
TO: CITY MANAGER **DATE:** 2019 JUNE 03

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: 310 WILLINGDON AVENUE, BURNABY, BC
LOT: 1, BLOCK 8, D.L.122, PLAN: NWP1308, PID: 003-202-852

PURPOSE: To request a Council resolution to file a notice in the Land Title Office pursuant to Section 57 of the Community Charter, with respect to a property in contravention of 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 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) Ju-Ling Liao
Lik Mo Alexander Chang
310 Willingdon Avenue
Burnaby BC V5C 5G2

REPORT**1.0 BACKGROUND**

On 2016 February 13, the Bylaw Services Department received a written complaint of unauthorized suites at 310 Willingdon Avenue in Burnaby BC.

The property is currently tenant occupied and listed for sale with Jeffrey Lin, realtor with Jovi Realty. The realtor currently has the property listed as containing three (3) kitchens. Listing claim of three (3) kitchens is confirmed through discussions with current tenants occupying the suites.

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From: Director Planning and Building
Re: Notice on Title
310 Willingdon Avenue

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The property owners have been sent several letters informing them of the complaint and to request access for City of Burnaby staff to complete an inspection in regards to the written complaint. The owners have been asked to contact the Bylaw Services Department to arrange for Building staff to enter and inspect the premises to determine the extent of contraventions. No efforts have been made to date by the owner to contact the City to arrange for the required inspection. A Bylaw Notice violation ticket has been issued in 2019 May for Section 7(6), of the Burnaby Building Bylaw 2016, Obstructing a Building Inspector (#B00340002).

Building inspection staff is recommending that a notice be filed in the Land Title Office.

2.0 CONTRAVENTION OF BYLAWS

The owner(s) of 310 Willingdon Avenue are in contravention of the City of Burnaby Building Bylaw 2016, (Bylaw No 13658), Section 7(1), Construction without Permit

- *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.*


3.0 CONCLUSION

Building Department staff recommend filing a Notice in the Land Title Office to advise potential purchasers of the outstanding bylaw contraventions noted at this property.

Building Department staff will continue to work with the property owners to resolve this matter. If necessary, legal action will be pursued to ensure compliance with City bylaws.

The use of Section 57 of the Community Charter to file Notices in the Land Title Office is consistent with the Housing Committee Report adopted by Council 1992 September 28.

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


E. W. Kozak, Director
PLANNING AND BUILDING

GD:jw

cc: Director Finance
Chief Building Inspector
City Solicitor
City Clerk

