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**TO:** CITY MANAGER **DATE:** 2009 OCTOBER 05

**FROM:** DIRECTOR PLANNING & BUILDING

**SUBJECT:** 6550 CLINTON STREET, BURNABY, BC  
LOT 6, D.L. 160, GROUP 1, N.W.D., PLAN 11554

**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 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 at 6550 Clinton Street, 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 Office of the City Clerk, City of Burnaby.
- 2) **THAT** a copy of this report be sent to the following owners:
  - a) Yuan Sheng and Yuan Meng  
6550 Clinton Street  
Burnaby, BC – V5E 1A4

**R E P O R T****1.0 BACKGROUND**

The subject property is located at 6550 Clinton Street, Burnaby, B.C. (See *attached sketch*). Following a complaint of unauthorized construction, Building Department staff inspected the subject property on 2009 September 02 and found extensive work had been done without permits. This included a rear addition to the main floor, interior alterations to the main floor including new interior stairs, basement finishing and new electrical, plumbing and gas work. At the time of inspection, a “*Notice of Suspension*” was posted by the Building Inspector.

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From: Director Planning & Building  
Re: Resolution to file a notice in the Land Title Office  
6550 Clinton Street, Burnaby, BC  
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On 2009 September 09, the property owners picked up the City's compliance letter advising them to submit details of the construction to determine if a permit could be obtained, or remove all unauthorized construction and call for re-inspection. At that time, they advised Building Department staff that a possible sale of the property was being considered. The property owners have not applied for a building permit for the work. When the property owners apply for a permit, staff will review the plans and determine if permits can be issued for portions or all of the work.

## 2.0 CONTRAVENTION OF BYLAWS

Any construction, 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 permits remain in force."*

## 3.0 CONCLUSION

Staff will continue working with the property owners to resolve this matter. Since the property owners are proposing to list the property for sale, staff recommend filing a Notice in the Land Title Office to ensure that any potential future purchasers 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 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 owners and provided them with the opportunity to appear before Council to address this staff report.



Basil Luksun  
Director Planning & Building

CBL:ap

Attach.

P:\Bylaw\Notice on Title Reports\BLD-6550 Clinton Street.doc

cc: City Clerk  
City Solicitor  
Director Finance  
Chief Building Inspector



**Planning and Building Department**

Scale: 1 = 1500

Drawn By: su

Date: 2009 September 17

## **Council Report**

### **6550 Clinton Street**

**Lot 6, D.L. 160, Group 1, NWD, Plan 11554**