

RE: LETTER FROM MRS. HILDA WEBER WHICH APPEARED ON THE AGENDA FOR THE
1987 SEPTEMBER 28 MEETING OF COUNCIL (ITEM 4 F)
PROPERTY AT 5484 WILLINGDON AVENUE

MUNICIPAL MANAGER'S RECOMMENDATION:

1. THAT Mrs. Hilda Weber be sent a copy of this report.

* * * * *

REPORT

Mrs. Hilda Weber, in her letter which Council received on 1987 September 28, expressed her concerns regarding a property at 5484 Willingdon Avenue. Following are replies from the investigating departments:

1. The Licence Division of the Finance Department on the number of vehicles parked on the property

"On 1987 August 31, we received a complaint from Mrs. Weber, 4550 Bond Street, regarding the painting of a boat at 5484 Willingdon Avenue.

Inspection by our Senior Licence Inspector revealed that the boat in question had been painted by Mr. Varga, who is the owner of the property and the boat. Mrs. Weber was advised of this on 1987 September 02.

On September 21 we received a complaint from Mrs. Weber regarding auto repairs and spray painting at 5484 Willingdon Avenue. Inspection by the Senior Licence Inspector on September 21 did not reveal any mechanical repairs or spray painting. Parked on the property were three vans - one dismantled van, one unlicensed car, one 4x4 truck and one boat.

On September 22 Mr. Varga called and explained the presence of the vehicles on the property. He stated that the three vans were his. The car was his brother's, the 4x4 was owned by a tenant living on the property and the boat was his.

Our Senior Inspector explained to Mr. Varga that the Zoning By-law permitted the storing of a dismantled van for not more than 30 successive days. Mr. Varga was given notice to remove the dismantled vehicle from the property within the thirty day time period.

The storage of the other vehicles and the boat on the property conform with municipal by-laws.

As part of our investigation we requested the Burnaby Fire Prevention Unit to inspect the site. They advise that there are no violations of the Fire Code.

We will continue to work with Mr. Varga to ensure his compliance with the by-law. This information has been conveyed to Mrs. Weber."

RE: LETTER FROM MRS. HILDA WEBER
PROPERTY AT 5484 WILLINGDON AVENUE
PAGE TWO

103

2. The Environmental Division of the Health Department on unsightliness of the property, a dismantled vehicle and noise

"The District Inspector attended at 5484 Willingdon Avenue on 1987 September 24 and spoke to the property owner, Mr. Leslie Varga, on site. Mr. Varga was advised that the property contravened the Unsightly Premises By-law by reason of accumulation of debris on the property which includes scrap lumber, plastic containers, automotive tires, scrap metal and a wrecked or dismantled vehicle. Mr. Varga was advised to have this material removed by 1987 October 21. The property will be inspected at that time to ensure compliance with the By-law.

With reference to the complaint concerning automotive repair noise, Mr. Varga was advised of the terms of the Burnaby Noise or Sound Abatement By-law and that any investigation of further complaints, if found justified, would result in court action.

A letter has been delivered to Mr. Varga confirming our inspection and discussion with him.

The complainant has been advised of our action in this matter and of our call-out procedures for weekend or evening noise complaints.

Should further inspections reveal that the registered owner has not brought the property into compliance with Burnaby's Unsightly Premises By-law and our Noise By-law, this Division will immediately proceed with Court action."

3. Planning & Building Inspection Department on the construction of a fence

"On 1986 July 15, Mrs. Weber came to the Building Inspection Division counter and filed a complaint with respect to a gate being constructed at the end of a lane which runs past the west side of her property and which terminates at the northerly property line of the subject property. The fence was reportedly:

1. Nine feet tall, and
2. Constructed of plywood sheets.

It was this matter of construction material that Mrs. Weber apparently objected to.

As a result of an inspection conducted in the latter half of 1986 August, a letter dated 1986 September 17 was sent to the registered owners of the subject property advising them that the gate exceeded the height limitations of Burnaby Zoning Bylaw No. 4742. It should be noted that at the time of inspection, the gate was constructed of six by six posts infilled with one by six vertical cedar members, not of plywood as originally suggested.

The 1986 September 17 letter was not followed up because limited manpower resources were being applied in higher priority areas, and the infraction was not health or safety related.

As a result of the 1987 September 21 complaint, the Department's By-law Enforcement Coordinator reinspected the subject premises and noted that the twenty foot long gate still exceeds height limitations. The owners have been instructed to bring the gate into compliance with the Zoning By-law, and the matter will be followed up to ensure that the requirements of the By-law are upheld.

RE: LETTER FROM MRS. HILDA WEBBER
PROPERTY AT 5484 WILLINGDON AVENUE
PAGE THREE

The subject property is 70 feet by 314 feet and is virtually entirely fenced. The fencing material ranges from four foot high wire fencing to six foot high cedar fencing, to four foot high plywood fencing overgrown with vegetation and to twelve foot high cedar hedging to the gate in question. The Department has advised the complainant that the fence is not in contravention of any by-laws or other regulations, and that the Municipality therefore has no authority to require the owners of the property to alter the existing aesthetics or quality of this fence."

In conclusion, action has been taken to bring the property at 5484 Willingdon Avenue into conformity with applicable by-laws, and affected departments will carry out appropriate follow-up, as required. Each investigating department has discussed the results of its investigation with the complainant and has requested that it be contacted in the future should further problems occur.

* * * * *

