



Item.....
Meeting.....2011

COUNCIL REPORT

TO: CITY MANAGER **DATE:** 2011 April 20

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: 7555 - 2ND STREET, BURNABY, BC
LOT 1, D.L. 27, GROUP 1, NWD, PLAN BCP 31063

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:
 - (a) Allan Jawahar Lal
5388 Oakland Street
Burnaby, BC V5H 1R7

REPORT

1.0 BACKGROUND

The subject property is located at 7555 – 2nd Street, Burnaby, B.C. (see *attached* Sketch). Following a complaint regarding illegal suites, Building staff inspected the subject property on 2010 December 16 and 2011 March 02 and found extensive work had been done without permits. This included converting part of the detached garage to habitable area; adding partition walls and a tub/shower and laundry facilities without permits; converting the first floor of the dwelling to a suite with a range; and electrical and plumbing work done without permits.

The owner was advised by letter dated 2011 March 03 to obtain approval for the unauthorized construction or remove the unauthorized work including the first floor cooking facilities, and all unauthorized plumbing and electrical work.

To: City Manager
From: Director Planning and Building
Re: 7555 - 2nd Street, Burnaby, BC
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On 2011 April 05, Building Department staff noted that the property had been listed for sale. The owner was notified by letter dated 2011 April 06 to advise any prospective purchasers of all outstanding objections identified by the City. The letter also stated that the subject property must be returned to its original approved use as a single family dwelling with no secondary suites. Given the potential for the property to be sold prior to completion of the necessary works, it is proposed that a notice be placed on title as permitted under Section 57 of the Community Charter.

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 under Section 57 of the Community Charter to advise potential purchasers of the outstanding bylaw contraventions 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 owners with notice of this report and with the opportunity to appear before Council.

B. Luksun, Director
PLANNING AND BUILDING

CL:su

Attachment

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

Q:\bylaw\Notice On Title\BLD-7555-2nd Street.doc



Planning and Building Department

Council Report

Drawn By: SU
Date: 2011 APR 07

7555-2ND STREET, BURNABY, BC
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