
TO: CITY MANAGER **DATE:** 2010 March 01

FROM: DIRECTOR PLANNING & BUILDING

SUBJECT: 4108 CASTLEWOOD CRESCENT, BURNABY, BC
LOT 32, BLOCK 4, DISTRICT LOT 34, GROUP 1,
N.W.D., PLAN 14146

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.

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 4108 Castlewood Crescent, Burnaby, BC has been made under Section 27 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 owner:
 - (a) Chun Kow Chan
c/o Franca Chan
5969 Argyle Street,
Vancouver, BC V5P 3J9

REPORT**1.0 BACKGROUND:**

The subject property is located at 4108 Castlewood Crescent, Burnaby, BC (*see attached Sketch 1*). Following a complaint of unauthorised construction, Building staff inspected the subject property on 2010 February 05. The inspection found that basement finishing with a kitchen, a front addition with bathroom and rear addition with a second laundry facility had been construction without permits. The house is currently for sale.

To: City Manager
From: Director Planning & Building
Re: 4108 CASTLEWOOD CRESCENT, BURNABY, BC
LOT 32, BLOCK 4, DISTRICT LOT 34, N.W.D.,
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Both the property owner and real estate agent are aware the City has outstanding building, electrical, plumbing and gas objections with the property.

2.0 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."

3.0 CONCLUSION

Staff will continue working with the property owner to resolve this matter. However, as the property is currently for sale, Building 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
fo/ PLANNING & BUILDING

JMK:su

Attachment

cc: City Clerk
City Solicitor
Director Finance (D. Letkeman)
Chief Building Inspector

Q:\Bylaw\Notice On Title\BLD-4108 Castlewood Crescent.doc



Planning and Building Department

Scale: 1 = 1500
 Drawn By: su
 Date: 2010 FEB

Council Report

4108 CASTLEWOOD CRESCENT, BURNABY, BC
 LOT 32, BLOCK 4, DISTRICT LOT 34, GROUP 1, N.W.D., PLAN 14146

Sketch #1