
TO: CITY MANAGER **DATE:** 2011 May 24

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: **5171 EMPIRE DRIVE, BURNABY, BC**
LOT 26, D.L. 127, GRP 1, NWD PLAN 17446

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) Narinder S. Sidhu
Bhupinder K. Sidhu
6826 Nanaimo Street
Vancouver, BC V5P 4L6

REPORT**1.0 BACKGROUND**

Building staff inspected the house on 2011 May 18 in response to a recent complaint that plumbing and electrical work was being done without permits on the subject property. The inspection shows that a rear addition was built without permit and the associated plumbing and electrical work is complete. The property is currently listed for sale.

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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

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.

B. Luksun, Director
PLANNING AND BUILDING

JK:su
Attachment

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