

October 13, 2020

FOI No.: 2020-43

VIA E-MAIL – Redacted

Redacted

Dear Redacted

Re: Request for Records
Freedom of Information and Protection of Privacy Act

The City of White Rock has reviewed your requests for access to the following records pursuant to the Freedom of Information and Protection of Privacy Act:

- *All complaints regarding residential construction at 14816 Roper Avenue from 2014 to 2019.*
- *All communications between City Council or staff and the complainants*

Access to these records is available. However, some of the information in the records is protected under section 22 of the Act. I have severed the protected information so that I could disclose the remainder of the records to you as attached.

Severing is necessary under section 22 to avoid disclosing third-party personal information without permission.

Please contact our office if you have any questions or concerns.

Sincerely,



Ken Overton
Manager, Property, Risk Management, and FOI
604-541-2104

Att.

Corporate Administration
P: 604.541.2212 | F: 604.541.9348

City of White Rock
15322 Buena Vista Avenue, White Rock BC, Canada V4B 1Y6

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City by the Sea!

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Redacted S. 22

January 20, 2014

City of White Rock
15322 Buena Vista Avenue
White Rock, B.C.
V4B 1Y6



Attention: Dan Bottrill, Chief Administrative Officer

Dear Mr. Bottrill,

Design for development of 14816 Roper Avenue, White Rock.
Discharge of surface water onto 14810 Roper Avenue.

I draw your attention to serious flooding incidents occasioned by the City of White Rock's failure to meet its legal obligations with respect to vetting, approval and control of developments, including:

Royal Avenue development
Bishop Hill Estates.

Concerns about the requirement for permanent control and proper discharge of surface water on the 14816 Roper Avenue development have been explained to and discussed with City's Planning Department, with no constructive result. In order to prevent another error similar to those referenced above, I give notice that the City of White Rock is obliged under law to require changes to the current design of the 14816 Roper Avenue development because it anticipates discharging water directly onto our adjacent property at 14810 Roper Avenue.

The current design for 14816 Roper Avenue is such that surface runoff water from the concreted, gravelled and planted outdoor areas on the north (Roper Avenue) portion of the site will discharge westwards, over their west retaining wall(s) along the common property line, and directly onto our property.

To prevent that discharge and the damages arising, and following accepted practice in the industry, a minimum 3" high formed concrete water-retaining curb is required at the top of all concrete retaining walls and at other points along the project's west property line where there is risk of discharging surface water onto 14810 Roper Avenue. The design for permanent water control must incorporate, as needed, interceptor swales sloping to lawn basins, and concrete slopes feeding into the rainwater system drains.

Will you kindly ensure that this irregularity is corrected in conformity with the City's mandate, employing the principles of design described above, and that we are kept informed of progress.

Sincerely,

Redacted S. 22

copies: Greg St. Louis, Director of Engineering and Municipal Operations
Councillor Al Campbell

February 26, 2014

Redacted S. 22

Dear **Redacted S. 22**

Re: 14816 Roper Avenue

To address your concerns dated January 20, 2014, we have asked the project Architect to produce further detail drawings that would address drainage issues at the north and west elevations of the project. These new details should resolve your concerns.

You are welcome to visit our office at your convenience to view the drawings, and ask any questions you may have.

Regards.

Guy J. Gareau
Building Official

Redacted S. 22

COPY

April 20, 2016

City of White Rock

15322 Buena Vista Avenue

White Rock, V4B 1Y6

Attention Mr. Guy J. Gareau, Planning and Development Services

Dear Mr. Gareau,

Re. New Residence at 14816 Roper Avenue - Design of the Concrete Retaining wall along the common property line between 14810 and 14816 Roper

This is further to our telephone discussion on April 18th.

The subject retaining wall is under construction and there is cause for concern about the owner's positioning of the foundations.

The wall will be on steeply sloping ground and extend along most of the common North/South property line, with varying heights of up to 10 feet. As such, it requires design and approval by a Professional Engineer. This includes setting the vertical positions of the foundations - important to the long term stability of any structure and something which concerns the City in its approval of construction projects.

Accepted practice is to bury foundations to a depth determined by the Engineer after considering all the conditions. I have not been allowed to look at the drawings and specifications, but have been informed that they do not address the foundation depths or bearing requirements and have left this to the owner who, to the best of my knowledge, is not so qualified.

Without success, I have asked the owner, as a minimum, to bury the foundations so that no part of the concrete is exposed above the original ground level, this being the compacted ground beneath the loose gravel topping on the existing path of 14810 Roper running along the common property line. That material has been in situ for more than 20 years, whereas the material supporting the proposed retaining wall foundations has been in place for less than 2 years and is not well compacted.

The primary consideration requiring that these foundations be buried is the fact that unavoidable settlement of the fill behind the proposed wall, and other potential disturbances of the ground such as from earthquake and other tremors, will create lateral forces tending to move the entire wall to the West, in addition to producing an overturning moment. If the foundations are above ground, or close to ground level, the result will be to push them across the common property line and onto 14810 Roper. That will occur because all movement of the wall to the East is prevented by the house wall of 14816, less than 4 feet away, and there will be no lateral restraint on its West side unless the foundations are completely below the original ground level.

Construction of the foundation formwork is proceeding, and the owner will be installing the reinforcing steel as soon he can. In the circumstances, I request that you kindly arrange a meeting for that purpose, at the site, to include the Professional Engineer, yourself, myself and the owner.

Thank you.

Sincerely,

Redacted S. 22

Copy: Karen Cooper, MCIP, RPP, Director, Planning and Development Services.

Redacted S. 22

June 6, 2017

City of White Rock
877 Keil Street
White Rock, B. C, V4B 4V6

Attention: Greg St. Louis, P. Eng.
Acting Director of Development Services

Dear Mr. St. Louis,

Residential construction at 14816 Roper Avenue
Owner/developer/builder **Redacted S. 22**

Enclosed please find a copy of our letter dated April 20, 2016 to the City. It refers to the essential engineering design of a retaining wall along the common property line between 14810 and 14816 Roper Avenue, this being 4 feet from each house wall. The City responded by stating that the wall "must be designed and approved by both a structural and a soils engineer, and the structure must not encroach over the property line". The owner's response was to stop construction and there has been no indication that the design work has been done.

The City informs us that all structural work must be completed prior to occupancy, but that an unoccupied residence may be left unfinished indefinitely. This inescapably encourages tax evasion, illegal occupancy and other abuses of the public interest, and it is why most jurisdictions limit the building period and levy charges for time overruns and penalties for non-compliance. Clearly, for improper and self-serving reasons, this retaining wall has been left unbuilt and the external premises allowed to become a nuisance property in violation of Bylaw 2116, while the residence itself has been substantially completed, furnished and occupied. Since last year it has been obvious from the regular foot and vehicular traffic, and the confined unattended barking dogs, that several people and animals are living in the house, despite efforts to conceal the fact.

The City approved work on the project well over four years ago. This is unprecedented, when construction of a private residence normally is finished in a matter of months. Damage, and the presence of a permanent, hazardous open excavation along the common property line, have effectively eliminated **s. 22** access to the east side **Redacted S. 22**.

The continuing danger, denial of access and damage are a critical concern for us. Until the retaining wall is properly designed, approved and built we will continue to be exposed to the hazards described. For example:

Redacted S. 22 garden steps constitute the only means of entry to the east side of **Redacted S. 22**. They were damaged extensively and made unusable, making it impossible to wash windows, tend plantings, and perform maintenance or any other normal activity in that area.

Redacted S. 22 fence was removed, exposing the open excavation along the common property line. There is a vertical drop of up to 3 metres from the new residence's outside doorways onto exposed drill rods and reinforcing steel.

Redacted S. 22 garden sprinkler piping was dug up, making the system inoperable.

Such blatant abuse of the regulatory system and contempt for others is unprecedented. The lack of progress on essential work, and disregard of dangerous conditions, is untenable.

Redacted S. 22 cannot regain proper access to **Redacted S. 22** or assess the full impact and cost of, and repair the damage, until the retaining wall and its appurtenances are completed.

We ask that you respond, as a matter of urgency, by requiring the owner to:

- safeguard the public against the dangers of his open excavation,
- execute the retaining wall engineering and construction without further delay, and
- ensure that the property is brought into compliance with Bylaw 2116.

Sincerely,

Redacted S. 22

enclosed. - letter dated April 20, 2016