6.14 ft.) lower than the average elevation at the front of the Property, in order to comply with the required building height as closely as possible.

At the front property line, the average elevation is approx. 70.8 m (232.3 ft.) above sea level. Our proposed main floor elevation is at 68.93 m (226.16 ft.).

Even with the main floor elevation pushed into the ground and lowered approx. 1.87 m (6.14 ft.), if no variance to the Allowable Height is granted, then the main floor elevation will require a 2.13 m (7 ft.) ceiling on the main floor, and a 2.01 m (6.6 ft.) ceiling for the upper ceiling. Therefore, complying with the Allowable Height as provided in the bylaws will negatively impact the living space in the home.

Finally, the existing house is situated inline with all the roof ridges of the homes on both sides. As such, if the variance request is granted, the new home will continue to fit into the neighbourhood streetscape.

## **2. The Second Variance: Lot Depth Variance**

The second variance we are proposing is a minor variance to the lot depth. Due to the odd shaped nature of the Property, the building envelope for the lot depth is "pushed" to one side, resulting in the permissible area being shaped as a parallelogram, not a rectangle. In order to accommodate this hardship, we are requesting a **.15 m (0.52 ft.)** variance to the lot depth.

We have attached two reference documents for your review. **Reference Document "A"** shows the outline of the Property and the required shape of the building envelope. **Reference Document "B"** shows the same site plan, zoomed into the area in question. We are requesting a variance for the deck posts only and not for any enclosed portion of the home. We have highlighted the variance area in solid red and, as you can see, it takes up only a small corner of each post.

Under normal circumstances, the design of the home would comply with the zoning bylaws. We made great effort to design the home to comply with the permissible building depth of under 18.29 m (60 ft.) and have made sure the deck encroachment is under 1.2 m (3.93 ft.), as permitted by the bylaw. Typically, the bylaw would allow a house to be 18.29 m (60.0 ft.) in depth with an additional 1.2 m (3.93 ft.) for deck encroachment, for a total of 19.48 m (63.93 ft.). Our proposed home is 16.05 m (52.67 ft.) long, and with the deck length added, the total length is 19.3 m (63.33 ft.). Therefore, we are still under the standard allowance by .18 m (0.6 ft.).

Under normal conditions, we may have been able to rotate the building to comply with the lot depth bylaw. However, because we have our main driveway running down the side of the residence and retaining walls between the house and the driveway, and clearance requirements, we are not able to rotate the building without reducing the driveway width.

We feel that we have taken great effort to ensure that, if we had the typical flat, rectangular lot, our proposed home would comply with all applicable bylaws. The two variances requested are simply due to the unique shape of the Property.

Finally, we also want to advise that this is not a home designed for sale. We are a family that has lived in Burnaby for 33 years. We have spent years searching for a lot that we truly love in

order to build a "forever" home. With both requested variances, we are asking the Members of the Board of Variance to relieve us of the significant hardship caused by the unique physical characteristics of our property.

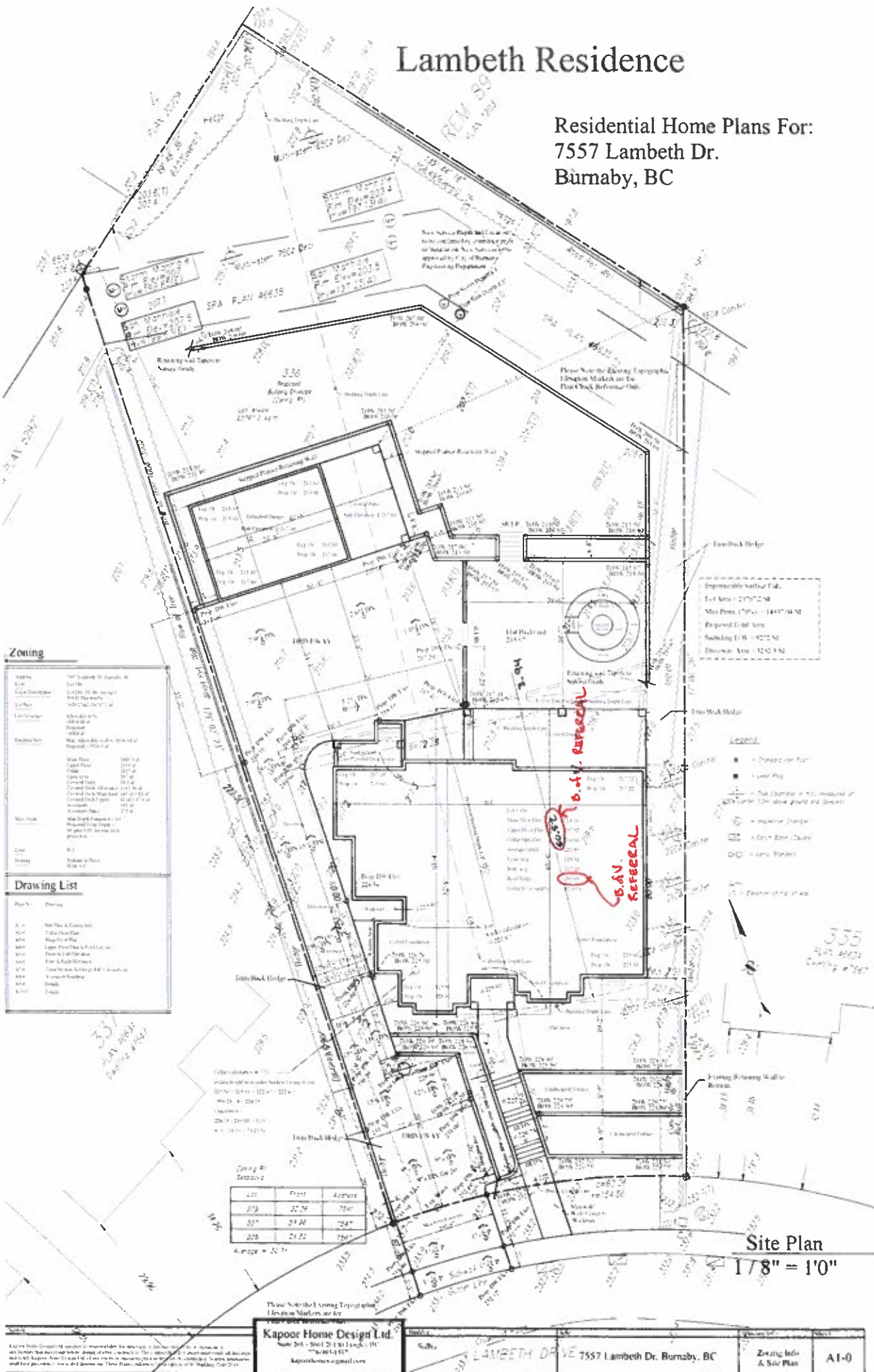
Thank you in advance for your time reviewing our application.

Kindest regards,

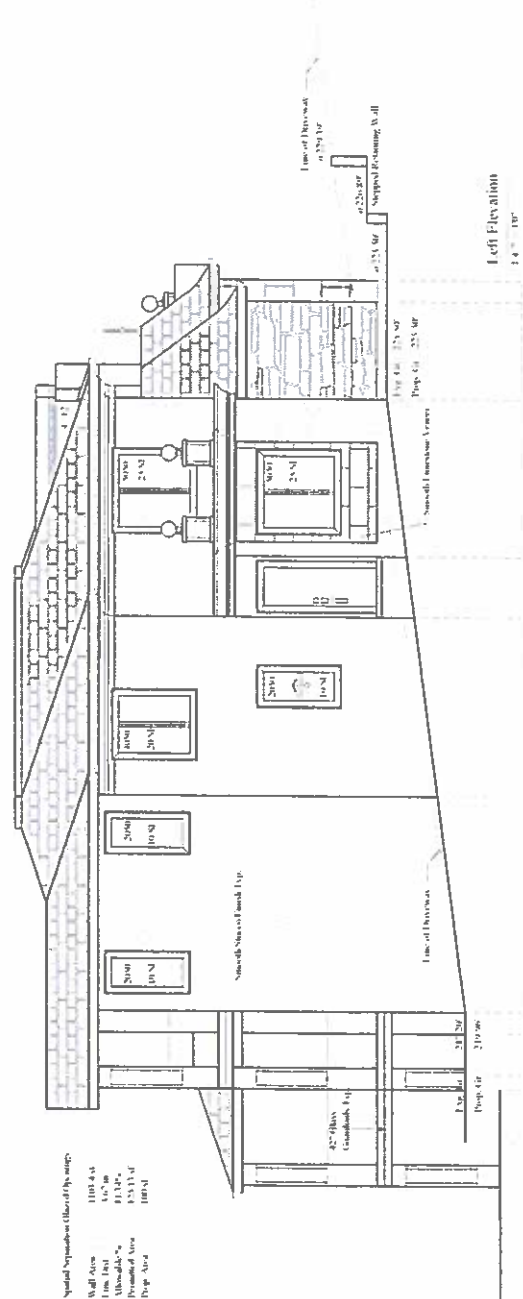
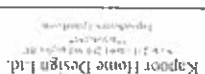


Sukhdev, Sidhu, Sarbjot Sidhu, Sabdeep Sidhu, and Livleen Sidhu

**Residential Home Plans For:**  
7557 Lambeth Dr.  
Burnaby, BC

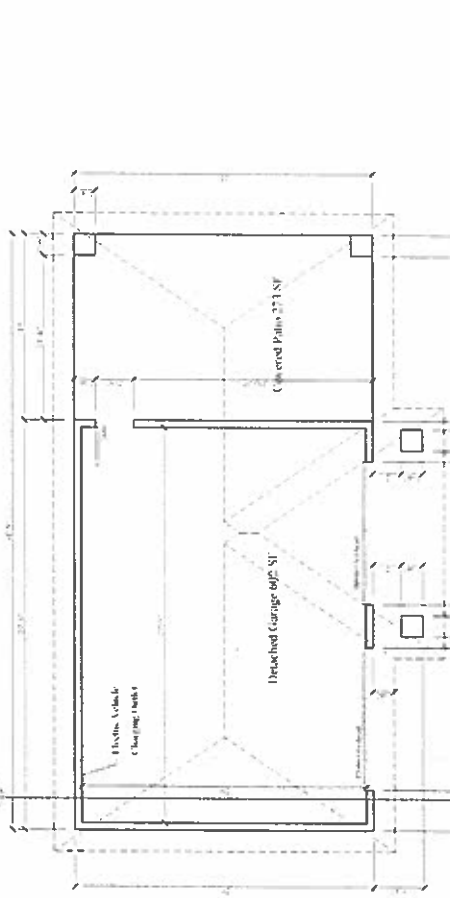
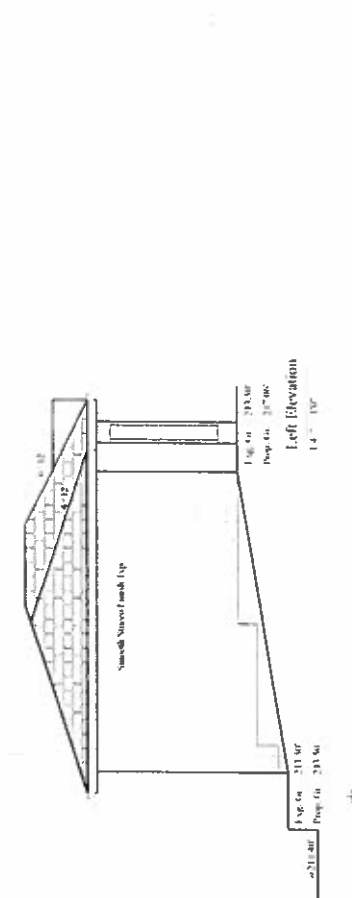
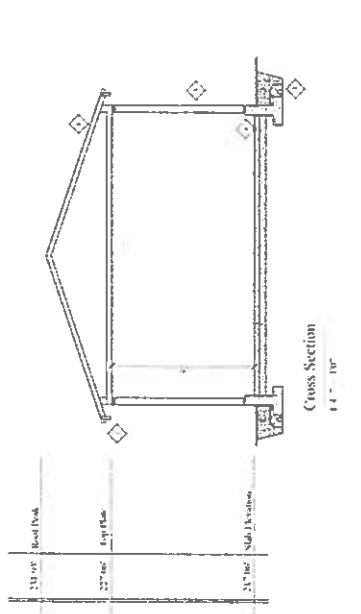
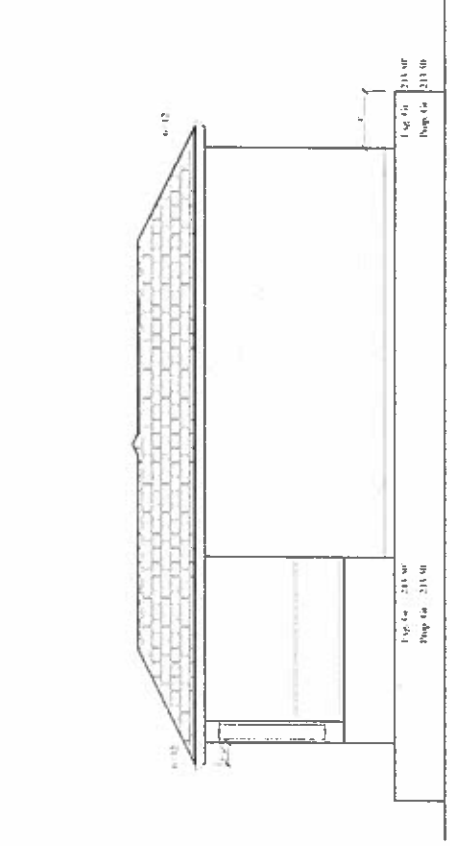
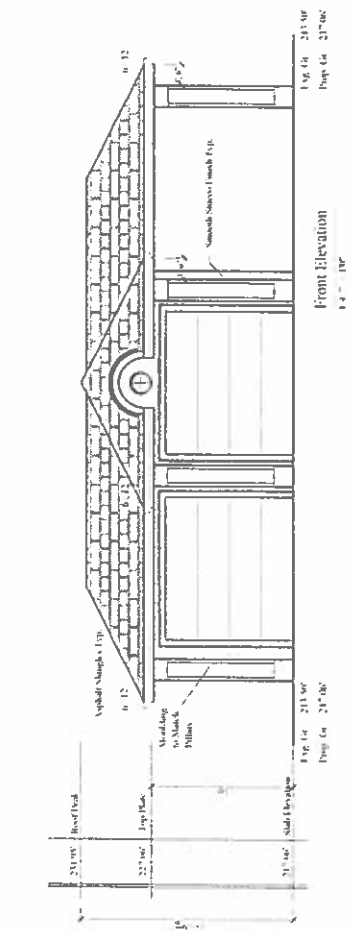




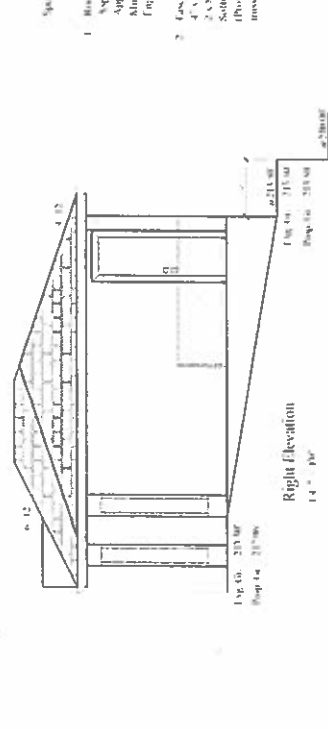








Accessory Floorplan (602 SF)



1. Exterior Wall: Finish Material (see notes)
2. Interior Wall: Finish Material (see notes)
3. Floor: 4" Thick Concrete Slab on Grade
4. Ceiling: 5/8" Thick Gypsum Board
5. Roof: 12" Thick Concrete Slab on Grade
6. Foundation: 12" Thick Concrete Foundation
7. Windows: 2" x 6" Studs @ 24" o.c.
8. Doors: 2" x 6" Studs @ 24" o.c.
9. Siding: 1/2" Thick Gypsum Board
10. Insulation: 1/2" Thick Gypsum Board
11. Ventilation: 1/2" Thick Gypsum Board
12. Foundation: 12" Thick Concrete Foundation
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# TOPOGRAPHICAL PLAN OF LOT 336 DISTRICT LOT 86 GROUP 1 NWD PLAN 46634

PID: 002-589-150  
Civic Address: 7557 Lambeth Drive  
City of Burnaby

Scale 1 inch=16 feet

The intended plot size of this plan is 45 feet in width by 510 feet in height (Arch. L. size) when placed at a scale of 1 inch=16 feet.

All distances and elevations are in feet and decimals thereof unless otherwise stated.

Note: Trees pursuant to by-law 1996 are shown.

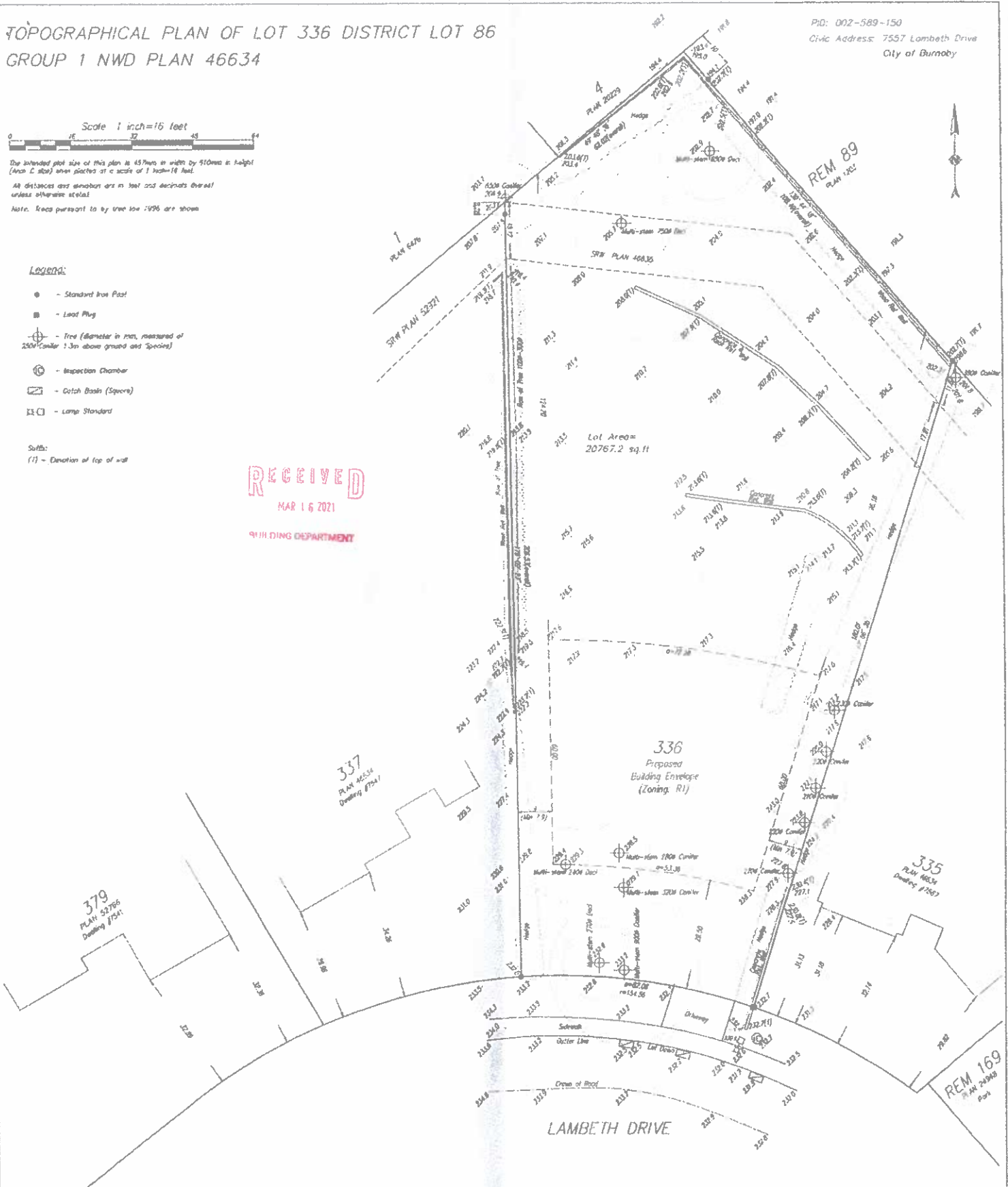
## LEGEND:

- - Standard Iron Pin
- - Lead Plug
- ⊕ - Tree (diameter in feet, measured at 350' center 1.3m above ground and Species)
- ⊙ - Inspection Chamber
- - Catch Basin (Square)
- - Lamp Standard

Surf: (1) - Elevation of top of soil

RECEIVED  
MAR 16 2021

BUILDING DEPARTMENT



Notes:  
Information shown herein is for municipal purposes only and is for the exclusive use of the owner.

All rights reserved. No person may copy, reproduce, transmit, alter, distribute, or store copies of this document in whole or in part without the prior written consent of the undersigned.

Building envelope shown is only approximate. For interpretation of City Building Bylaws please consult Planning Department for final building envelope when required.

## Remarks:

Elevations are Easement (C1028240/2018)  
Referenced to Monument 9411332  
Monument Elevation: 171.55(52.280m)

Grid bearings are derived from observations between geodetic control monuments 9411332 and 9411353  
Grid dimensions are based on the survey

## Zoning R1 Setbacks

Lot	Front	Address
339	32.30	7541
337	28.96	7547
335	29.82	7567

Average = 30.71

This is certified correct and is valid only with respect to the improvements as shown herein and located on the 14th day of November, 2020.

LIANG YUAN  
This Document is Not Valid Unless  
Originally Signed And Sealed