



Item.....
Meeting.....2011 November 07

COUNCIL REPORT

TO: CITY MANAGER **DATE:** 2011 SEPTEMBER 16

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: 3811 GEORGIA STREET, BURNABY, BC
BLOCK 2, D.L. 116, NWD PLAN 1439

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) Shayne L. Gusdal
3811 Georgia Street
Burnaby, BC V5C 2S7

REPORT

1.0 BACKGROUND

Building staff inspected the house on 2011 February 03 in response to a complaint that the subject property contained illegal suites. At the time of inspection, two suites were found, one was found in the basement and one on the second level.

A letter to the property owner, dated 2011 February 11, outlined the necessary steps to make the property comply with City bylaws. The owner did obtain plumbing and gas permits to correct outstanding objections but has failed conclude the permit process call for the necessary inspections.

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From: Director Planning and Building
Re: 3811 Georgia Street, Burnaby, BC
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An electrical permit to remove the unauthorized range and hood wiring is still outstanding.

Our attempts to contact the owner by letter, telephone and site visits to resolve this matter have failed. During the property owner's last visit to the Building Department, he expressed his frustration with the City's bylaws and stated he wants to sell his house and move out of Burnaby.

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 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 owner with a notice of this report and with the opportunity to appear before Council.

B. Luksun, Director
PLANNING AND BUILDING

JK:ap
Attach.
q:\bylaw\notice on title\bld-3811 georgia street.docx

cc: Director Finance (*Attn: D. Letkemen*)
Acting City Clerk
City Solicitor
Chief Building Inspector

