

RE: LETTER FROM MR. R. CARDAMONE WHICH APPEARED ON THE AGENDA FOR THE MEETING OF FEBRUARY 19TH (CORRESPONDENCE ITEM NO. 15)
CONSTRUCTION OF NEW SINGLE FAMILY DWELLING AT 4838 ALBERT STREET

MUNICIPAL MANAGER'S RECOMMENDATION:

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

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TO: Municipal Manager 1990 March 07

FROM: Director Planning & Building Inspection

SUBJECT: 4838 ALBERT STREET

PURPOSE: To reply to correspondence from Mr. R. C. Cardamone concerning 4838 Albert Street, Burnaby

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RECOMMENDATION:

1. THAT a copy of this report be forwarded Mr. R. C. Cardamone of 4832 Albert Street, Burnaby, B. C. V5C 2H3

Introduction:

At its meeting of 1988 March 14, Council received a staff report in response to correspondence submitted by Mr. R. C. Cardamone to Council at its meeting of 1988 March 07.

At its meeting of 1990 February 19, Council received further correspondence dated 1990 January 31 from Mr. R. C. Cardamone of 4832 Albert Street, Burnaby, B. C. In his letter, Mr. Cardamone again expressed his continuing objections to certain aspects of the construction of a new single-family dwelling at 4838 Albert (formerly 4834 Albert Street).

Background:

Building Permit No. B-62787, issued 1987 August 06, authorized the demolition of the existing single-family dwelling and all other buildings on the site. Demolition was completed and final approval of this work was given 1987 December 23.

Building Permit No. B-62788, issued 1987 August 06, authorized the construction of a new single-family dwelling based on building plans which met the requirements of municipal bylaws. Construction was completed in accordance with the approved drawings and the Certificate of Occupancy was issued 1989 March 18.

REPORT

The concerns expressed by Mr. Cardamone in his letter of 1990 January 31 are the same as those expressed in his earlier letter to Council dated 1988 March 01. Subsequent re-inspection of the property at that time confirmed that construction was proceeding in accordance with the approved drawings and all applicable municipal bylaws. This information, and the remaining concerns of Mr. Cardamone, were addressed in the report to Council dated 1988 March 14 (copy attached).

On 1989 July 17, at the request of the Municipal Manager, staff again reviewed the properties relative to the complaints of Mr. Cardamone and compliance with municipal bylaws. A 1989 July 21 inspection of the subject property by Assistant Chief Building Inspector, Mr. A. J. Ertis, revealed no apparent Building Code or Zoning Bylaw violations, nor any apparent changes to the property in question since the report to the Manager of 1988 March 09. At the time of this inspection, the subject property had not been landscaped nor had the fence been constructed between this property and that of Mr. Cardamone.

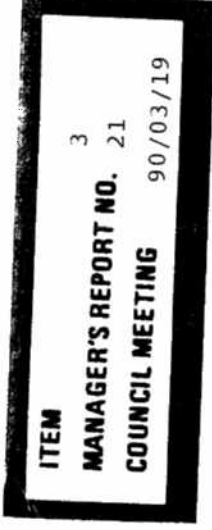
On 1989 July 26, staff met with Mr. Cardamone on-site to review the alleged deficiencies on site. A letter dated 1989 September 20 was sent to Mr. Cardamone at the request of the Municipal Manager's office in order to follow up on the alleged deficiencies in the construction at the subject address. The following conclusions were conveyed to Mr. Cardamone in the letter of 1989 September 30:

- "1. There was a concern expressed by Mr. Cardamone about front yard storm water draining under the retaining wall between the two properties, however, construction of this retaining wall preceded the construction of the new dwelling at the subject address.
2. The potential for sliding snow was addressed in the attached report to the Municipal Manager dated 1988 March 09.
3. The alleged encroachment of the B. C. Hydro drop service across the Cardamone property could not be substantiated.
4. The Electrical Inspection Section of the Division has verified that two ground rods, each six feet long, had to be in place and connected to the main switch of the electrical service before the Section would allow B. C. Hydro to energize the electrical system.
5. The location and construction of the curb along the sidewalk on the property line between 4832 and 4838 Albert Street is not something that is regulated by the Building Code or Zoning Bylaw. This item is a civil matter and a satisfactory resolution would have to be reached between the neighbours."

Mr. Cardamone has also alleged that the property at 4238 Albert Street was rezoned for two-family use without a public hearing. The property in question is zoned R-5, has not been rezoned and has insufficient lot area for use as a two-family dwelling. Mr. Brian Irvine, Bylaw Enforcement Co-ordinator, inspected the premises on 1990 February 21 and confirmed that its use as a single-family dwelling was in conformance with the Zoning Bylaw.

Planning & Building Inspection Department
Re: 4838 Albert Street
1990 March 07

Page 3




Conclusion:

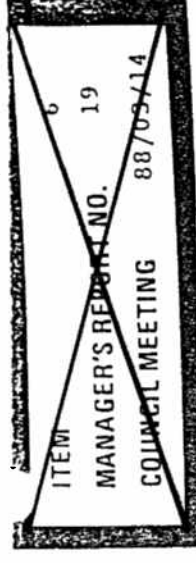
Construction of the single-family dwelling at 4838 Albert Street has been completed in accordance with the approved drawings and is being occupied in conformance with the provisions of the Zoning Bylaw.

This report is prepared for the information of Council.


GRH/jce
Attach.


A. L. PARR
DIRECTOR PLANNING &
BUILDING INSPECTION

cc: Chief Building Inspector

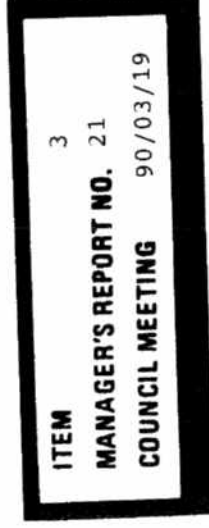


RE: LETTER FROM MR. R.C. CARDAMONE WHICH APPEARED ON THE AGENDA FOR THE
MARCH 07TH MEETING OF COUNCIL (ITEM 3 F)
CONSTRUCTION OF A SINGLE FAMILY DWELLING AT 4832 ALBERT STREET

MUNICIPAL MANAGER'S RECOMMENDATION:

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

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1988 March 09

TO: Municipal Manager

FROM: Director Planning &
Building Inspection

SUBJECT: CORRESPONDENCE FROM MR. R. C. CARDAMONE
4832 ALBERT STREET, BURNABY, B. C.

----- 109 -----

RECOMMENDATION:

1. THAT a copy of this report be sent to Mr. R. C. Cardamone of 4832 Albert Street, Burnaby, B. C. . V5C 2H3.

INTRODUCTION:

At its meeting of 1988 March 07, Council received correspondence dated 1988 March 01 from Mr. R. C. Cardamone of 4832 Albert Street, Burnaby, B. C. The letter expressed the writer's objections to certain aspects of the construction of a new single-family dwelling at 4834 Albert Street.

BACKGROUND:

Building Permit No. B-62787, issued 1987 August 06, authorized the demolition of the existing single-family dwelling and all other buildings on the site. Demolition was completed and final approval of this work was given 1987 September 23.

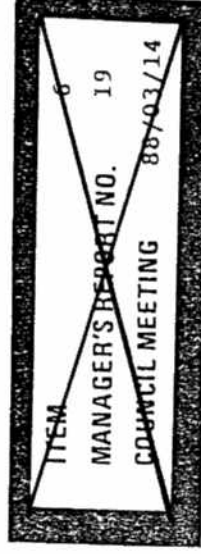
Building Permit No. B-62788, issued 1987 August 06, authorized the construction of a new single-family dwelling based on building plans which met the requirements of municipal bylaws. Construction is proceeding in accordance with the approved plans and the necessary inspections to date have been called for and completed.

REPORT

Municipal lane allowances are located immediately to the east and south of the property at 4834 Albert Street which is located adjacent to and east of 4832 Albert Street. According to a survey plan of 4834 Albert Street, the elevation of the lane to the east is approximately nine feet above the elevation of the neighbouring lot, 4832 Albert Street, at the front of the property and approximately six feet above at the back. The survey plan indicates that, prior to the construction of the new single-family dwelling, the existing property grade sloped downward from east to west. As might be expected on such a sloping building site, the new owner of 4834 Albert Street has established his ground floor at an elevation midway between the

Planning & Building Inspection Department
Re: 4834 Albert Street
1988 March 09

Page 2



Levels of the lane to the east and the existing grade at Mr. Cardamone's property. The new owner has altered the grade of the property to be approximately level.

The new building is sited four feet from the west property line. Snow sliding off the roof of a building this close to the property line, with acceptable eaves projection of 24 inches, may not land on the same piece of property. This is common to all 33-foot wide lots when a minimum side yard is provided on adjacent properties.

Mr. Cardamone refers to an encroachment on his property, presumably a retaining wall or fence, that was not demolished. The owner of the property at 4834 Albert Street was not required to demolish the alleged encroachment as a condition of Building Permit No. B-62787.

On 1987 December 15, this division received a complaint from Mr. Cardamone that the owner of the property at 4834 Albert Street had damaged Mr. Cardamone's fence during construction by placing fill against the fence. At that time, the owner of 4834 Albert Street advised that he intended to build a retaining wall to retain the fill and that he would try to oblige the Building Inspection Division's request to remove the fill until such time as the retaining wall was built. The retaining wall has since been constructed. However, the proposed fence on top of the wall is not yet in place. The fence will have to meet the height and "vision clearance at intersections" requirements of the Burnaby Zoning Bylaw. Building Inspection Division staff verified on 1988 March 07 that the wall is not constructed on municipal property and that there are no boulders in the Cardamone driveway. Problems such as the alleged encroachment and the construction damage are civil matters for resolution between the property owners and, as such, the Building Inspection Division is not able to enforce solutions, although we will offer our services if it will assist in bringing adjacent owners together to resolve their differences.

CONCLUSION:

Construction of the single-family dwelling at 4834 Albert Street is proceeding in accordance with the approved plans and the necessary inspections have been called for and completed.

This report is prepared for the information of Council.

AS
AJE/jce

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

cc: Chief Building Inspector

