



Item
Meeting 2015 November 23

COUNCIL REPORT

TO: CITY MANAGER **DATE:** 2015 OCTOBER 16

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

SUBJECT: 3759 PETER STREET, BURNABY, BC
LOT 10, DL 150, NWP PLAN 1357

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 owner:

Wei Q. Zhang
3759 Peter Street
Burnaby, BC V5J 1N5

REPORT

1.0 BACKGROUND

On 2015 August 12, staff undertook an inspection of the subject premise (see *attached* sketch) in response to a written complaint alleging unauthorized suites. Staff determined that interior and exterior alterations to the basement of the property had been completed without permit.

On 2015 August 26, staff undertook a second inspection of the subject premise. The inspection showed; 1 bathroom added and 1 bathroom relocated, 2 kitchen areas constructed (2 stoves stored in closet area), 1 sliding glass door added, laundry relocated to an exterior stairwell, walls added to create bedrooms, a water heater installed and electrical wiring added, all without permit.

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On 2015 September 02, the Building Department sent a letter to the property owner listing the requirements to bring the dwelling into compliance with City bylaws and requiring a building permit application by 2015 October 07. At the request of the owner, an extension to 2015 October 30 was granted.

On 2015 October 15, a neighbour advised Building Department staff that the property has been listed for sale. The listing sales agent informed staff that there is a firm accepted offer with completion dates for the end of January.

2.0 CONTRAVENTIONS OF BYLAWS

The property is in contravention of the following Burnaby Building, Plumbing, Gas and Electrical Bylaws;

- Section 7(1) of the Burnaby Building Bylaw No. 11728 – Construction without permit.
- Section 4(1) of the Burnaby Plumbing Bylaw No. 11148 – Constructing, installing, commencing or carrying out work without permit.
- Section 19 of the Burnaby Electrical Bylaw No. 6494 – Constructing, altering or repairing without permit.
- Section 7 of the Burnaby Gas Bylaw No. 7288 – Installing or altering without permit.

3.0 CONCLUSION

Building Department staff recommend the filing of a Notice in the Land Title Office pursuant to 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 towards resolving this matter and will pursue legal action, if necessary, in order to ensure compliance with City bylaws.

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

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


Lou Pelletier, Director
PLANNING AND BUILDING

LL:jw
Attachment

cc: Director Finance – (Attn: D. Letkeman)
City Solicitor

Chief Building Inspector
City Clerk

