



Item
Meeting..... 2020 July 06

COUNCIL REPORT

TO: CITY MANAGER **DATE:** 2020 June 03

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: 7318 4TH STREET, BURNABY, BC V3N 3N7
LOT 1, D.L.27, PLAN NWP14255, PID: 002-650-789

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 owner:

Zenggang Xue, 7318 4Th Street,
Burnaby BC, V3N 3N7

REPORT

1.0 BACKGROUND

On 2019 October 17, the Bylaw Services Department received a written complaint of unauthorized suites in a single family dwelling at 7318 4Th Street in Burnaby BC (see *attached* Sketch #1).

After confirming the details of the complaint, an investigation was initiated. An access letter was sent to the owner on 2019 November 01 and an inspection was arranged for 2019 November 26. The property was inspected by City of Burnaby Building staff on 2019 November 26. It was observed at that time that unauthorized construction and unauthorized suites were present at the property and that the property was unoccupied at the time of inspection. The property was also listed for sale by Pacific Evergreen Realty and has since been removed from the market.

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After inspection reports were received from City inspections staff, a compliance letter was prepared and sent to the owner on 2019 November 29 advising of the requirements to bring the property into compliance with City bylaws.

During several phone discussions and email exchanges with the owner’s representative and legal counsel, it was revealed that a Certificate of Litigation has been filed by the Director of Civil Forfeiture and the Canadian Imperial Bank of Commerce Incorporation.

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

2.0 CONTRAVENTION OF BYLAWS

The owner of 7318 4th Street is 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 recommends filing a Notice in the Land Title Office to advise potential purchasers of the outstanding bylaw contravention noted at this property.

Building Department staff will continue to work with the property owner 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 owner with notice of this report and with the opportunity to speak before Council.



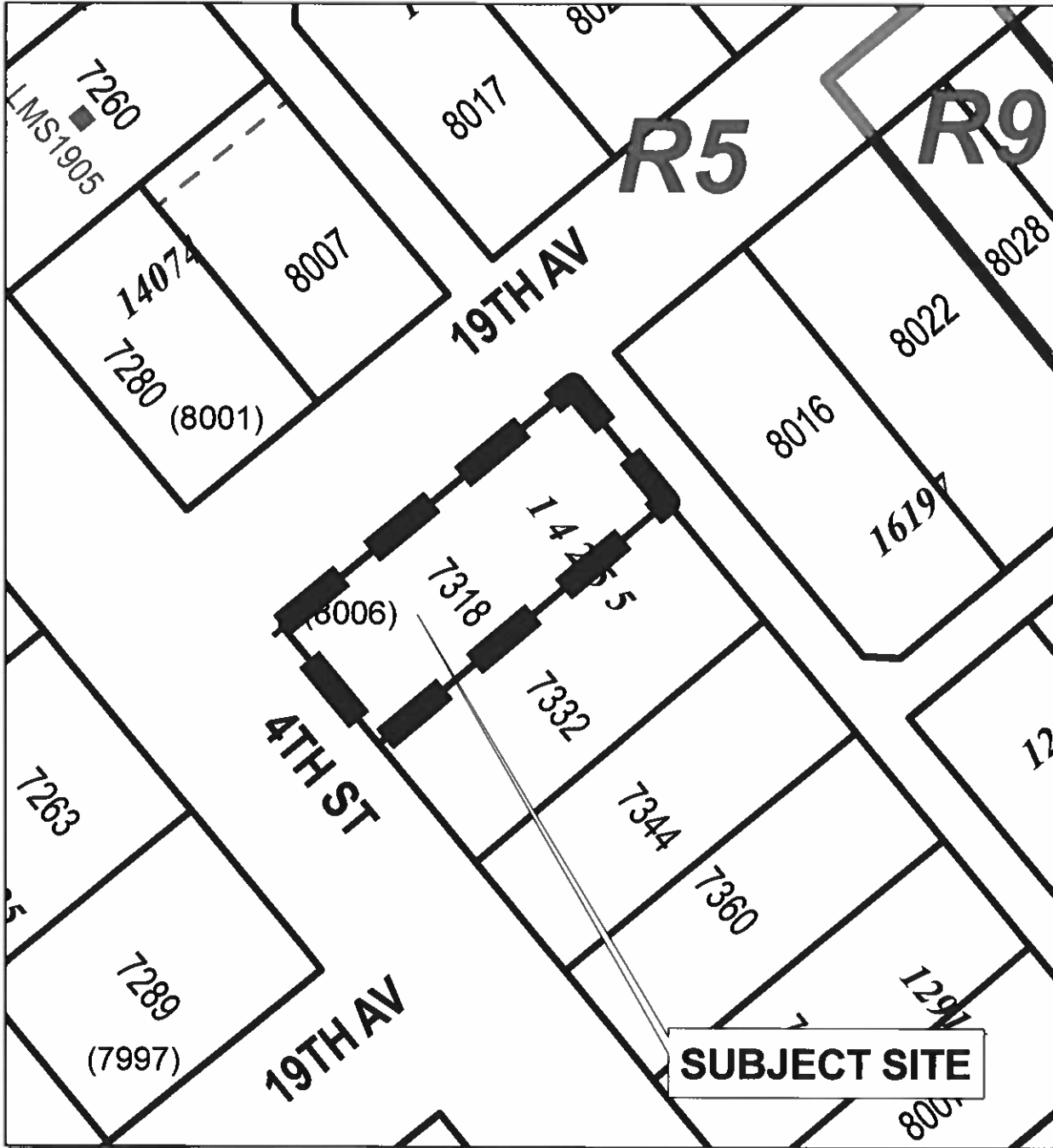
E. W. Kozak, Director
PLANNING AND BUILDING

GD:kg

Attachment

cc: Director Finance (Attn: Noreen Kassam)
City Solicitor

Chief Building Inspector
City Clerk



PLANNING & BUILDING DEPARTMENT



Date: MAR 24 2020

scale: 1:700

Drawn By: RW

7318 4TH STREET

 Subject Site