



Corporate *NO: R189*

Report *COUNCIL DATE: September 4, 2001*

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| REGULAR | | | |
| TO: | Mayor & Council | DATE: | August 30, 2001 |
| FROM: | General Manager, Planning and Development | FILE: | 12121-10170 |
| SUBJECT: | Unfinished Dwelling at 12121-101B Avenue | | |

RECOMMENDATION

It is recommended that Council direct staff:

1. not to take action with respect to the Order adopted under By-law 14449 related to the property at 12121 – 101B Avenue until November 13, 2001 or until Council has received a further status report from staff; and
2. that a report on the status of completion of the dwelling on the subject property be brought forward to Council for consideration if the pending sale of the property does not complete or, if the sale of the property is completed, at the last Regular meeting of Council prior to November 13, 2001.

BACKGROUND

On July 9, 2001 Council received a Corporate Report recommending approval of a by-law pursuant to Section 698 of the Local Government Act, R.S.B.C. 1996, c. 323 declaring the unfinished dwelling at 12121 101B Avenue to be in contravention of the Surrey Unsightly Premises By-law No. 13150 and ordering its demolition and removal from the subject property within 30 days.

Council approved the recommendations of the report but directed staff not to take action under the By-law for 60 days to allow the owner an opportunity to sell the property and for the new owner to demonstrate his intention to complete construction of the dwelling and that staff report to Council on the actions taken by owner prior to the end of the 60 day period.

At the Monday, July 16, 2001 Regular Council meeting, Council adopted By-law No. 14449 that requires the Owner of property at 12121 – 101B to demolish and remove the wood framing of the partially constructed dwelling on the property and to backfill the basement cavity within 30 days of notice being served on the Owner. Notice of the Council's Order was served on the Owner of the property on July 18, 2001.

This report responds to Council's direction that a report be provided to Council prior to the expiry of the 60 day period.

DISCUSSION

Since Council's consideration of By-law No. 14449 in July, 2001, the subject property has been sold to an individual who is interested in completing the construction of the subject dwelling. The sale actually completes on September 4, 2001. The prospective new owner, Graystan Development Ltd., represented by Mr. Stan Gray has thus far met with Building Division staff and appears to be exercising reasonable diligence in working to complete the partially constructed dwelling on the property. The complexity of the project, however, precludes the immediate commencement of construction activity. Since the wood framing elements of the dwelling stood exposed to the elements for approximately 3 years, the new owner must obtain professional certifications guaranteeing the structural integrity of the wood framing elements. These certifications must be received and accepted by the City before these wood elements can be permanently incorporated into the structure.

Mr. Gray has submitted a Professional Engineer's preliminary report on the structure. Building Division staff are continuing to work with the new owner on the issues and requirements arising from the prolonged construction period. However, it will not be possible for the new owner to complete the partially constructed dwelling within the sixty day period allotted by Council in July that will expire on September 14, 2001.

CONCLUSION

In consideration of the diligence that Mr. Gray, the prospective owner of the property, has demonstrated in relation to his stated intention of completing the partially constructed dwelling, it is recommended that Council direct staff not to take action under By-law 14449 for a further 60 days to November 13, 2001 to allow Mr. Gray further time to arrange for the necessary work to be carried out to complete the exterior of the building and thereby bring the building into compliance with the requirements of the Surrey Unsightly Premises By-law.

Further it is recommended that Council direct staff to report back to Council on the status of the dwelling prior to November 13, 2001 or if the sale of the property to Mr. Gray for some reason does not complete.

Murray D. Dinwoodie

General Manager

Planning and Development

JMcK/mm