



Item .....
Meeting .....2016 July 25

## COUNCIL REPORT

**TO:** CITY MANAGER **DATE:** 2016 June 13

**FROM:** DIRECTOR PLANNING AND BUILDING **FILE:** 43000 40

**SUBJECT:** 3988 MARINE DRIVE, BURNABY, BC  
LOT 2, DL 175, PLAN NWP 83930

**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 against title to the subject property 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 registered owner:
  - i) Wei W. Cao  
3988 Marine Drive  
Burnaby, BC V5J 3E4

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

On 2016 April 14, the Building Department sent a letter to the owner requesting access to inspect the subject premises (see *attached* sketch) in response to a complaint alleging an unauthorized suite in the existing single family dwelling.

On 2016 May 17, Building Department staff carried out an inspection of the subject premises and observed several instances of unauthorized construction relating to the renovation of existing rooms and crawl space, plumbing and electrical works, all without permit.

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From: Director Planning and Building  
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On 2016 May 27, the Building Department staff hand delivered a letter to the property owner listing the requirements to bring the dwelling into compliance with City Bylaws. A building permit application is required by 2016 July 27. The property is currently listed for sale, as such, filing a notice in the Land Title Office to advise of the outstanding bylaw contraventions is warranted.

**2.0 CONTRAVENTION OF BYLAWS**

The owners are in contravention of following City’s bylaws:

- i) Section 7(1) of the Burnaby Building Bylaw No.11728 - Construction without permit
- ii) Section 4(1) of the Burnaby Plumbing Bylaw No.11148 - Constructing, installing, commencing or carrying out work without permit
- iii) Section 19 of the Burnaby Electrical Bylaw No.6494 - Constructing, altering or repairing without permit

**3.0 CONCLUSION**

Building Department staff recommends 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.

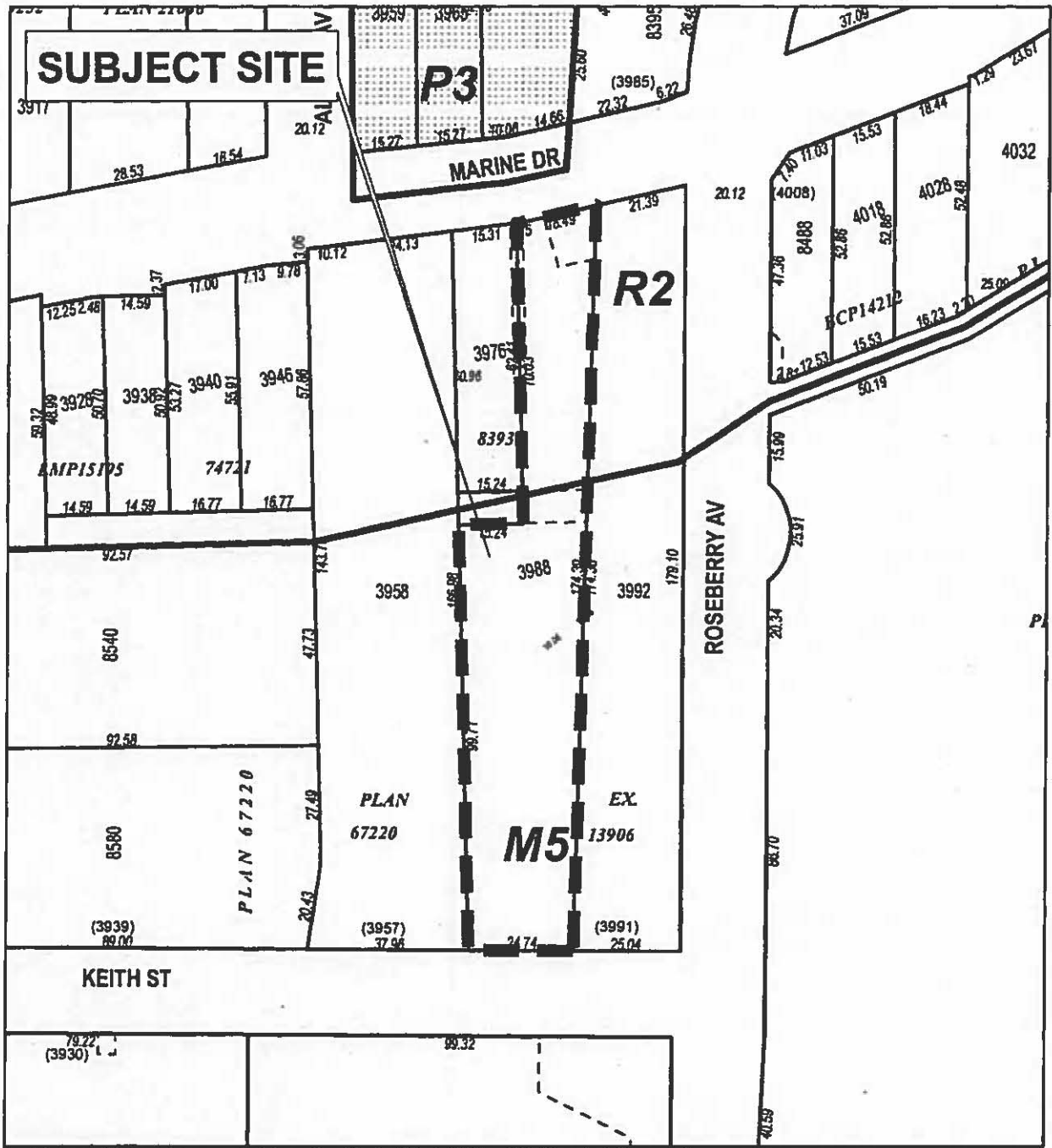
The City Clerk, in keeping with Section 57(2) of the Community Charter has provided the property owners with notice of this report and with the opportunity to appear before Council.



Lou Pelletier, Director  
PLANNING AND BUILDING

LD:jw  
*Attachment*

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



PLANNING & BUILDING DEPARTMENT



DATE:  
JUN 02 2016

SCALE:  
1:1,506

DRAWN BY:  
AY

3988 MARINE DRIVE

 Subject Site

Sketch #1