

Re: LETTER FROM MR. JOHN SMITH WHICH APPEARED ON THE AGENDA FOR THE
1986 NOVEMBER 17 MEETING OF COUNCIL (Item 4q) REGARDING ILLEGAL SUITES

MUNICIPAL MANAGER'S RECOMMENDATION:

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

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TO: MUNICIPAL MANAGER 1986 NOVEMBER 19

FROM: DIRECTOR PLANNING &
BUILDING INSPECTION

RE: 8133 - 15TH AVENUE, BURNABY

RECOMMENDATION:

1. THAT a copy of this report be sent to Mr. John Smith, 8134 - 16th Avenue,
Burnaby, B.C., V3N 1R7 as originator and signator of the petition.

BACKGROUND:

On the agenda of Council's regular meeting of 1986 November 17 was a petition addressed to the Mayor and Council expressing concern regarding the proliferation of illegal suites in single-family dwellings. The petition carries 19 signatures representing 12 residences within Burnaby and cites the home at 8133 - 15th Avenue as a prime example of a current complaint filed by signator Mr. John Smith of 8134 - 16th Avenue.

REPORT:

Council is aware of its policy decision of 1980 February 25 which established the present procedure of investigating alleged Zoning By-Law infractions only upon complaints received from bona fide residents of Burnaby. That procedure is currently being pursued by the Building Inspection Division through the use of the one staff member allocated to such investigative work in the face of a growing number of complaints directed towards the owners of property containing additional unauthorized dwelling units. As reported to Council recently, funds have been allocated in the Division's 1987 Provisional Budget for additional staff help in its enforcement function.

With specific reference to the premises at 8133 - 15th Avenue, the two-storey single-family dwelling has been constructed on a property measuring 50' x 137', zoned R5, as authorized under Building Permit No. B 59891 issued 1986 March 13. A covenant restricting the use of habitable space finished on the first storey to single family use is registered against the property title in the Land Registry Office and a Certificate of Occupancy was issued 1986 September 09.

Mr. Smith's complaint was received 1986 October 14 at the counter of the Building Inspection Division. Mr. Smith was contacted by telephone 1986 October 15 for further specific information and was advised at that time that his concerns would be dealt with as soon as possible considering the work load of staff.

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Investigation by the Division's By-Law Enforcement Coordinator on 1986 November 13 and 17 reveals the first storey to be occupied by two separate families in contravention of the Burnaby Zoning By-Law and in contravention of the registered restrictive covenant. To date the Division has not been able to gain access to the remainder of the building.

Investigation is continuing and when it is complete, action will be taken to have the premises returned to use as a single-family dwelling in compliance with the by-law requirements.

This is for the information of Council.

FRM
FRM:lm

A.L. Parr
A.L. Parr
DIRECTOR PLANNING &
BUILDING INSPECTION

c.c. P.A. Eastman, By-Law
Enforcement Coordinator