
TO: CITY MANAGER **DATE:** 2007 AUGUST 13

FROM: DIRECTOR PLANNING & BUILDING

SUBJECT: 7828 - 14TH, BURNABY, BC
LOT 3, BLOCK 20, DL 28, GROUP 1, NWD, PLAN 627

PURPOSE: To have Council direct the City Clerk to file a Notice in the Land Title Office, pursuant to Section 58 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 7828 – 14th Avenue, Burnaby, BC., 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 owners:
 - a) Gurmeet S. & Rajwant K. Boparai
7828 – 14th Avenue
Burnaby, BC – V3N 2B2

REPORT**1.0 SUMMARY**

The subject property is located at 7828 – 14th Avenue, Burnaby. (See *attached* sketch). The property contains unauthorized construction and is the subject of a complaint of an illegal suite and garage enclosure received in 2004 November 22. The owners applied for a permit for the garage enclosure in 2005 February 24 but have not supplied the requested and necessary information for the Building Department to process the application or issue a permit. The owners have not removed the unauthorised construction and now intend to sell the property.

2.0 BACKGROUND

On 2004 November 26, Building Department staff found that an illegal suite had been installed in the garage of the house – the garage door had been replaced with a wall, windows added and steps built at the back. The owners have been requested to apply for permits to bring the works into compliance with City bylaws or remove it.

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The owners previously indicated that they would apply for permits to demolish the house and construct a new single-family dwelling on the property.

Staff have written to the property owners and discussed the matter with them but they have not undertaken to complete the building permit processes to bring the works into compliance or for construction of a new house.

3.0 CONTRAVENTION OF BYLAWS

Any construction or alteration, without first obtaining a permit, is in violation of Section 7 (1) of Burnaby Building Bylaw No. 11729 that reads:

“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

Staff will continue working with the property owners to resolve this matter, however, we recommend filing a Notice in the Land Title Office to ensure that any potential future purchasers of the property are aware of the contravention of City bylaws.

The use of Section 57 of the Community Charter to file notices in the Land Title Office is consistent with the policy adopted by Council on 1992 September 28.

The City Clerk, in keeping with Section 57 (2) of the Community Charter, has notified the property owners and provided them with the opportunity to appear before Council to address this staff report.


B. Luksun
for Director Planning & Building

JMK:ap
Attach.

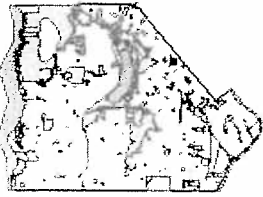
Q:\bylaw\BLD-Fourteenth Ave 7828rep

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



7828 Fourteenth Avenue, Burnaby BC

August 08, 2007



- Selected Features**
- 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 2006
- Parks**
- Parkland To Be Acquired
 - Parkland
 - Boundary

Map Scale
1 : 1000

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