

ITEM	7
MANAGER'S REPORT NO.	3
COUNCIL MEETING	1980 01 14

RE: LETTER FROM MRS. L. WILDE WHICH APPEARED ON THE AGENDA FOR
 THE 1980 JANUARY 07 MEETING OF COUNCIL (ITEM 4h)
 OCCUPANCY OF A BASEMENT SUITE AT 5929/31 HARDWICK STREET, BURNABY
 LOT 19, BLOCK 5, D.L. 76, PLAN 1885

Appearing on last week's agenda was a letter from Mrs. L. Wilde regarding her occupancy of a basement suite on Hardwick Street. Following is a report from the Chief Building Inspector on this matter.

RECOMMENDATION:

1. THAT a copy of this report be sent to Mrs. L. Wilde, 5929 Hardwick Street, Burnaby, B.C., V5G 1R5.

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TO: MUNICIPAL MANAGER 1980 JANUARY 08
 FROM: CHIEF BUILDING INSPECTOR
 RE: 5929/31 Hardwick Street, Burnaby
Lot 19, Blk. 5, D.L. 76, Plan 1885

RECOMMENDATION:

1. THAT this report be received for the information of Council.

REPORT:

The following report will give background to the letter of Mrs. L. Wilde of 1980 January 01 to Mayor and Council.

Premises at 5929/31 Hardwick Street were constructed under permits issued in April and May of 1977 to the present owners. Notation was clearly made on the permits - "No basement suites..." and "...basement finishing to be used in strict conjunction with main floor use. Two-family dwelling only." The subject premises are not occupied by the owners who reside elsewhere in the municipality.

Inspection of the premises commenced in December 1978 following receipt of a complaint that basements were being occupied as separate dwelling units. Inspection of the 5929 Hardwick Street side of the premises disclosed two separate, self-contained dwelling units occupied by different families. Inspection of the 5931 Hardwick Street side of the premises in December 1978 was not completed due to the absence of the tenants.

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Follow-up inspections were carried out in January and April of 1979, but action at those times was not taken due to the fact that tenants were about to move and the continued unauthorized use of the basement units could not clearly be determined.

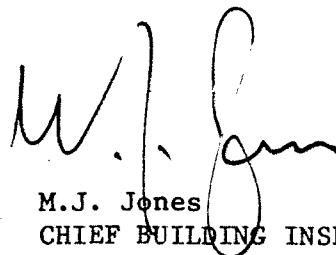
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Reinspection of the premises was made in October 1979 when it was found that premises were used and occupied as a three-family dwelling. As a consequence, a notice was directed to the owners on 1979 October 19. Response to the notice was a telephone call late in November from the owner, and telephone calls from the tenant, Mrs. L. Wilde. It was explained to Mrs. Wilde that by-law compliance is a matter which rests entirely between the Corporation of Burnaby and the property owner. Our notice to the owners expired at the end of November 1979, but inasmuch as Mrs. Wilde indicated to us that she was actively seeking other accommodation, we purposely withheld reinspection until this month. As a result of our last inspection, we have reason to believe three-family use is still being made of the premises, and the property owners therefore continue to be in violation of Burnaby Zoning By-Law.

In summary, inspection of the subject premises commenced in December 1978 following receipt of a complaint of multi-family use. The complainant has periodically been in touch with the Building Department throughout 1979 and last visited the department on 1979 November 22 to enquire of what progress was being made toward having by-law compliance met in the use of the subject premises.

The current status of this matter is such that the date on the notice to vacate could be extended. In view of current circumstances, including occupant's income level and a few past precedents of time extensions, staff is prepared, with Council's approval, to extend the date of the notice to vacate to 1980 March 31. This action will be taken, unless directed otherwise.

MJJ:lm



M.J. Jones
CHIEF BUILDING INSPECTOR