

RE: LETTER FROM R. T. GILMORE WHICH APPEARED ON THE AGENDA FOR THE 1985 FEBRUARY 18
MEETING OF COUNCIL (Item 3b)
ILLEGAL OCCUPANCIES

MUNICIPAL MANAGER'S RECOMMENDATION:

1. THAT the recommendation of the Director Planning & Building Inspection be adopted

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TO: MUNICIPAL MANAGER 1985 FEBRUARY 12

FROM: DIRECTOR PLANNING &
BUILDING INSPECTION

SUBJECT: LETTER DATED 1985 FEBRUARY 07
FROM MR. & MRS. R.T. GILMORE

RECOMMENDATION:

1. THAT a copy of this report be forwarded to Mr. & Mrs. R.T. Gilmore, 4829 Woodglen Court, Burnaby, B.C., V5G 2X8.

Background:

Mr. R.T. Gilmore of 4829 Woodglen Court wrote to the Mayor on 1984 March 27 requesting information regarding zoning in his neighbourhood and listing six addresses thought by himself to be occupied in violation of the Municipal Zoning By-Law. The Building Department responded on 1984 April 05 (Attachment No. 1) with the requested information and with the advice that in view of his complaint the properties in question would be fully investigated.

Report:

The investigation proceeded over a period of time with the Department's By-Law Enforcement Coordinator inspecting all premises in detail, with the conclusion that one of the addresses given by Mr. Gilmore was occupied in contravention of the regulations contained in the Municipal Zoning By-Law. That unlawful use was pursued with the owners of the property who acted to discontinue the violation through eviction of the unauthorized tenants. The owner has retained the existing suite for accessory use by his eldest daughter as authorized under the zoning by-law and is now in compliance through registration of a restrictive covenant to control the occupancy and through the issuance of an annually renewable in-law suite licence. The licence was finally issued 1985 January 21 along with a building permit to properly record the ground floor finishing on 1985 February 02. During the course of the investigation the By-Law Enforcement Coordinator held numerous telephone conversations with Mr. and Mrs. Gilmore advising that their complaint was being dealt with and that the investigation would be concluded as quickly as possible.

Following receipt of Mr. Gilmore's letter of 1985 January 29, and with the final conclusion of the one outstanding infraction on 1985 February 02, the Building Department wrote to Mr. Gilmore on 1985 February 04 (Attachment No. 2) with advice as to the disposition of his complaint.

On 1985 February 07 (Attachment No. 3), the Department responded similarly to Mr. K.G. Knott of 4849 Woodglen Court who wrote to Mayor Lewarne on 1985 February 04 objecting to illegal suites in the same area.

ITEM 8
MANAGER'S REPORT NO. 16
COUNCIL MEETING 85/02/25

117

Mr. Gilmore's letter of 1985 January 29 lists five addresses with dates of new occupancy. In two instances where new tenants have appeared subsequent to our 1984 investigation, it will be necessary to carry out a further review. Previously in one of the two instances the premises were found to be in compliance with two boarders or lodgers as authorized in the by-law. In the other instance the premises were occupied by tenants qualifying with the in-law suite requirements of the by-law. As stated earlier, these two premises will be reinspected. Based upon Mr. Gilmore's listed dates of occupancy, the other three addresses are thought by this department to be occupied as found previously and in accordance with municipal regulations with no further action contemplated.

Mr. and Mrs. Gilmore's letter of 1985 February 07 addressed to the Mayor and Council seems predicated on the assumption that the premises complained of by Mr. Gilmore have been ignored with no progress towards compliance with the by-law. Such is not the case; progress has been achieved with correction of the one case in which occupancy was found to be in violation.

As in previous correspondence, the letter expresses concern regarding the extensive use of a municipal street for vehicle parking and identifies a potential traffic hazard under poor weather conditions. These matters have in the past been referred to the RCMP by Mrs. Gilmore and are beyond the jurisdiction of the Department of Planning and Building Inspection. The RCMP now have a copy of the Gilmore's letter of 1985 February 07 and have advised that if illegal parking is found they will take appropriate action.

In keeping with past departmental policy, the findings of the investigator as compiled during his inspection of the various addresses involved are considered confidential and are not released to the complainant or to the public; however, the file is available for review by Council if so desired.

FRM:lm
Enc.



A.L. PARR
DIRECTOR PLANNING &
BUILDING INSPECTION

c.c. Officer-in-Charge,
RCMP, Burnaby Detachment

ITEM	8
MANAGER'S REPORT NO.	16
COUNCIL MEETING	85/02/25

ATTACHMENT NO. 2

119

294-7132

1985 February 04

Mr. R.T. Gilmore
4829 Woodglen Court
Burnaby, B.C.
V5G 2X8

Subject: Alleged Illegal Suites at
3921/23 Gilpin Street
3949/51 Gilpin Street
3963 Gilpin Street

Thank you for your letter dated 1985 January 29 regarding alleged illegal suites at the above addresses.

Following receipt of your previous letter dated 1984 June 11, we conducted inspections and investigation of these premises. We found only one violation of the Burnaby by-laws in one of the premises, and contacted the owner who has since rectified the situation.

With regard to that portion of your complaint dealing with cars and trucks parked on the street, on 1984 July 18 Mrs. Gilmore advised this office that she had called the RCMP to attend.

PAE:lm

c.c. Mayor W.A. Lowarna

Frank R. Mehling

Frank R. Mehling, P.Eng.
CHIEF BUILDING INSPECTOR

ITEM 8
MANAGER'S REPORT NO. 16
COUNCIL MEETING 85/02/25

ATTACHMENT NO. 3



4949 Canada Way, Burnaby, B.C. V5G 1M2

Planning & Building Inspection Department
Building Inspection Division

Telephone (604)
294-7135

1985 February 07

Mr. Kenneth G. Knott
4849 Woodglen Court
Burnaby, B.C.
V5G 2X8

Subject: Illegal Suites

This is in response to your letter of 1985 February 04 addressed to Mayor W. Lewarne with copies to P.A. Eastman and D. Stanbrook of this department.

Mr. R.T. Gilmore's letter of 1984 March 27 listed six street addresses each of which was suspected by Mr. Gilmore to be occupied unlawfully. Those addresses were subsequently investigated in detail over a period of time by this department's By-Law Enforcement Coordinator, and one of the six addresses was found to be occupied in contravention of the regulations contained in the municipal zoning by-law. That one unauthorized use was pursued with the owners of the property and as of 1985 February 02, has been rectified.

We responded to Mr. Gilmore by letter on 1985 February 04, and a copy of that correspondence is enclosed.

FRM:lm
Enc.

Frank R. Mehling
F.R. Mehling, P.Eng.
CHIEF BUILDING INSPECTOR

c.c. Mayor W.A. Lewarne

A.L. Parr, Director Planning
& Building Inspection

Mr. R.T. Gilmore
4829 Woodglen Court
Burnaby, B.C. V5G 2X8

