
COUNCIL REPORT

TO: CITY MANAGER **DATE:** 2006 JUNE 30

FROM: DIRECTOR PLANNING & BUILDING

SUBJECT: 8098- 12TH AVENUE, BURNABY, B.C.
LOT 19, D.L. 27, PLAN NO: 697, 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 8098 – 12th Avenue, 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) Yen Chen Chen
8098 – 12th Avenue
Burnaby, B.C. – V3N 2L1

REPORT

1.0 SUMMARY:

Inspections by Building, Licence and Fire Department staff determined that the subject building, which City records show as consisting of a food market and warehouse with living quarters at the rear, has been altered throughout and is now used as a multi-tenant rooming house. Recognizing the potential costs to bring the building into compliance with City bylaws, the owner's representatives suggested the property owner may attempt to sell the property.

2.0 BACKGROUND:

Following the receipt of a request for assistance from the Licence Department, Building Department staff conducted an inspection of the subject premises. Although City records indicate a food market and warehouse with living quarters at the rear is the approved use for the subject building, unauthorized interior alterations have changed the use of premises to a large rooming house consisting of 25 sleeping rooms, five bathrooms, one large common room, three kitchens, three storage rooms, one attached garage and three sets of internal stairs.

The alterations do not conform with City bylaws and create a hazard for the boarders. An order has been issued by the Fire Department, under the authority of the Burnaby Fire Services Bylaw, requiring all boarders to immediately vacate the premises until such time as the premises are brought into compliance with City bylaws and the number of boarders complies with Zoning bylaw provisions.

The owner has been notified by letter that all unauthorized building, plumbing, gas and electrical installations must be removed and that the building must be returned to the approved layout as shown in Building Department records. Following Building Department approval of the removal work, a building permit must be obtained if the owners wish to do any alterations to convert the building from the former non-conforming commercial use to the current permitted use as single-family residential in a non-conforming building.

To: City Manager
From: Director Planning & Building
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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."*

The owner has not obtained the required permit.

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 her with the opportunity to appear before Council to address this staff report.

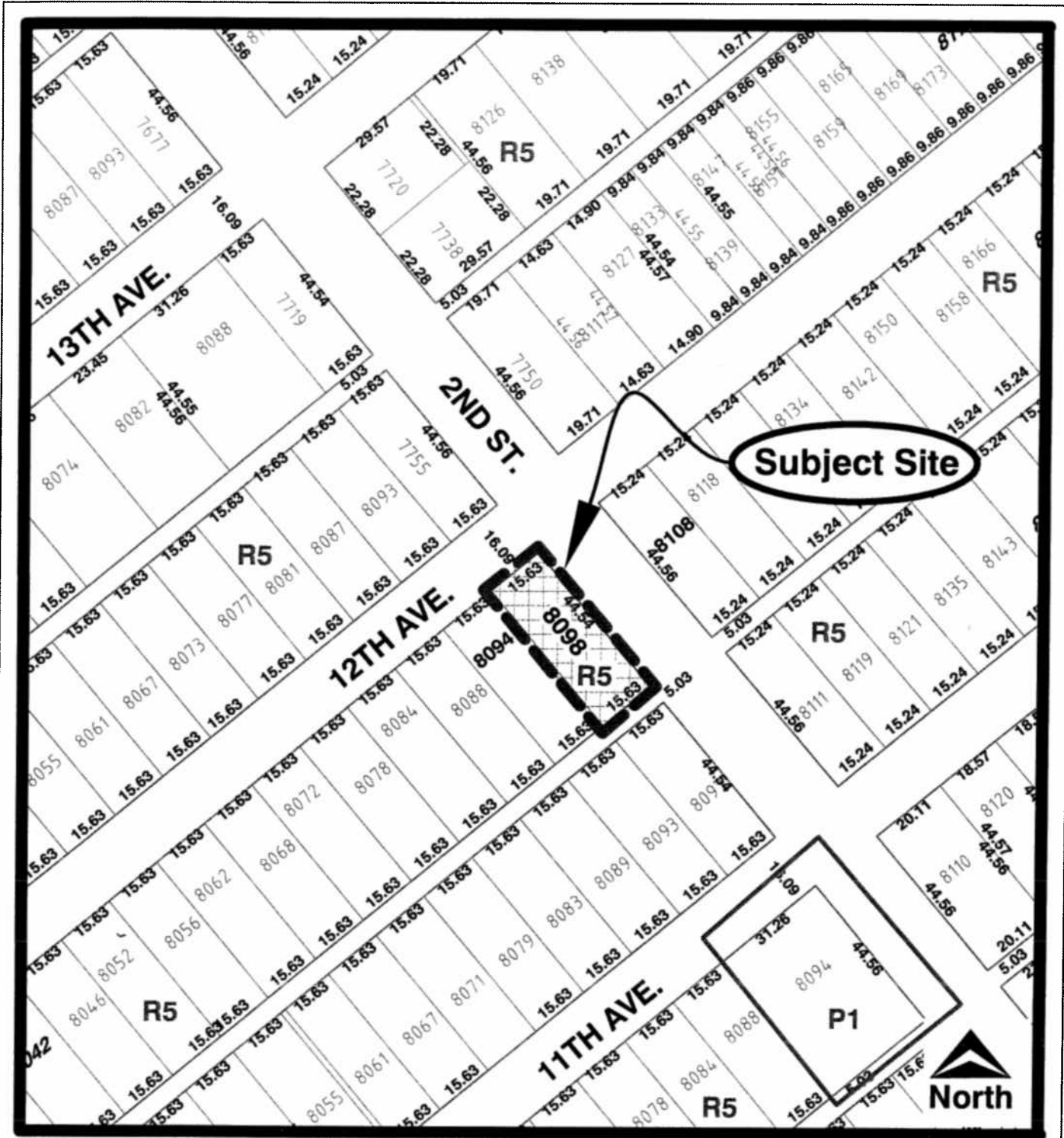


J. S. Belhouse
DIRECTOR PLANNING & BUILDING



LP:ap
Attach.
q:\bylaw\8098-12thaveCnclrep

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



City of Burnaby

Planning and Building Department

Scale: 1 = 1500

Drawn By: J.P.C.

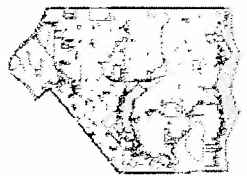
Date: July 2006

Council Report
8098--12 th Ave.

Sketch # 1



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

Map Scale
 1 : 1000

