



# **Corporate** NO: R044

# **Report** COUNCIL DATE: February 28, 2000

## **REGULAR COUNCIL**

**TO: Mayor & Council**    **DATE: February 15, 2000**

**FROM: General Manager, Planning & Development**    **FILE: 8351-12050**

**SUBJECT: Dressler Delegation Regarding Drainage at 8351 - 120A Street**

## **RECOMMENDATION**

It is recommended that Council:

1. receive this report as information; and
2. authorize the City Clerk to forward a copy of this report to Ms. Dressler, the owner of the property at 8361 - 120A Street.

## **DISCUSSION**

Ms. Linda Dressler, of 8361 - 120A Street, appeared as a delegation at the January 24, 2000 Land Use Council Meeting. Ms. Dressler had previously submitted a letter to Mayor and Council (copy attached as Appendix A) containing a chronological summary of events involved in the development (construction of a single family dwelling) of the property at 8351 - 120A Street. Ms. Dressler presented Council with a copy of an easement document relating to the subject property and provided photographs of water ponding on her own property at 8361 - 120A Street. Ms. Dressler expressed concerns with respect to several conditions related to the construction of a new single family dwelling at 8351 - 120A Street.

Ms. Dressler stated that the building permit for the single family dwelling under construction had not been posted on the site, the drainage on her property has been adversely impacted by the grading of the construction site and that the builder has not complied with the requirements of the private storm sewer easement located along the north property line of the property at 8351 - 120A Street.

### Posting of the Building Permit

The building inspector attended the site at 8351 120A Street on January 25, 2000 with a copy of the building permit which he posted on the building. The owner has been advised that the building permit must remain posted on the building during construction. This will be monitored in conjunction with future building inspections.

### Lot Grading and Drainage

Building Division staff have been to the construction site several times to deal with grading and drainage issues. Lot grades and drainage controls have been designed and specified in the building permit to contain all the surface run-off on the subject property. The building permit included a condition that the roof rainwater leaders be directly connected to the City storm sewer system. Unfortunately, during the construction period these controls cannot all be installed immediately and, accordingly, there can occasionally be difficulties during this period. The roof water leaders are now connected to the City storm sewer. The Building Inspector will confirm prior to final inspection for the new dwelling that the grading of the lot at 8351 - 120A Street is consistent with the design which was attached to the building permit.

### Private Storm Sewer Easement

The City is not party to the private storm easement over the northerly six feet of the property at 8351 - 120A Street. The easement was registered in 1977 when the subject property and the property at 8360 Scott Road to the west (see the attached sketch plan labelled Appendix A) were adjacent properties and owned by a common interest. A City lane now divides the two properties and, as the lane contains a City Storm sewer main, the aforementioned easement appears to be obsolete. The Engineering Department has no record of any purpose being served by the pipe within the private easement. Ms. Dressler, as owner of the adjacent property to the north, is not party to the easement agreement and is afforded no rights and has no obligations under the terms of the easement agreement.

Regardless, the integrity of the easement has been maintained throughout the building process. No encroachments into the easement area have been endorsed by the Building Division. Any damage to private piping within the easement would be a private matter between the owners who are party to the easement agreement.

The owner of the property at 8351 - 120A Street also met with staff to discuss options to finish the lot grading in the area between her dwelling and Ms. Dressler's property. Staff understand that the owner of the property at 8351 - 120A Street intends to construct a 0.6 m (2'0") high retaining wall 1 m (3'0") from the dwelling to permit the construction of a walkway and entry into the side garage door. This retaining wall would be located outside the easement area and would not affect site drainage between the two properties.

## **CONCLUSION**

Building Division staff have taken actions to alleviate Ms. Dressler's concerns. Infill development such as the dwelling being constructed at 8351 - 120A Street can have an impact on the immediate neighbourhood and, accordingly, the builder has been, and will continue to be, closely monitored through to final inspection of the dwelling to ensure compliance with the City's requirements, particularly with respect to lot grading and drainage. It is recommended that staff be directed to forward a copy of this report to Ms. Dressler who appeared before Council as a delegation.

Murray D. Dinwoodie

General Manager

Planning & Development Department

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Attachments

Appendix A - Ms. Dressler letter to Council

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