

RE: 8133 FIFTEENTH AVENUE

ITEM 8
MANAGER'S REPORT NO. 59
COUNCIL MEETING 88/09/19

MUNICIPAL MANAGER'S RECOMMENDATION:

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

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TO: Municipal Manager 1988 September 14

FROM: Director Planning & Building Inspection

SUBJECT: 8133 FIFTEENTH AVENUE

PURPOSE: The purpose of this report is to provide Council with the results of a staff review of the illegal suite investigations conducted at the subject address in response to the letter from Mr. John Smith, which appears on the 1988 September 19 Council agenda.

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RECOMMENDATION:

1. THAT a copy of this report be provided to Mr. John Smith, 8134 Sixteenth Avenue, Burnaby, B. C. V3S 5X7

BACKGROUND:

Appearing on the 1988 September 19 Council agenda is a letter dated 1988 September 08 from Mr. John Smith, who is the owner of a dwelling at 8134 Sixteenth Avenue, Burnaby, B.C. He complains of the existence of two illegal suites in the single-family dwelling at 8133 Fifteenth Avenue.

REPORT

The single-family dwelling at the subject address is located on property zoned Residential District R5. According to the Burnaby Zoning Bylaw, a single-family dwelling is defined as "consisting of one dwelling unit", and a dwelling unit is defined as "containing only one kitchen equipped with a sink, (and) one set of cooking facilities". Further, the Zoning Bylaw includes in the definition of home occupation "the keeping of not more than two boarders or lodgers". This definition of home occupation has been in the Zoning Bylaw since 1965. Therefore, the single-family dwelling at the subject address is in compliance with the bylaw as long as it contains only one set of cooking facilities, and as long as it is occupied by only one family who can keep up to two boarders or lodgers.

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Mr. Smith's first complaint to the municipality, received on 1986 October 14, about an illegal suite in the single-family dwelling at the subject address resulted in the owner being ordered to bring the premises into compliance with and, ultimately, in being convicted of violating the Burnaby Zoning Bylaw on 1987 September 14. A 1987 November 23 inspection revealed that the premises had been brought back into compliance with the Zoning Bylaw.

Mr. Smith's complaint to the municipality received on 1988 January 07, about illegal suites in the single-family dwelling at the subject address being re-occupied, resulted in the owner being ordered to bring the premises into compliance with the Burnaby Zoning Bylaw. A 1988 July 12 inspection revealed that the premises had been brought back into compliance with the Zoning Bylaw.

The Building Inspection Division will follow up on Mr. Smith's complaint contained in the letter on the 1988 September 19 Council agenda, about the return of illegal suites to the dwelling at the subject address to ensure that the requirements of the Zoning Bylaw are upheld.

The contents of this report have been discussed with Mr. Smith.

WPAJE/jce

cc: Chief Building Inspector



A. L. PARR
DIRECTOR PLANNING &
BUILDING INSPECTION