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**TO:** CITY MANAGER **DATE:** 2020 AUGUST 27

**FROM:** DIRECTOR PLANNING AND BUILDING

**SUBJECT:** 8155 15<sup>TH</sup> AVENUE, BURNABY, BC  
LOT: 10, D.L. 27, PLAN: NWP1901, PID: 002-570-483

**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.

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**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:

KUAN, JONATHAN C  
KUAN, SHAO W  
LONG, YUE M  
8155 15<sup>TH</sup> AVENUE  
BURNABY BC, V3N 1X4

**REPORT**

**1.0 BACKGROUND**

On 2020 July 14, the Bylaw Services Department received a written complaint of an unauthorized suite at 8155 15<sup>th</sup> Avenue in Burnaby BC.

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From: Director Planning and Building  
Re: 8155 15<sup>th</sup> Avenue, Burnaby, BC  
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The property is currently owner and tenant occupied and listed for sale with Philip Zhang, realtor with Unilife Realty Inc. The realtor currently has the property listed as containing a legal one (1) bedroom suite on the lower cellar level. Listing claim of an authorized and registered suite is not confirmed by City of Burnaby records.

The property owners have been sent an access letter informing them of the complaint and to request access for City of Burnaby staff to conduct an inspection. The owners have been asked to contact the Bylaw Services Department to arrange for the inspection of the premises to determine the extent of contraventions.

Due to the property being presently listed for sale, Building inspection staff are recommending that a notice be filed in the Land Title Office.

## 2.0 CONTRAVENTION OF BYLAWS

The owners of 8155 15<sup>th</sup> 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.

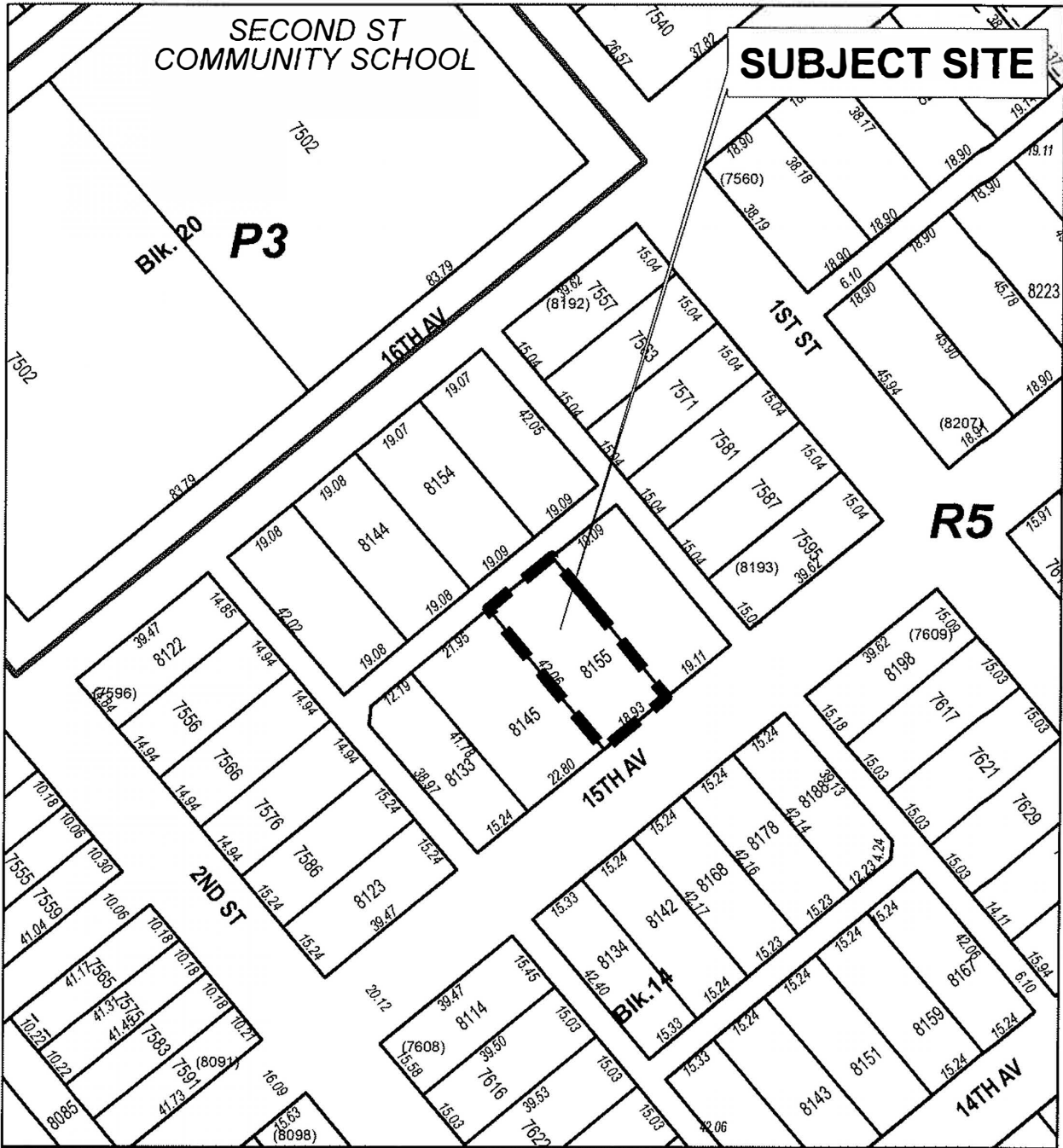
The use of Section 57 of the Community Charter to file Notices in the Land Title Office is consistent with the Housing Committee Report adopted by Council 1992 September 28.

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:kg

cc: Director Finance  
Chief Building Inspector  
City Solicitor  
City Clerk



City of Burnaby

PLANNING & BUILDING DEPARTMENT




Date: AUG 27 2020

scale: 1:1,500

Drawn By: JS

8155 FIFTEENTH AVENUE

 Subject Site