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Neighbours file suit over construction

Family living next to Caulfeild building site says safety a concern

Stefania Seccia / North Shore News

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After months of living next to a construction site where a 17,500-square-foot home is being built in Caulfeild, one West Vancouver family is taking their neighbour to court after a few close calls with falling tree branches and heavy machinery.

David Trent, his wife Amber and their two children

under the age of three have had their life uprooted during the construction of their neighbour's home since demolition work began on the property at 5358 Kensington Crescent earlier this summer.

Trent said they turned to the court system after feeling their complaints were falling on deaf ears with District of West Vancouver staff.

"Our prime concern is the safety of our children," he noted. "It hasn't been safe.

"When we moved into the area, our perspective was this is going to be a house for life."

Trent and his family moved to the Caulfeild neighbourhood in 2009 when the adjacent

40,000-square-foot property had a smaller home on the site surrounded by greenery.

According to court documents filed by Trent, he and his neighbour had a good relationship before the project's construction began.

In fact, the Trents maintain they originally accepted the size and scope of the home because they were told the grove of trees separating their two property lines would be maintained for privacy.

But that relationship quickly deteriorated when construction began, the trees were removed across the site and on multiple occasions debris fell or rolled onto the Trents' property. Oftentimes, excavators operated on the side of the hill directly next to their property, as well.

When Trent raised the safety concerns with the district, it resulted in several stop work orders, but eventually all were lifted.

"Give us notice if you're going to be blasting, drilling or operating excavating equipment and things like that to keep us safe," he said. "And make sure that we're reasonably secure in letting

our child potentially run out into the backyard."

The property value of the land at 5358 Kensington has been assessed at \$1.429 million. The value of the house being built on it is expected to be far more than that.

In West Vancouver, a home can cover a maximum of 35 per cent of the property's area, but

basements are exempt from the equation.

Bob Sokol, West Vancouver's director of planning, said the zoning bylaw, on principle, won't count an area if it can't see it - and basements, in theory, are underground.

Sokol said the district has "done a very good job" of responding to the Trents' concerns and put in the stop work orders when safety was a concern.

"We can't be there all the time," he added. "We don't have the resources to be there all the time."

On Oct. 20, a staff report on monster houses is expected to go before West Vancouver council with a draft bylaw attached. The recommendation will be for council to put the draft bylaw out for public consultation.

"We are doing our best to make sure the person who's building is adhering to all our bylaws and very clearly some of these issues are neighbour to neighbour and don't involve the district," Sokol added.

As for Trent, he said he and his wife wish to move away the first chance they get and won't likely be buying another home in West Vancouver.

"You could've killed one of my kids," he said in response to Sokol's comment regarding safety. "It's abysmal."

The owners of the 17,500-square-foot property did not immediately respond to the North Shore News' request for comment.

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