



Item
Meeting 2017 January 23

COUNCIL REPORT

TO: CITY MANAGER **DATE:** 2016 NOVEMBER 22

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

SUBJECT: 4743 BARKER CRESCENT, BURNABY, BC
DL 121, PLAN NWP 10740

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) 1072290 BC Ltd.
608 – 71778 Collier Street
Burnaby, BC V5E 4N7

REPORT**1.0 BACKGROUND**

On 2016 August 11, 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 and construction in the existing single family dwelling.

On 2016 September 20, Building Department staff carried out an inspection of the subject premises and observed several instances of unauthorized construction relating to the renovations of existing rooms and exterior attached storage shed, plumbing, electrical and gas work, all without a permit.

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On 2016 September 26, Building Department staff mailed a letter to the property owner listing the requirements to bring the premises into compliance with City bylaws. In order to correct the objections, the owner was directed to submit a complete Building Permit application by 2016 November 25.

As of the date of this report, no Building Permit application has been submitted. The property is currently listed for sale.

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)(b) 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;*
- iv) Section 7 of the Burnaby Gas Bylaw No.7288 – *Installing or altering 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:ap
Attachment

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

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