

34. Re: Building Plan Approval for a Circular Driveway and Non-conforming Trellis

Mr. A.H. Doig on May 18, 1972, submitted to the Building Department a plan for construction of a dwelling on Eglinton Street. The plan contained certain structural deficiencies and was therefore disapproved. The Architect corrected the deficiencies, but additional deficiencies were noted when the plan was resubmitted on June 8, 1972. Mr. Doig was given an interim permit on the basis that the proposed siting and foundations were acceptable but that the framing was subject to further checks (issuance of interim permit was a normal practice during the civic strike, as explained in detail below). The plan was officially stamped "approved" on this date, by which time construction had already begun according to statements made by Mr. Doig.

The approved plan contains provisions for a seventeen foot trellis which is designed to form an extension to the main dwelling and a circular driveway in the front portion of the property. These provisions were approved in error.

During the period of the strike, exempt staff of the Building Department continued to accept sets of drawings of proposed construction. In the case of residential work, these plans were partially reviewed for content and if found acceptable an interim letter of permission to proceed was issued to the applicant.

Plans were appropriately marked in the cases where content was not acceptable, and in some cases plans were returned to the applicant for correction and resubmission. This procedure was carried out in order that where absolutely necessary construction could proceed, and the inconvenience to the public would be minimized. During this period a complete check of submitted plans was not possible by the staff available and building permits in the regular sense were not issued. The letter of permission to proceed is an undertaking on the part of the applicant to contact the Building Department for a permit when conditions return to normal (a copy of the letter is attached).

In the case at hand, deficiencies in the first set of submitted plans were such that the architect was asked to make corrections and resubmit. Further problems were noted on the second set of submitted plans.

The second set of plans were marked up to indicate that further checking of the frame was necessary, and because of purported need for permission to proceed since construction had already been started, the plans were stamped approved and an interim letter of permission was issued.

The approval was intended to cover the foundation design of the building and that part of the structural frame which had been corrected and checked. Unfortunately, due to the haste with which checking had to be done at the time, and as noted, construction had already commenced according to the Contractor, further checking of this plan was not carried out and the driveway and offending overhead construction was not noted.

The overhead structure is not necessary for the function of the residence, and as designed is in conflict with Section 102.5 of the Burnaby Zoning By-Law. This matter was discussed with Mr. Doig on July 26, 1972, and he has agreed to redesign the trellis to make it conform with the requirements of the By-Law.

As regards the driveway, Section 800.6(1) of the Zoning By-Law states that no parking area shall be located within a front yard.

Continued...

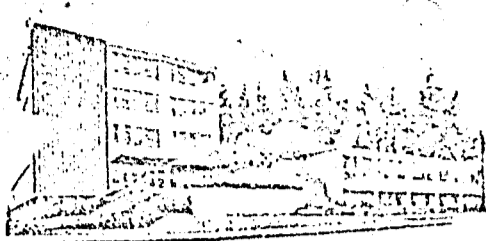
34. Re: Building Plan Approval (continued)

However, there is no contravention of the By-Law if the builder can demonstrate to the satisfaction of Building Department personnel that a circular driveway is not being constructed for the purpose of parking. Mr. Doig has stated verbally and in writing (see attached letter dated June 27, 1972) that in his case a circular driveway is required for accommodation of his wife who has a serious arthritic condition. He has given his personal assurance that the driveway is not intended to be used as a front yard parking area for cars.

Because Mr. Doig's plan which also showed on it a circular driveway, was approved June 8, 1972, and because he has given his personal assurance that vehicles will not be parked on the driveway, Mr. Doig has been allowed to proceed accordingly. For the record, approval of this particular driveway is in no way to be considered as a precedent.

RECOMMENDATION:

THAT a copy of this report be sent to Mr. Doig.



ITEM 15
MANAGER'S REPORT NO. 48
COUNCIL MEETING JUN 21/72

THE CORPORATION OF THE DISTRICT OF BURNABY

BUILDING DEPARTMENT

MUNICIPAL HALL
4949 CANADA WAY,
BURNABY 2, B.C.

TELEPHONE 299-7211

June 8
May 8, 1972

(100)

A. H. Doig residence

Re: Monarch St.
Lot 164 - subdivision 239-71, Lot 15, except pt. 25854. plan
1767 & lot C. B.N. plan 18867 D.C. 83.

Due to the strike by members of the Canadian Union of Public Employees, Local 23, against the Corporation of the District of Burnaby, the issuance of your Building Permit for single family dwelling on the above-described property, will be delayed.

The Corporation regrets this inconvenience and would request your acknowledgment of delay in granting of Building Permit and your undertaking to complete Permit arrangements when normal business is resumed by the Corporation.

In the meantime it is recognized that, if necessary, construction may have to proceed. However, you will be expected to contact the Building Department immediately following settlement of the strike. At that time every effort will be made to accommodate you speedily with the necessary permit and inspections.

Frank P. Mehlberg

Acknowledged and undertaking given

H. J. Jones
per CHIEF BUILDING INSPECTOR

*Hust Construction
Delle*

*no name etc. he.
(took the wrong copy)*

(100)



Mr. Throver

*Revised plan
not yet rechecked*

*my.
June 15/72*

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ITEM 34
MANAGER'S REPORT NO. 48
COUNCIL MEETING July 31/72

#301-1635 Imperial St.,

Burnaby 1, B.C.

June 27, 1972.

Mr. John Plesha,
Municipal Manager's Office,
4949 Canada Way,
Burnaby 2, B.C.



JUN 29 1972

MUNICIPAL MANAGER'S
OFFICE

Dear Sir:

As you requested in our telephone conversation today, we are writing this letter to explain our problem with a driveway in the front of our new home on Monarch Street.

We submitted our plans, designed by our architect Mr. Ed Dodson, to the building department on or around May 16, 1972. Some changes were made and the final plans were received by the Municipality on June 7, 1972, and were stamped "approved" on June 8, 1972.

We proceeded with the house construction and now have it ready for roofing. Mr. Jones informed us today that the circular driveway is not permissible.

I explained to you and to Mr. Jones that the house is designed with all facilities on one floor to accommodate my wife who has difficulty negotiating stairs. And, as Mr. Dodson points out, the Burnaby Zoning By-laws do not prohibit circular driveways.

In summary, Mr. Plesha, through no fault of ours the plans were approved, and the circular driveway was, in fact, a part of the approved plan.

Yours truly,

(Mr. & Mrs. Arthur H. Dole)

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