

TO: CITY MANAGER 2001 April 10

FROM: DIRECTOR PLANNING & BUILDING

SUBJECT: 4739 Rumble Street, Burnaby, B.C.
Legal Description: Lot "B", D.L. 99, Plan LMP48368, NW District

PURPOSE: To have Council direct the City Clerk to file a notice in the Land Title Office pursuant to Section 700 of the Local Government Act with respect to a property observed to be in contravention of City Bylaws.

RECOMMENDATIONS:

1. **THAT** Council direct the City Clerk to file a notice in the Land Title Office stating:
 - (i) That a resolution relating to the lands at 4739 Rumble Street has been made under Section 700 of the Local Government Act.
 - (ii) That further information respecting the resolution may be inspected at the offices of the City Clerk, City of Burnaby.

2. **THAT** a copy of this report be sent to:

PAO-SHAN TANG
7099 Jubilee Avenue
Burnaby, B.C. V5J 4B4

REPORT

1.0 Summary:

Inspections of the new dwelling recently built at the property have revealed serious problems including, but not limited to, stair construction and storm water drainage that do not comply with the Burnaby Building Bylaw. These problems must be corrected before final approval can be given and an occupancy permit issued. To resolve the problems, extensive work will be required on the property. A letter has been sent to the owner informing them that staff were preparing a report requesting Council authority to file a notice in the Land Title Office with respect to the outstanding issues at the property.

2.0 Background:

Building permits for the property were issued to Rock Bond Construction on 2001 July 25. During construction, the builder Mr. R. Basra, was called out of the country, whilst work proceeded on the houses. Final inspection on the house was called on 2001 January 15. At that time City staff noted problems with building envelope and drainage. Building Department policy lists a maximum of ten (10) objections per inspection, and this limit was reached before the entire house was inspected. The objections noted included, but were not limited to, unsafe exterior and interior stairs, roof drains not connected to the drainage system and an inadequately drained paved rear yard that slopes to the house. These items are contraventions of the B.C. Building Code and the Burnaby Building Bylaw, and must be resolved before final inspection is approved or occupancy certificate issued.

Resolving these issues will require extensive work. The problems are still outstanding, and there has been no apparent attempt to resolve the problems in order that an occupancy permit may be issued.

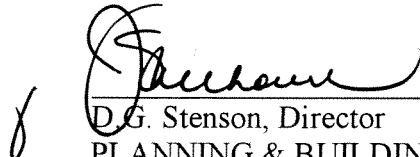
Elsewhere on this agenda are reports re: 8293 - 16th Ave., and 4729 Rumble St., houses constructed by the same builder, and with equally serious building problems.

3.0 Conclusion:

The issues outstanding regarding the new construction at this property are extensive and costly work will be needed to resolve them. Because of the substantial cost involved in making these repairs it is possible that the current owners of the property may try to sell rather than complete the necessary work.

Staff will continue in their attempts to work with the owners and contractor to resolve these issues. At the same time, a Notice on Title will alert any potential third party purchasers of the outstanding objections.

The use of Section 700 of the Local Government Act to file notices in the land title office is consistent with a Housing Committee Report adopted by Council on 1992 September 28.


D.G. Stenson, Director
PLANNING & BUILDING

BM:mdw

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c.c. Deputy City Manager - Corporate Services
City Solicitor
Chief Building Inspector

