

TO: CITY MANAGER 2005 FEBRUARY 23

FROM: DIRECTOR PLANNING & BUILDING

SUBJECT: 7729 - 6TH STREET, BURNABY, B.C.
LOT 23, BLOCK 1, D.L. 28, PLAN 24032

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 7729 - 6th Street, Burnaby, B.C., Lot 23, Block 1, D.L. 28, Plan 24032, has been made under Section 700 of the Local Government Act, 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) Rajender K. Gill
7369 - 10th Avenue
Burnaby, B.C. - V3N 2R9

REPORT

1.0 SUMMARY:

In 2000 March, following a complaint, Building Department staff inspected the property and found the basement finished without permits and an unauthorized secondary suite. Legal action was required before the owner obtained permits for this finishing and removed the suite.

In 2003 the Building Department received another complaint. The owner would not let Inspectors into the house until legal action was started to compel access. On 2005 February 03, an inspection confirmed hand and guard rails at stairs had been removed, and that more plumbing and electrical work had been done without permits. The property owner refused entry to the main floor of the house to confirm that smoke alarms were working. These items contravene Building, Plumbing and Electrical Bylaws. A Notice registered on Title will encourage the owners to comply with Building Department requirements to remove the unauthorized construction, while protecting potential third party purchasers.

2.0 CONTRAVENTION OF BYLAWS:

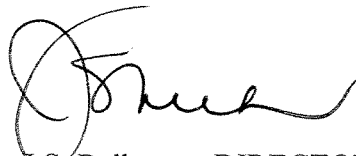
Stair guard and hand rails have been removed, contravening Burnaby Building Bylaw 2004 No.11729, Section 7(2). The Building Inspector has been refused access to the building. This contravenes Burnaby Building Bylaw 2004 No.11729, Section 7(6). A water heater and piping has been installed without permits contravening Burnaby Plumbing Bylaw 2000, Section 8 (1). Electrical outlets have been installed without permits, contravening Burnaby Electrical Bylaw 1979 No. 6494, Section 19.

3.0 CONCLUSION:

The Building Department has provided the owners with ample opportunity to bring the property into compliance with City Bylaws. The owner's representative, Jack Gill, indicated that they are planning to place the property for sale. Staff recommend registering a Notice on Title to alert any potential purchasers of outstanding issues.

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

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



7729 Sixth Street

February 28, 2005



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

Map Scale
1 : 2000

