

---

**COUNCIL REPORT**

---

**TO:** CITY MANAGER **DATE:** 2006 AUGUST 02

**FROM:** DIRECTOR PLANNING & BUILDING

**SUBJECT:** 5910 MCKEE STREET, BURNABY, B.C.  
LOT 70, D.L. 159, PLAN NO: 26993, GROUP 1, N.W.D.

**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 the 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 5910 McKee Street, 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:

Gurinderpal S. Mangat  
5910 McKee Street  
Burnaby, B.C. - V5J 2V5

To: City Manager  
From: Director Planning & Building  
Re: 5910 McKee Street, Burnaby, BC  
2006 August 02 ..... Page 2

## REPORT

### 1.0 SUMMARY:

The Building Department recently received a complaint alleging that aluminum roofs have been constructed to the front and rear of the subject dwelling and that interior alterations have been done to the lower floor and attached garage, all without permits. Because the property owner has built and sold several homes throughout the City, the Building Department considers it likely that this property will be listed for sale as well, and considers it prudent to ensure that potential purchasers are advised that the property is in contravention of City bylaws.

### 2.0 BACKGROUND:

Following the receipt of a complaint alleging unauthorized construction, Building Department Inspection staff confirmed that an approximate 26' x 18' aluminum roof has been constructed over the existing rear deck, patio and yard, an approximate 20' x 12' aluminum roof has been constructed over the existing front deck and an approximate 12' x 8' aluminum roof has been constructed over the front entrance to the dwelling, all without required building permits and approvals.

Entry to the dwelling was provided by the owner on 2006 August 22 at which time inspection staff determined that the attached garage has been converted to a media room, and that an unauthorized one bedroom suite has been constructed in the basement.

The property owner has been advised that the attached double garage cannot be converted to habitable area and must be restored to the originally approved plans for building permit BLD05-00052. Although a building permit application has been submitted for an in law suite for the property owner's parents, the owner has not yet applied for a building permit for the unauthorized aluminum roofs. The owner is aware that if a building permit cannot be issued for any unauthorized construction, the construction will need to be removed.

The Building Department will continue to work with the property owner to ensure the necessary permits are obtained and work completed to bring this property into compliance with City bylaws.

To: City Manager  
From: Director Planning & Building  
Re: 5910 McKee Street, Burnaby, BC  
2006 August 02 ..... Page 3

**3.0 CONTRAVENTION OF BYLAWS:**

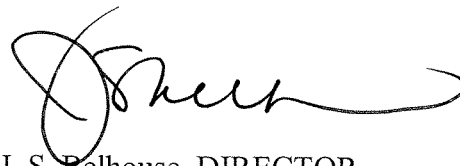
Burnaby Building Bylaw 2004, Section 7(1) states: *"No person shall commence or continue construction or change the occupancy of any building, structure or part thereof, unless the Building Inspector has issued a permit for the construction and that permit remains in force."*

**4.0 CONCLUSION:**

The filing of a note against Land Title will ensure that potential purchasers are informed that this property is in contravention of City bylaws.

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.


The City Clerk, in keeping with Section 57.2 of the Community Charter, has notified the property owner and provided him with the opportunity to appear before Council to address this staff report.

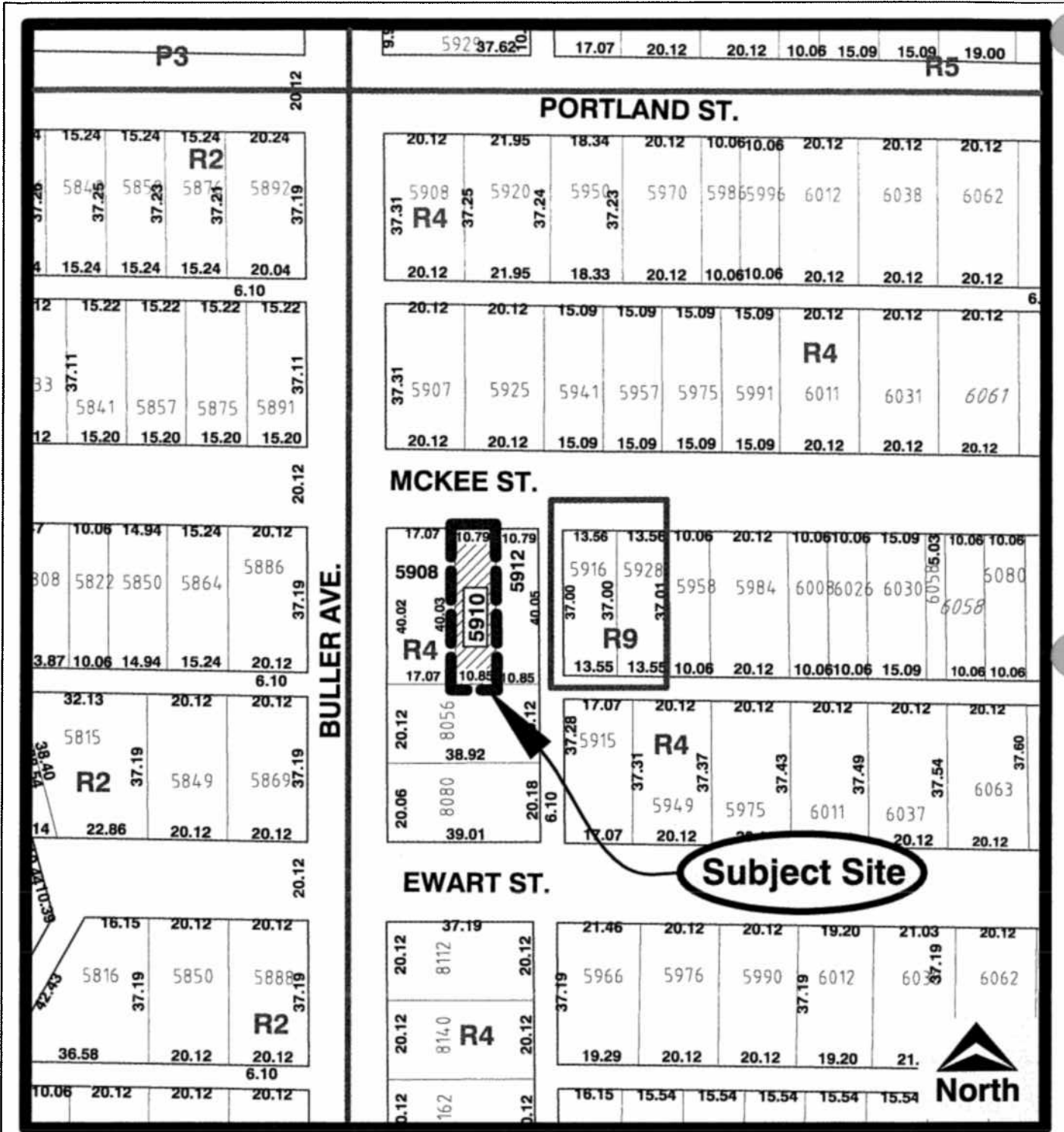


J. S. Belhouse, DIRECTOR  
PLANNING & BUILDING

LP:ap  
Attach.

q:\bylaw\mckee5910rep.doc

 cc: Deputy City Manager  
City Solicitor  
City Clerk  
Director Finance – (Attn: D. Foxgord)  
Chief Building Inspector

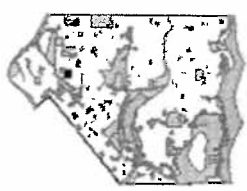























**Planning and Building Department**

Scale: 1 = 1500  
 Drawn By: J.P.C.  
 Date: August 2006

**Council Report**  
 5910 McKee St.  
 Lot 10, District Lot 159, Plan 26993

Sketch # 1



-  Strata Units
-  Skytrain Stations
-  Skytrain Lines
-  Strata Addresses
-  Addresses
-  Lot
-  Street Intersections
-  Traffic Signal
-  Speed Humps
-  Speed Traps
-  Roads
-  Private
-  Residential
-  Collector
-  Arterial
-  Freeway
-  Hydrology
-  Colour 2004
-  Parks
-  Parks
-  Boundary

Map Scale  
1 : 1000

City of Burnaby - Copyright (c) 2003. Accuracy and correctness not guaranteed.  
This information has been gathered and assembled on the City of Burnaby's computer systems. Data provided herein is derived from a number of sources with varying levels of accuracy. The City of Burnaby disclaims all responsibility for the accuracy or completeness of information contained herein.

