



Item.....
Meeting.....2020 October 26

COUNCIL REPORT

**TO:** CITY MANAGER **DATE:** 2020 October 21

**FROM:** DIRECTOR PLANNING AND BUILDING

**SUBJECT:** 7262 CURTIS STREET, BURNABY, BC, V5A 1K3  
LOT 149 DL 135 PLAN NWP25592

**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) Mykell Shane Lodjn  
12445 Wilan Road,  
Prince George, BC, V2N 5A6
  
  - (b) Renate Lodin  
7262 Curtis Street,  
Burnaby, BC, V5A 1K3

**REPORT**

**1.0 BACKGROUND**

On 2011 July 11, a complaint was received for unauthorized construction of roof deck and railings.

To: City Manager  
From: Director Planning and Building  
Re: 7262 Curtis Street, Burnaby, BC  
2020 October 21..... Page 2

On 2011 September 08, Building Department staff carried out an inspection of the subject property and observed numerous instances of unauthorized construction relating to an unpermitted elevator, and including but not limited to construction of an unauthorized attic including windows and interior doors. A compliance letter was sent with a deadline for compliance of 2011 October 28.

From 2011 Aug 11 to 2012 May 03, numerous phone calls were made to the Property owner, and mention of the Property owners' ill health.

On 2013 October 17, a letter requesting access to the property via Canada Post.

On 2016 May 26, the Property owner Herman Karl Lodin passed away.

On 2018 January 23, an inquiry was made to request information of the possible sale of the property.

On 2018 January 25, reports reveal that Mrs. Renate Lodin is in a nursing home.

On 2018 February 02, a building permit application is received for a new two family dwelling.

On 2019 January 08, the building permit application is cancelled.

On 2019 February 12, a title search shows that the property is in litigation, awaiting a date with the Supreme Court of Canada.

On 2020 August 24, a further complaint is received regarding the size of the building in a R4 Zone.

On 2020 August 24, investigation with the Tax department shows that the property has been in arrears for the last three tax years. A letter requesting access to the property was sent to property owners via Canada Post.

As of the date of this report, no building applications have been made. The property is still in litigation awaiting trial.

## **2.0 CONTRAVENTION OF BYLAWS**

SECTION 7 (1) of the Burnaby Building Bylaw No 11728 - Construction without permit.

SECTION 19 of the Burnaby Electrical Bylaw No 6494 - Constructing, altering or repairing without permit.

SECTION 4 (1) (b) of the Burnaby Plumbing Bylaw No 11148 - Constructing, install commencing or carry out work without a permit.

To: City Manager  
From: Director Planning and Building  
Re: 7262 Curtis Street, Burnaby, BC  
2020 October 21..... Page 3

### 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.

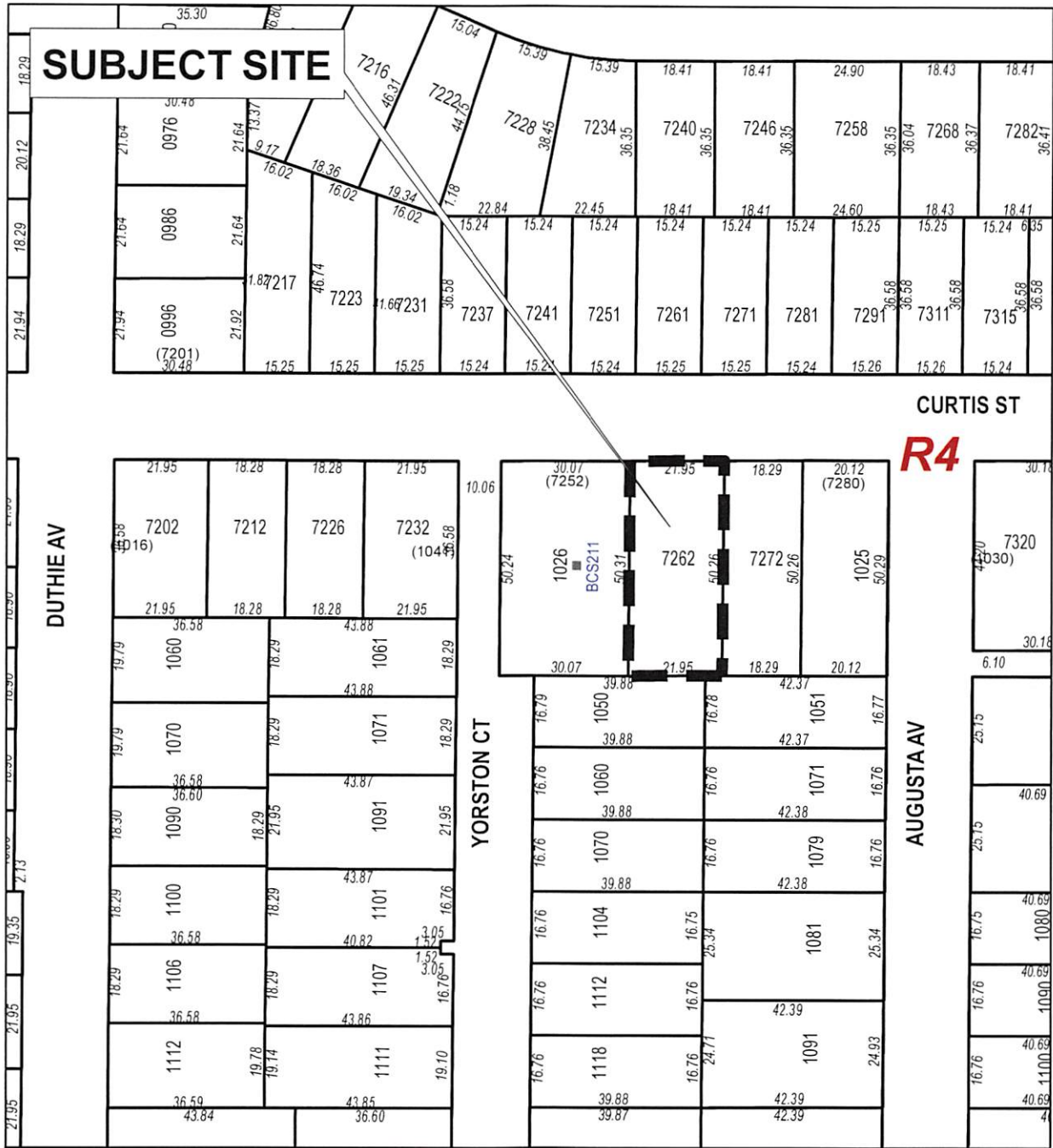
The use of Section 57 of the Community Charter to file Notices in the Land Title Office is consistent with the Housing Committee Report adopted by Council 1992 September 28.

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.

  
E. W. Kozak, Director  
PLANNING AND BUILDING

LD:kg

cc: Director Finance  
Chief Building Inspector  
City Solicitor  
City Clerk



**SUBJECT SITE**

CURTIS ST

**R4**

DUTHIE AV

YORSTON CT

AUGUSTAV AV



PLANNING & BUILDING DEPARTMENT



Date: AUG 27 2020  
 scale: 1:1,500  
 Drawn By: JS

**7262 CURTIS STREET**

 Subject Site