

TO: CITY MANAGER 2005 FEBRUARY 24

FROM: DIRECTOR PLANNING & BUILDING

SUBJECT: 7389 KINGSWAY, BURNABY, B.C.
LOT 2, BLOCK 53, D.L. 30, PLAN 3036

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 7389 Kingsway, Burnaby, B.C., has been made under Section 57 of the Community Charter, and
 - (b) 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 the following owner:
 - a) Mr. Rajender Gill
7369 - 10th Avenue
Burnaby, B.C. - V3N 2R9

R E P O R T

1.0 SUMMARY:

On 2004 June 09, Building Department staff conducted an inspection in response to a complaint regarding unauthorized building, electrical, and plumbing alterations to the subject single-family dwelling resulting in unsafe conditions.

The inspection revealed the internal stairs had been removed creating two separate, self-contained dwelling units requiring numerous building, electrical and plumbing corrections.

A letter was sent on 2004 June 14 to the property owner, Rajender Gill, and the owner's representative, Jagdish Gill, listing the repairs and permits required to bring the property into compliance with City bylaws.

As the owner has failed to comply with these requirements, legal proceedings are under way to obtain a Supreme Court Order to bring the property into compliance with the City's Building, Electrical and Plumbing Bylaws. The owner's representative has advised Bylaw staff that the property will be listed for sale.

2.0 CONTRAVENTION OF BYLAWS:

Alterations have been made contravening the requirements of the 1998 B.C. Building Code and Burnaby Building Bylaw 2004 No. 11729 Section 7 (2). Electrical and plumbing work requiring correction has been done without permits contravening Burnaby Plumbing Bylaw 2000 Section 8 (1) and Burnaby Electrical Bylaw 1979 No. 6494 Section 19.

3.0 CONCLUSION:

Staff will continue to work with all parties involved to bring the property into compliance with City Bylaws. In the meantime, the filing of a note against Land Title will ensure potential purchasers are informed this property is in contravention of City bylaws.

The City Clerk, in keeping with Section 57. 2 of the Community Charter, will notify the property owner to provide the opportunity to appear before Council to address this staff report.

The use of Section 57 of the Community Charter to file notices in the Land Title Office is consistent with a Housing Committee Report adopted by Council on 1992 September 28.


J.S. Belhouse, DIRECTOR
PLANNING & BUILDING

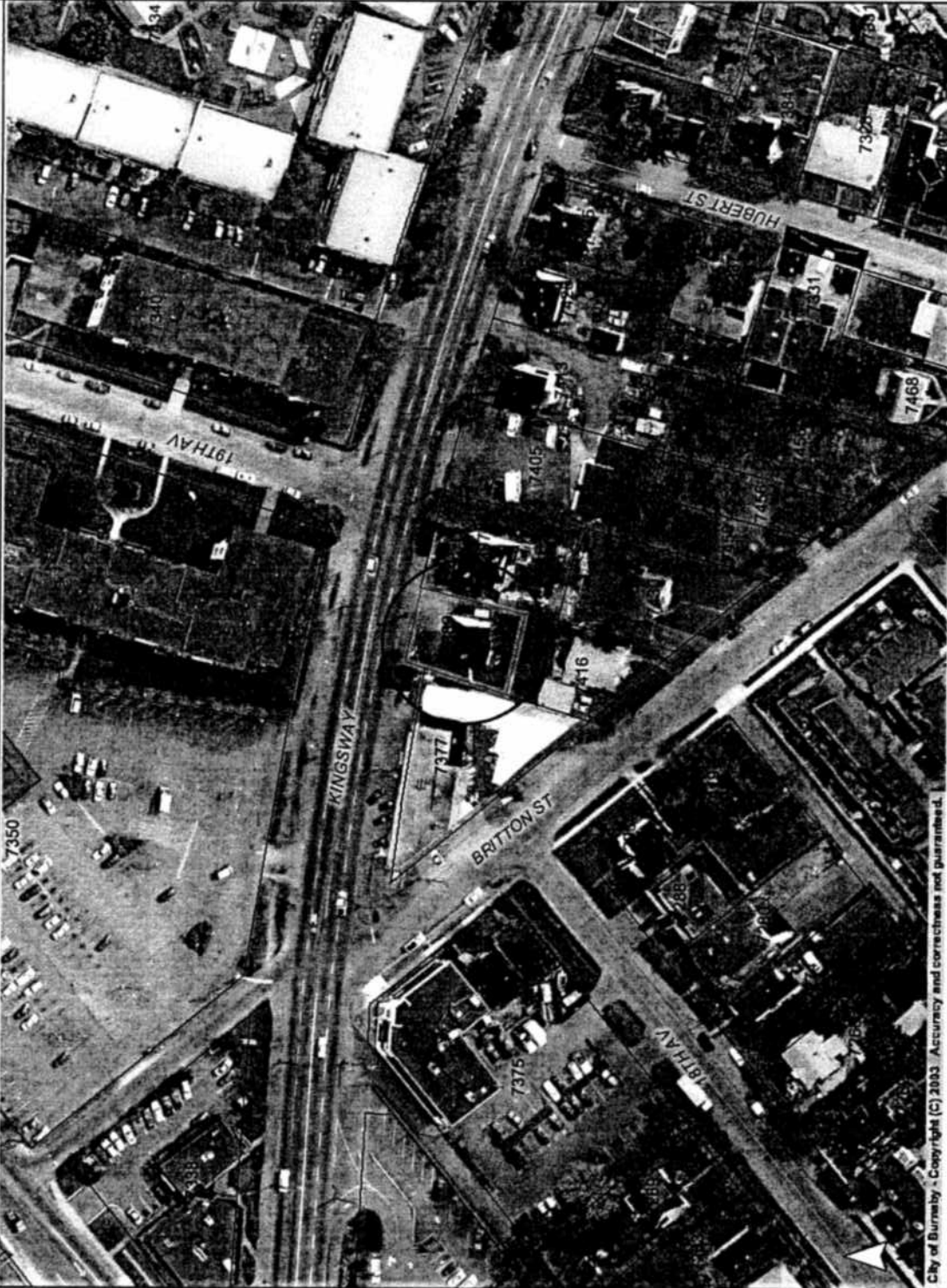
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cc: Deputy City Manager
City Solicitor
City Clerk
Director Finance - (Attn. Marie Baldonero)
Chief Building Inspector



7389 Kingsway

February 28, 2005



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

Map Scale
1 : 1500



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