

TO: CITY MANAGER
FROM: DIRECTOR PLANNING & BUILDING
SUBJECT: 4833 BYRNE ROAD, BURNABY, B.C.
LOT 6, D.L. 165, PLAN N.W. 3123

2004 SEPTEMBER 30

PURPOSE: To have Council direct the City Clerk to file a Notice in the Land Title Office, pursuant to Section 57 of the Community Charter, 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 that:
 - a) A resolution relating to the land at 4833 Byrne Road, Burnaby, B.C., has been made under Part 3, Section 57 of the Local Government Act, and
 - b) Further information respecting the resolution may be inspected at the office of the City Clerk, City of Burnaby, B.C.
- 2) **THAT** a copy of this report be sent to the following owner:
 - a) 484 126 B.C. Inc.,
#106 - 4833 Byrne Road
Burnaby B.C. - V5J 3H6
- 3) **THAT** a copy of this report also be sent to the following Directors:
 - a.) David Blattler
#202 - 150 - 21st Street
West Vancouver, B.C. - V7V 4A3
 - b) Nicholas Seldon
2918 Mathers Avenue
West Vancouver, B.C. - V7V 2H

REPORT

1.0 SUMMARY:

In 1995, an inspection of the property was conducted as part of the business licence application process. This inspection showed that an unauthorized caretaker suite had been installed at the property. City staff have been working with the owners since this time to try to have work removed or approved, under permit. A Court order has been issued compelling the business owners to bring the property into compliance with City Bylaws, which they have yet to complete.

On 2004 September 21, one of the business owners came in to the building counter to review the process needed to apply for a building permit for the work. At that meeting, he revealed that he was considering selling the property to a neighbour. A Notice registered on Title will encourage the owners to comply with Building Department requirements, while protecting potential third party purchasers.

On 2004 September 28, the owner informed the Building Department that the property had gone for Tax Sale.

2.0 CONTRAVENTION OF BYLAWS:

A complete suite, including kitchen and bathroom, has been added without building permits, in contravention of Burnaby Building Bylaw 2004, No.11729, Section 7 (1) and Burnaby Plumbing Bylaw 11148, Section 4(1) and Burnaby Electrical Bylaw No. 7857, Section 19.

3.0 CONCLUSION:

The Building Department has informed the owners of the work required to bring this property into compliance with City Bylaws. Because the owner may place the property for sale, staff recommend the registering of a Notice on Title to alert any potential purchasers of outstanding issues.

The property owner has been advised that a Notice on Title will be filed.

The City Clerk, in keeping with Section 57(2), will notify the property owners in order to provide them with the opportunity to appear before Council to address this staff report.



J. S. Belhouse, DIRECTOR
PLANNING & BUILDING

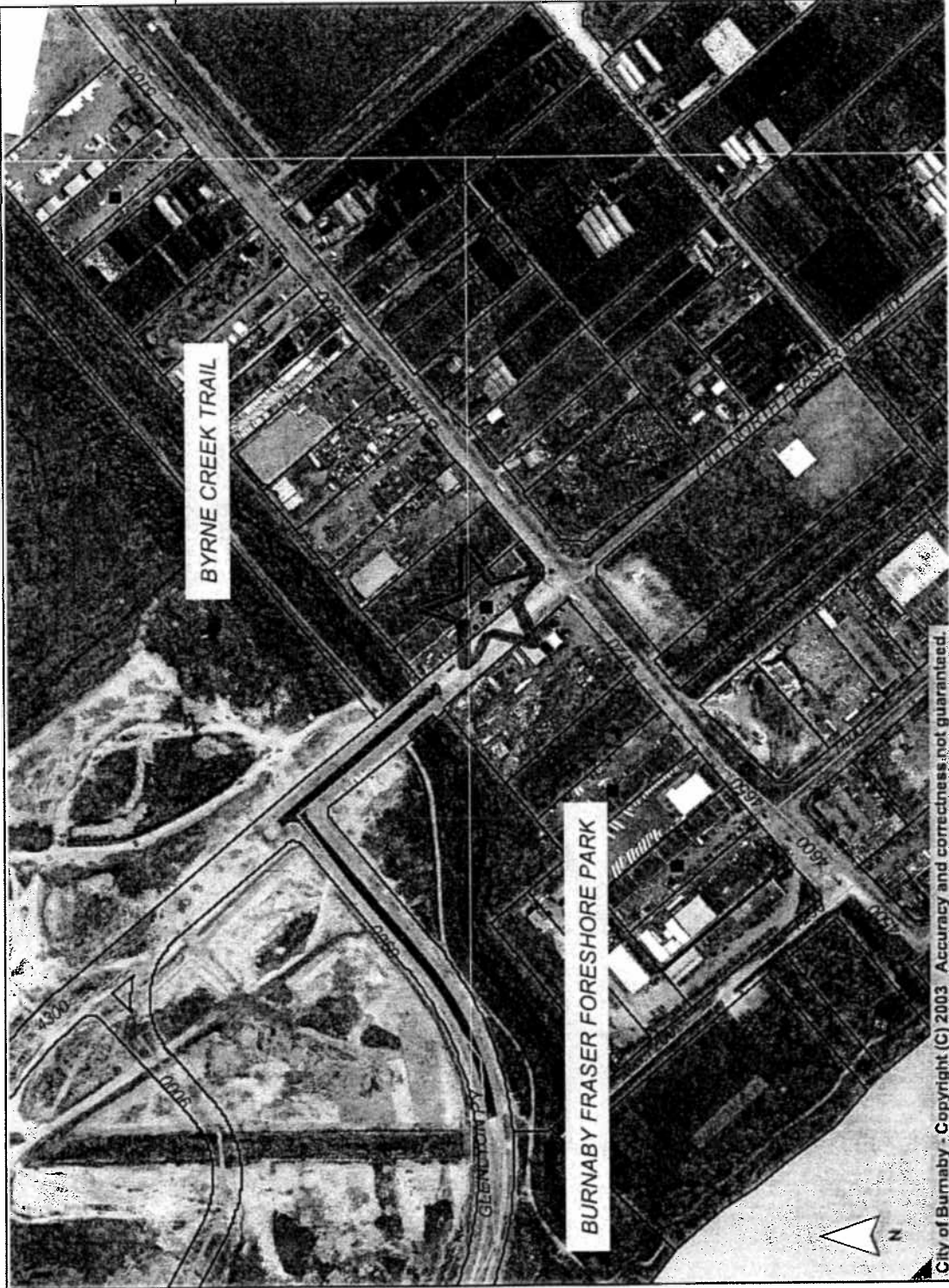
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cc: Deputy City Manager
City Solicitor
City Clerk
Director Finance - (*Attn: M. Baldonero*)



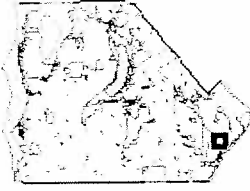
4833 Byrne Rd

October 01, 2004



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Selected Features

- Lot
- Street Intersection
- Strata Units
- Places
 - Golf
 - Police
 - Fire
 - Utility
 - Cemetery
 - School
 - Club
 - Library
 - Hospital
 - Mail
 - Parks and Rec
 - Skytrain Stations
 - Skytrain Lines
 - Addresses
- Traffic Signal
- Speed Humps
- Speed Humps
- Roads
 - Local
 - Collector
 - Arterial
 - Freeway
 - Hydrology
 - BNV 2002
 - Parks
 - PARKLAND TO BE ACQUIRED
 - Other
 - Boundary

Map Scale
1 : 5000



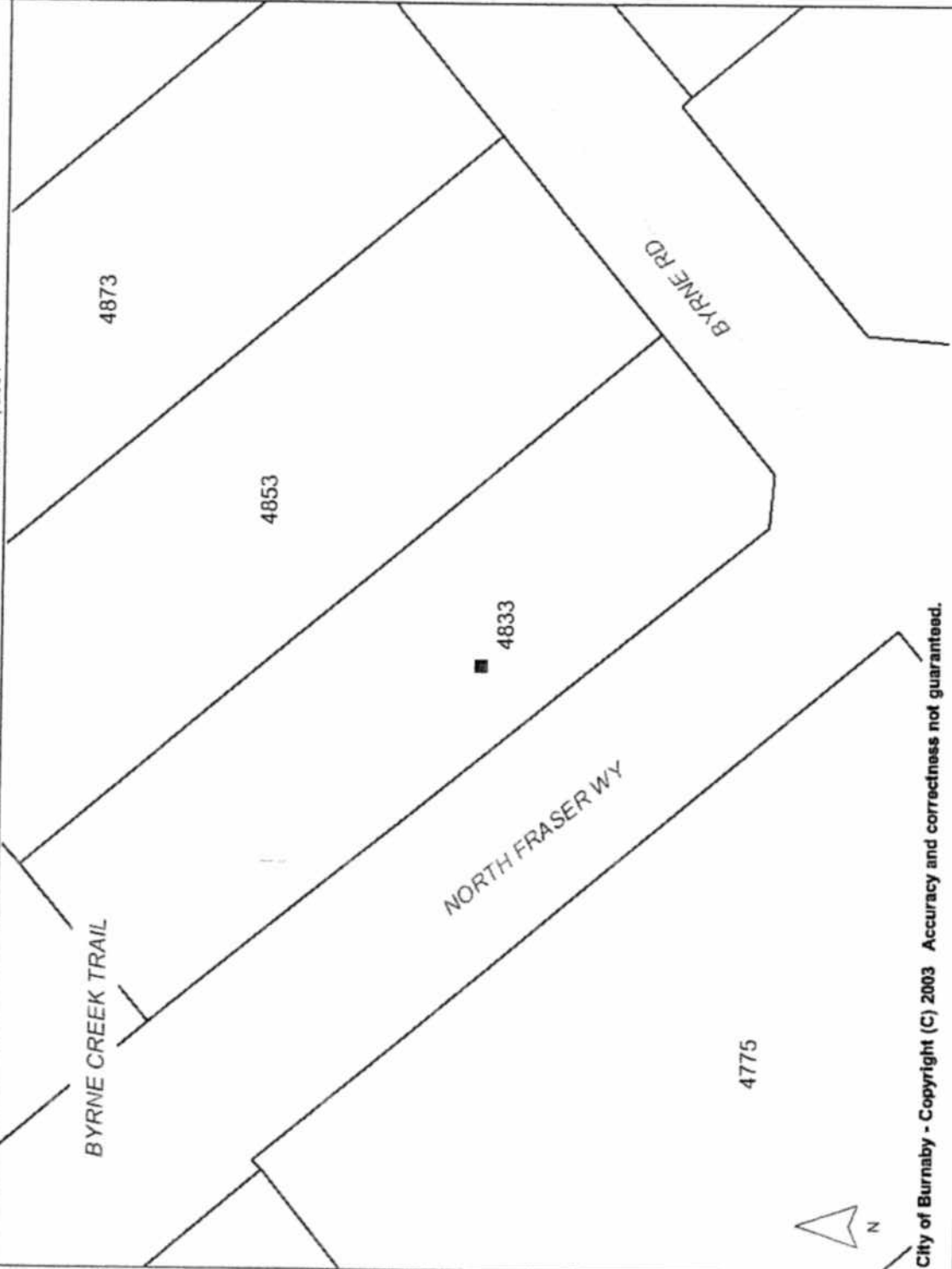


City of Burnaby

October 01, 2004



- Strata Units
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 - Fire
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 - Cemetery
 - School
 - Civic
 - Library
 - Hospital
 - Mall
 - Parks and Res.
 - Skytrain Stations
 - Skytrain Lines
 - Addresses
 - Lot
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- Speed Humps
- Speed Humps
- Roads
 - Local
 - Collector
 - Arterial
 - Freeway
 - Hydrology
 - Parks
 - BOUNDARY TO BE ACQUIRED
 - Other
 - Boundary



Map Scale
1 : 1000

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