

**COUNCIL REPORT**

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

**FROM:** DIRECTOR PLANNING & BUILDING

**SUBJECT:** 7164 – 11<sup>TH</sup> AVENUE, BURNABY, B.C.  
LOT 1, D.L. 53, PLAN LMP 25307, GROUP 1, N.W.D.

**PURPOSE:** To recommend that Council declare the subject dwelling and property to be in hazardous condition and require the property owner to complete the remedial action requirements set out in this report.

**RECOMMENDATIONS:**

- 1) **THAT** Council declare the partly constructed dwelling and property identified in this report at 7164-11<sup>th</sup> Avenue (legally described as Lot 1, D.L. 53, Plan LMP 25307, Group 1, N.W.D.) to be in hazardous condition pursuant to Section 73 of the Community Charter.
- 2) **THAT** Council require the property owner of 7164-11<sup>th</sup> Avenue to secure the partly constructed dwelling against unauthorized entry and to fill in the open trench in the rear yard not later than 30 days after the notice referred to in Recommendation #3 is given to him.
- 3) **THAT** notice of these remedial action requirements and a copy of this report be given to the registered property owner and each holder of a registered charge in relation to this property pursuant to Section 77 of the Community Charter.
- 4) **THAT** Council direct that if the owner of the property at 7164-11<sup>th</sup> Ave. should fail to take the remedial actions referred to in Recommendation #2, the City be authorized to complete the necessary work and recover the costs incurred from the owner pursuant to Section 17 of the Community Charter.

**REPORT****1.0 SUMMARY:**

Building Permit No. BLD03-01281 was issued 2003 October 08 for the construction of a new single-family dwelling. Building Department staff last conducted a scheduled inspection of the dwelling on 2004 August 05. Subsequent site visits by Bylaw staff revealed that both the dwelling and property have been neglected since that time. The Building Department has received complaints from adjacent neighbours stating the property and dwelling present a safety hazard to their community.

**2.0 BACKGROUND:**

Building Department staff have not been successful in their attempts to contact either the property owner, Emanuel Vasant Lal, or the general contractor/owner's representative, Vijay Mann, to determine when the construction of this new single-family dwelling will proceed.

Building Department records show inspections for Building, Electrical, Plumbing and Gas Permits have not been ordered for at least a year and, in the case of Building Permit No. BLD03-01281, two years. During this time, both the property and partly constructed dwelling have not been maintained.

The adjacent neighbours have complained that, in addition to the unsightliness of both the dwelling and property, the unsecured partly constructed dwelling and untended property present a safety hazard to their community.

The *attached* pictures were taken by Building Department staff during a 2005 October 12 site visit, and show the rear of the dwelling including the open doors at the main and second storey (Attachment 1 and 2), and the open 35 ft. x 4 ft. trench at the side of the property (Attachment 3).

**3.0 CONCLUSION:**


All attempts to contact the property owner to have the property and dwelling brought into compliance with City bylaws have been unsuccessful.

The unsecured dwelling provides the opportunity for unauthorized entry to both children and vagrants and raises concerns about criminal activity and the possibility of fire. The open trench in the rear yard has been left in its current state for approximately two years and, for the safety of pedestrians and vehicles, should be filled in until such time as construction at this site is again underway.

The declaration by Council that the property owner must complete the necessary remedial actions, as stated in Recommendation #2, will authorize the City to do the work and to recover the costs incurred from the property owner should he not complete the work within the time limit for compliance stated in this report.


To: City Manager  
From: Director Planning & Building  
Re: 7164 – 11<sup>th</sup> Avenue, Burnaby, B.C..  
2005 October 17 ..... Page 3

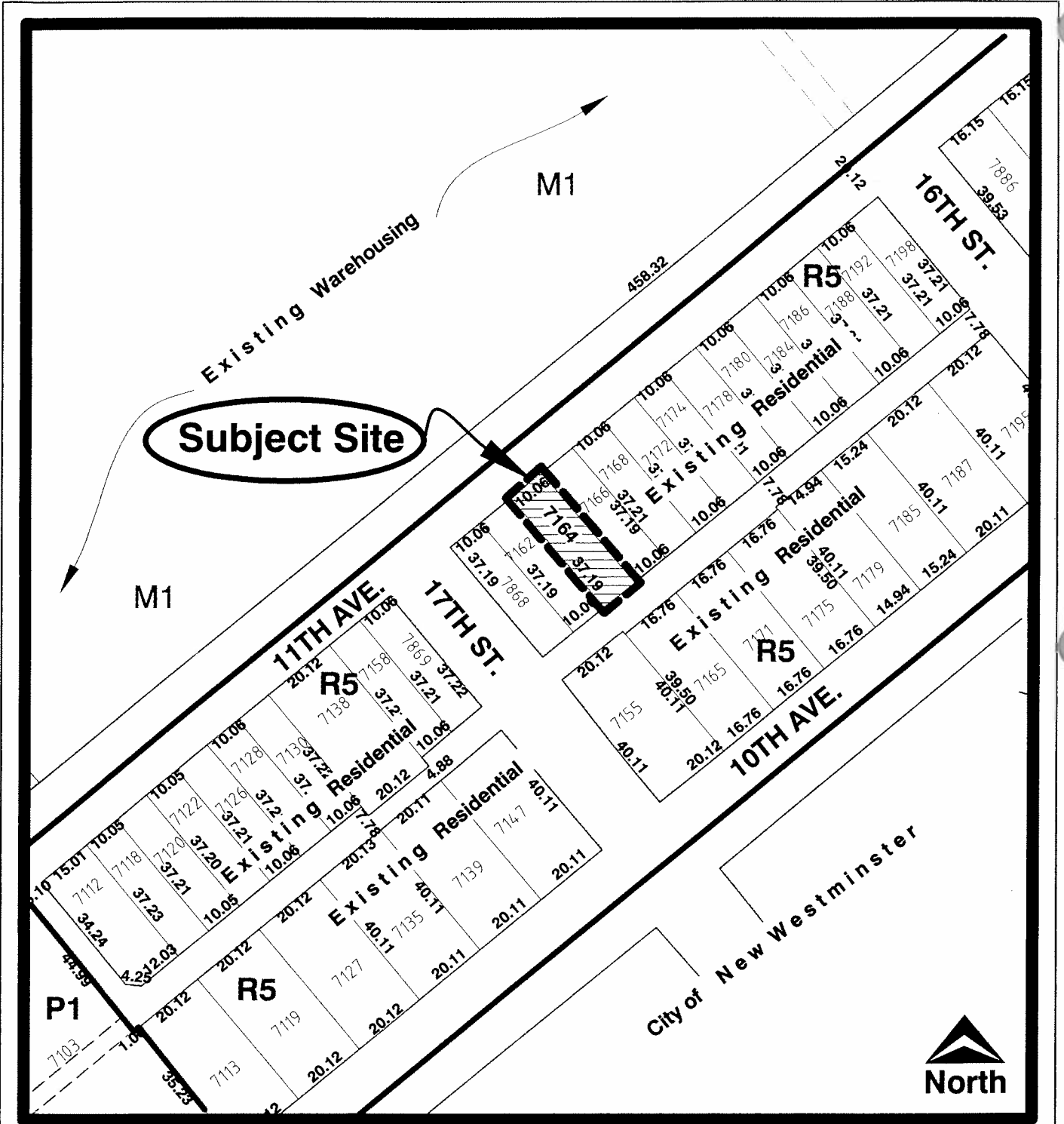
The Building Department is requesting Council approval for the remedial actions set out in this report as an interim measure and will continue to pursue the completion of Building Permit No. BLD03-01281.



J.S. Belhouse, DIRECTOR  
PLANNING & BUILDING

LP:mdw  
Attach.  
q:\bylaw\7164-11Averep.doc

cc: Deputy City Manager  
City Solicitor  
Director Finance – (Attn: M. Baldonero)  
City Clerk  
Chief Licence Inspector  
 Chief Building Inspector



**Planning and Building Department**

Scale: 1 : 2000

Drawn By: J.P.C.

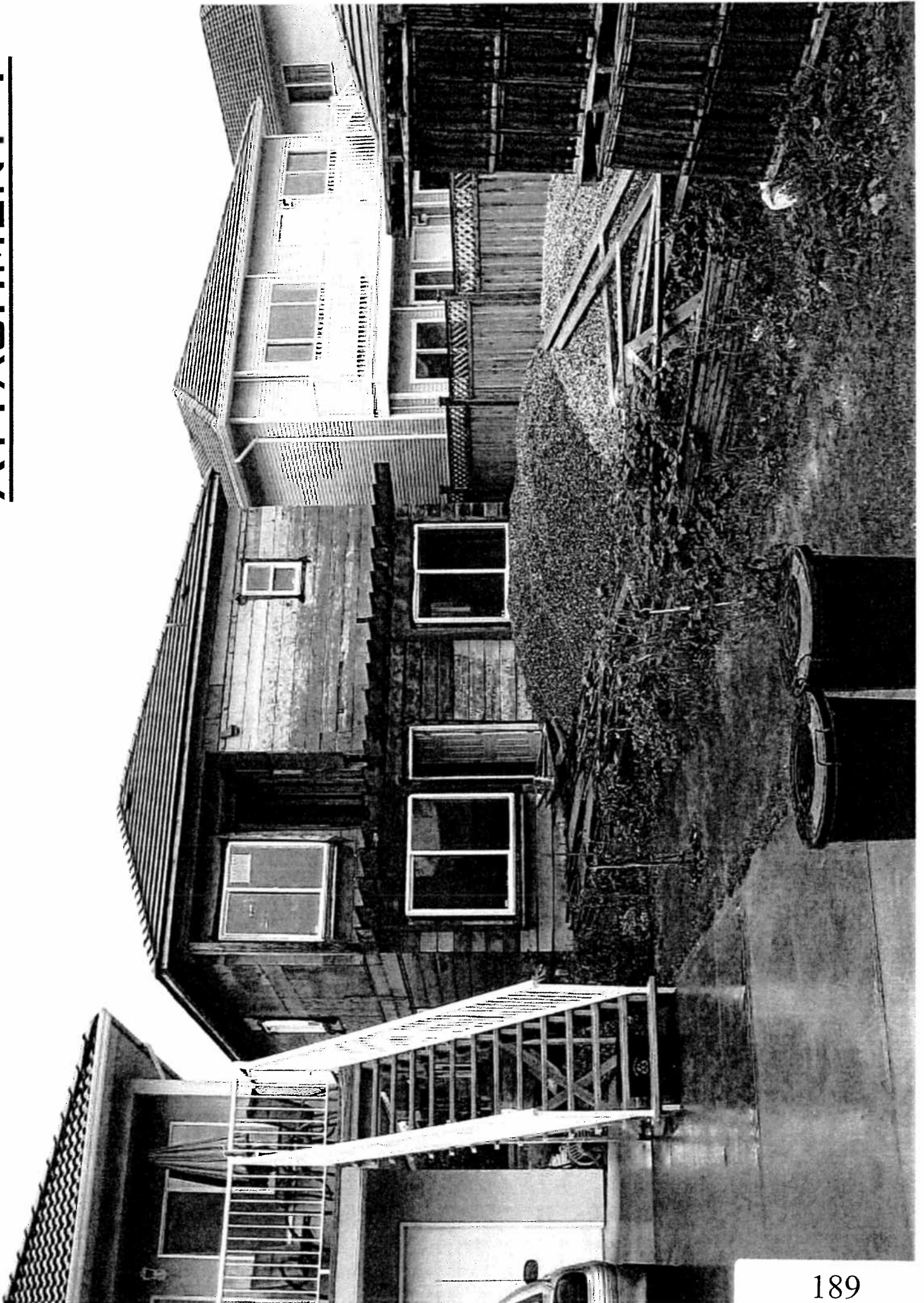
Date: August 2005

**7164 - 11 th Avenue**

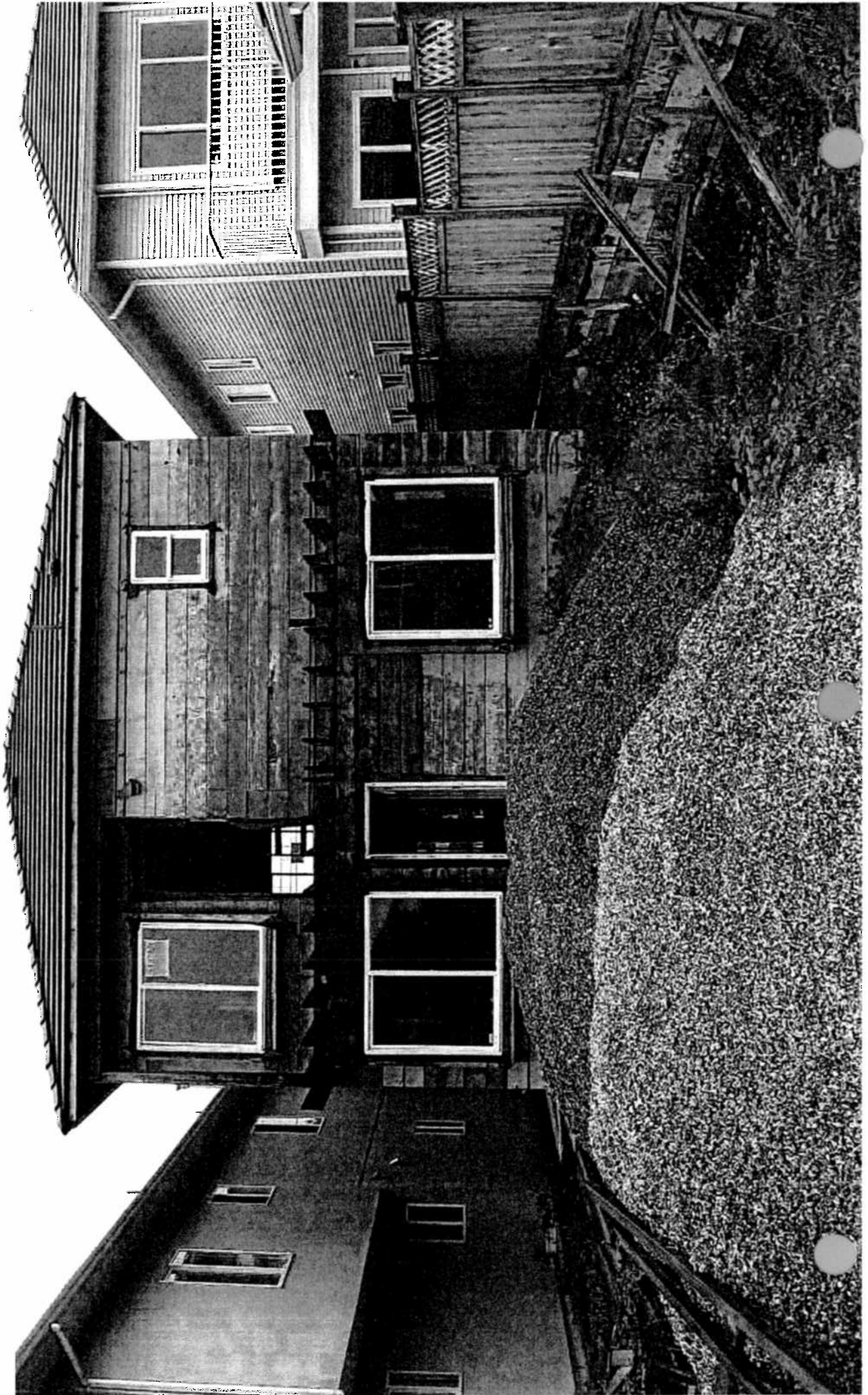
Lot 1, District Lot 53 Group 1 N.W.D

Sketch # 1

# ATTACHMENT 1



ATTACHMENT 2



# ATTACHMENT 3



