

# McLintock Architecture

Guy McLintock, Principal  
Architect AIBC, OAA, MRAIC

## Written Description of Variance Request

Malec Lindsay Renovation  
December 6, 2022

**Civic Address:** 2229 & 2231 Gondola Way, Whistler BC  
**Legal Description:** Plan VAS1731, Lots 1 & 2, District Lot 4749, New Westminster District, Group 1  
**PID:** 004-956-133 & 004-956-150  
**Type of Project:** Duplex Renovation

The existing building is a duplex unit built in the late 1980s on a sloping lot in Whistler Creek. Due to the building's age, building envelope failures resulting in water infiltration, and ongoing safety issues related to snow sliding off the roof above walkways, the owners of the property are looking to do a thorough renovation. Unit 2229 has received Building Permits and is currently under construction. Unit 2231 has submitted a BP application which has triggered this variance request.

There are three variances being requested:

1. Vary the side setback from 6 metres to 3 metres for an existing duplex dwelling (greater than 375 square metres) located 3 metres from the side parcel lines.
2. Vary the front setback from 7.6 metres to 5.9 metres for the proposed construction of a balcony and associated support posts;
3. Vary the front setback from 7.6 metres to 5.7 metres for the proposed construction of a roof extension and associated support posts.

### Side Setback

Part of the work done to 2229 Gondola Way, and proposed for 2231 Gondola Way, includes basement floor area that was not part of the original 1986 Building Permit. The inclusion of this basement floor area means that the duplex is now 385.4 square metres, exceeding the 375 square metre threshold for requiring 6 metre side setbacks. Note that 385.4 square metres is within the permitted 390 square metres allowed on the lot.

Like many buildings in Whistler, the basement of 2231 was, at some point in the building's life, built with unpermitted construction. The current owners are attempting to legitimize this space as part of a much-needed envelope upgrade to remediate water infiltration issues. This will also bring the basement up to current building code standards. Unfortunately, it is the inclusion of this basement in the new area calculations that causes the duplex to exceed 375 square metres. Without the Building Permit for 2231 legitimizing the basement, the property is 353.5 square metres and only requires 3 metre side setbacks.

The primary reason for the renovation is to replace and upgrade the failing building envelope. The renovation will not increase the building footprint. The inclusion of basement floor area will have no impact on the size or presence of the building on the street and has no negative impact on neighbouring residents or properties. Included in this application are letters from the neighbours stating their acceptance of the proposed renovation. For these reasons we request that the required 6 metre side setback be reduced to the 3 metres previously required for the lot.

### Front Setback

Part of this proposed work to 2231 Gondola Way is the extension of the front balcony, and a roof extension above the front balcony.

The existing building provides little in the way of projections or canopies and the current roof configuration presents ongoing safety and maintenance concerns from sliding snow (See Figure 1). Due to the irregular shape of the lot and the siting of the existing building, any additions to the front of the home aimed at mitigating snow accumulation or dangers from sliding snow will have to encroach into the required setback.

The northwest corner of the existing building is set back from the west elevation. This current configuration exposes the carport and primary path of travel to sliding snow from the highest section of roof, approximately

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25 feet up (See Figure 2). This presents an ongoing safety concern and maintenance challenge for the owners. The proposal to extend the balcony and roof will help provide more cover for the carport and redirect snow away from paths of travel (See Figure 3). This will increase occupant safety and minimize the risk of other potential damage caused by sliding snow. Due to the configuration and siting of the existing building, the proposed balcony and roof extension extend 1.889 metres into the required setback. This is only 0.389m beyond what is permitted for balconies, however the column required for support is not currently permitted.

In the interest of occupant safety and property maintenance, we request that the front setback be reduced from 7.6 metres to 5.7 metres to accommodate the construction of the proposed, balcony, roof extension and related structural supports.



Figure 1  
Photo of snow accumulation on exterior stairs leading to front door.



Figure 2  
Photo of existing building illustrating exposure to sliding snow.



Figure 3  
Diagram of proposed roof extensions impact on sliding snow and mitigation of risk.

## Registered Owners

### Strata Lot 1

Andrea Townson

[Redacted Signature]

SIGNATURE

DATE

Graham Ross

[Redacted Signature]

SIGNATURE

DATE

### Strata Lot 2

Krysta Lindsay

[Redacted Signature]

SIGNATURE

DATE

Rob Malec

[Redacted Signature]

SIGNATURE

DATE