

RE: PROPOSED LEGAL PROCEEDINGS
PROPERTY AT 4231 PANDORA STREET
(Item 7, Report No. 33, 1986 May 20)

MUNICIPAL MANAGER'S RECOMMENDATION:

1. THAT the recommendation of the *Municipal Solicitor* be adopted.

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TO: MUNICIPAL MANAGER SEPTEMBER 4, 1986
FROM: MUNICIPAL SOLICITOR
RE: 4231 PANDORA STREET - LOT 29, BLOCK 7, DISTRICT LOT 187,
GROUP 1, N.W.D. PLAN 1282.

RECOMMENDATION:

THAT legal proceedings be commenced to empower Municipal officials to enter and inspect the subject property.

REPORT

BACKGROUND:

In May 1986 Council received a petition from neighbours of 4231 Pandora Street, Burnaby. The complaints cited the presence of illegal suites, illegal parking, garbage strewn around the yard and adjacent land, health hazard, excessive noise, etc.

The subject property is zoned R5 and, as it is less than a 33' lot, the property is limited to use as a single family dwelling. It appears that the property contains a number of suites contrary to municipal building and zoning bylaws. In addition, it is likely that breaches of electrical and plumbing bylaws have occurred.

Attempts were made to inspect the property, however, the owner or her husband refused entry. Written notice of our intention to inspect the property was sent by certified mail; however, delivery was refused. A subsequent letter was left at the house. This letter was ignored. On August 7th, 1986 a final letter was personally served on the registered owner, Beverley Gonzo. This letter stated that municipal inspectors would inspect the property on August 15, 1986. On that day, the owner's husband refused to allow entry.

ITEM 4
MANAGER'S REPORT NO. 52
COUNCIL MEETING 86/09/08

Authority is provided under the building, zoning, electrical and plumbing bylaws to enter any building at any reasonable time to investigate violations. As all attempts have been frustrated we are seeking Council's authorization to commence proceedings for a Court Order to enter the property and to take any necessary subsequent steps.

106

Municipal Solicitor

Per: *P. Devonshire*

Peter Devonshire
Solicitor

PD:bi

cc: Chief Building Inspector
Director Administrative &
Community Services