

**COUNCIL REPORT**

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**TO:** CITY MANAGER **DATE:** 2005 SEPTEMBER 12

**FROM:** DIRECTOR PLANNING & BUILDING

**SUBJECT:** 7943 – 10<sup>TH</sup> AVENUE, BURNABY, B.C.  
BLOCK 4, D.L. 28, PLAN 274

**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.

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**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 7943 – 10<sup>th</sup> Avenue, Burnaby B.C., Block 4, D.L. 28, Plan 274, 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 homeowner:
  - (a) Balvir Mangat  
10704 – 135<sup>th</sup> Street  
Surrey, B.C. – V3T 4C7

**REPORT****1.0 SUMMARY**

On 2002 March 28, Building Permit No. BLD02-00204 was issued for the construction of a new single-family dwelling at the subject property. This permit was suspended on 2002 July 23 as the cheque payment was “N.S.F.” Payment was made good on 2002 August 12 and the permit was re-issued. Construction on the house progressed with the insulation inspection passed on 2004 February 23, however, no sub-trade permits have been finalized.

To: City Manager  
From: Director Planning & Building  
Re: 7943 – 10<sup>th</sup> Avenue, Burnaby, B.C.  
Block 4, D.L. 28, Plan 274

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On 2004 December 06, a complaint was received alleging that the building was being occupied without City approval and without building, plumbing and electrical work being finalized. The owner was advised by numerous letters to complete the outstanding work and call for inspections or provide a schedule of completion. A site inspection revealed that the owner was occupying the main floor of the house. The owner was advised to vacate the building, arrange to have the remaining work completed and call for inspections to finalize all outstanding permits.

Although the owner has moved out, no further work has been done and no inspections called. During a conversation with the owner, it became apparent that the property may be offered for sale.

A Notice registered on Title will encourage the owner to comply with Building Department requirements to complete the work necessary to obtain Occupancy Certificate, while protecting potential third party purchasers.

## 2.0 CONTRAVENTION OF BYLAWS

The property was being occupied without an Occupancy Certificate. An Occupancy Certificate is required by Burnaby Building Bylaw 2004, Section 7. The work associated with this dwelling has not been completed within one year of the original date of the permit, as required by Burnaby Building Bylaw 2004, Section 18(1) (c).

## 3.0 CONCLUSION

The Building Department has provided the owner with ample time to complete the work and call for inspections to finalize all outstanding permits to obtain an Occupancy Certificate. As the property may be listed for sale, staff recommends the registering of a Notice on Title to alert any potential purchasers of outstanding issues.

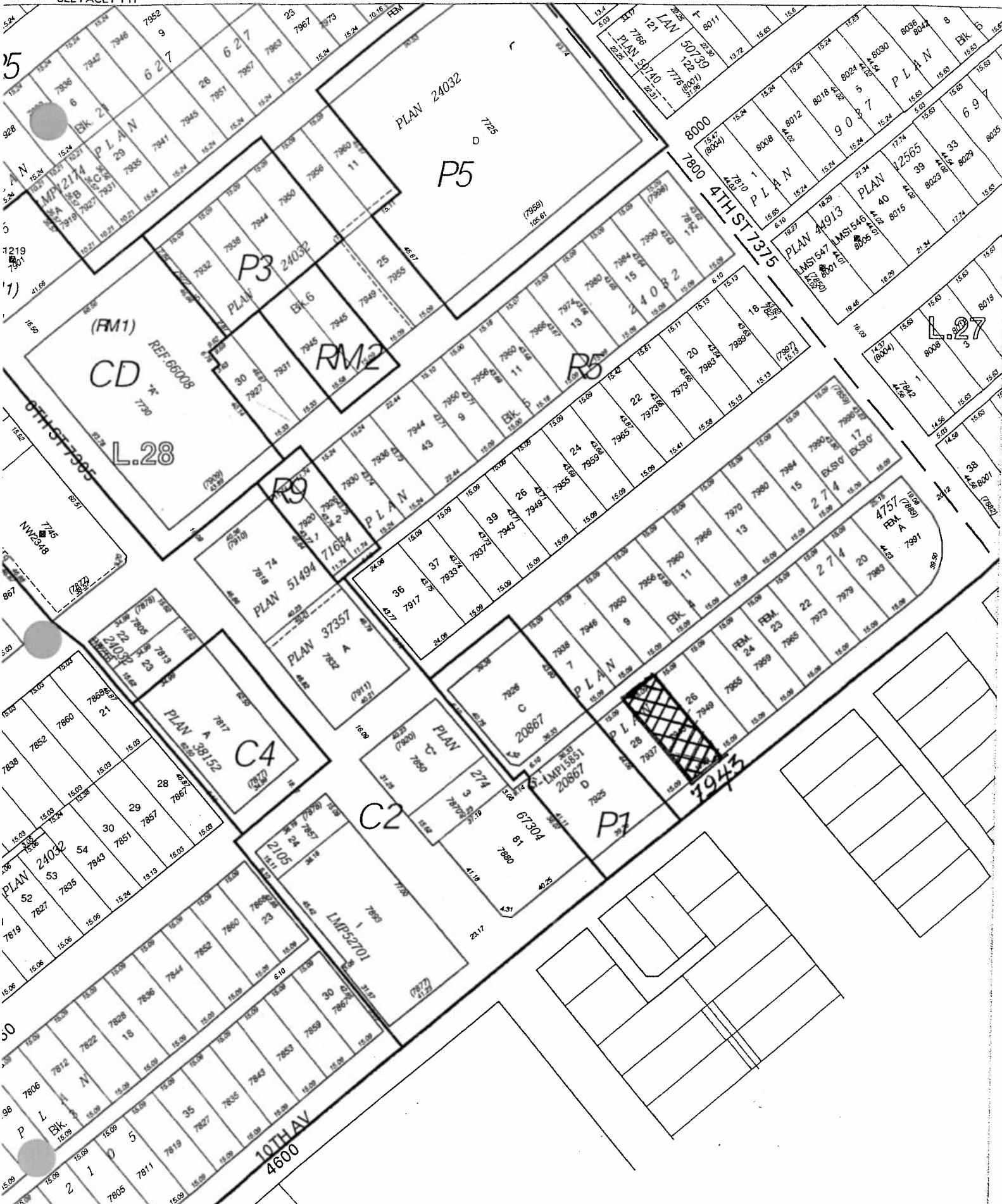
The City Clerk, in keeping with Section 57.2 of the Community Charter will notify the property owner to provide the opportunity to appear before Council to address this staff report.

CL:ap  
Attach.

q:\bylaw\7943-10averep.doc

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

  
J.S. Belhouse, DIRECTOR  
PLANNING & BUILDING



# ZONING MAP

PLANNING & BUILDING DEPARTMENT

U.T.M. GRID ZONE 10, 1975

PART OF N.T.S. 92-G-2

LOT LINES SHOWN ARE PLOTTED FROM LIMITED FIELD SURVEY, BUT DIMENSIONS SHOWN ARE FROM REGISTERED PLANS.

ERRORS AND OMISSIONS EXCEPTED. CITY OF BURNABY DOES NOT WARRANT OR GUARANTEE THE CORRECTNESS OF LOT AREA OR OTHER INFORMATION SHOWN ON THIS MAP, PLAN OR DRAWING. PLEASE REFER TO ORIGINAL INFORMATION FOR ALL DETAILS.

