



# **Corporate** NO: R061

# **Report** COUNCIL DATE: March 13, 2000

## **REGULAR COUNCIL**

**TO: Mayor & Council**    **DATE: March 9, 2000**

**FROM: General Manager, Planning & Development**    **FILE: 2638-15495**

**SUBJECT: 2638 Croydon Drive**

## **RECOMMENDATIONS**

The Planning & Development Department recommends that Council:

1. Receive this report as information; and
2. Authorize staff to proceed under the provisions of "Surrey Unlawful Building Move and Foundation Construction By-law, 1999, No. 13901" (the "By-law").

## **INTENT**

It is the intent of this report to advise Council of the progress the property owners, William and Pamela Bray (the "Owner"), have made towards completing the subdivision application and correcting the Building By-law infractions at 2638 Croydon Drive (the "Property").

## **DISCUSSION**

On January 10, 2000, Council approved the recommendation contained in Corporate Report R2090 (copy attached) that a By-law be adopted requiring the removal of the unauthorized construction from the Property. The report advised Council that the Owner has moved a building onto the Property and constructed a foundation for the building all without obtaining the required permits. Council further passed a motion that at the end of the 30 day notice period a further report be provided to Council on the actions which the Owner has taken to correct the problems on the Property. The By-law received final adoption from Council on January 31, 2000. A letter, dated February 1, 2000, (copy attached) was sent to advise the Owner that if the work required to bring the Property into compliance with the City By-laws was not completed within 30 days time, the City would complete the work as required by the By-law.

On February 7, 2000, this Department received a letter (copy attached), dated February 4, 2000, sent from Levelton Engineering Solutions to the South Fraser Health Region, Boundary Health Unit. The letter requested that the Boundary Health Unit reconsider its position on the proposed subdivision of the Property. Since January 10, 2000, this letter is the only correspondence received from the applicant and no further progress has been made on the subdivision application.

The South Fraser Health Region, Boundary Health Unit sent a letter (copy attached) to this Department, dated February 18, 2000. They have informed us that they had a meeting with the Owner and their consultant on February 11, 2000, and informed them the Property does not meet their subdivision policy and that they are not prepared to alter their subdivision policy. The Boundary Health Unit also indicated in their letter that they will only respect the previous permit to construct a sewage disposal system on the Property if the Property is not subdivided. Based on its current zoning (RA), if the site is not subdivided, only one single family dwelling may be located on the site. The subject "move on" dwelling is the second dwelling on the property and, therefore, is not permitted.

The Property was inspected on February 25, 2000, and it was found that the Owner of the Property was preparing to lower the building onto the foundation. The Stop Work Notice was subsequently re-posted on the Property. The Owner was contacted on February 28, 2000, and he indicated that he wanted to lower the building onto the foundation in preparation for conversion of the building to an accessory structure or to demolish the building if the conversion was not possible. The Owner was informed that he must make application for a building permit for the proposed conversion of the building to an accessory structure but that his application would likely not be successful since it does not meet the City Zoning By-law regulations.

The Owner has taken no further action to correct the Building By-law infractions on the property.

## **CONCLUSION**

Since the owner moved the subject house onto the property without any authorization from the City and appears unable to satisfy the sewage disposal requirement for subdivision of the property, it is recommended that Council authorize staff to proceed under the provisions of Surrey Unlawful Building Move and Foundation Construction By-law No. 13901 to remove the house and foundation from the property.

Murray D. Dinwoodie

General Manager

Planning & Development Department

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Attachs.

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