



Item.....
Meeting.....2016 August 29

COUNCIL REPORT

TO: CITY MANAGER **DATE:** 2016 July 21

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

SUBJECT: 4630 NORTHLAWN DRIVE, BURNABY, BC
LOT 3, DL 123, PLAN NWP 15152

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 owners:
 - i) Antony Schnorr & ii) Sandra Schnorr
4630 Northlawn Drive
Burnaby, BC V5C 3S1
 - 4630 Northlawn Drive
Burnaby, BC V5C 3S1

R E P O R T

1.0 BACKGROUND

On 2016 May 02, the Building Department sent a letter to the owners for inspection of the subject premises in response to a complaint alleging unauthorized construction within the existing single-family dwelling and accessory building. The property was listed for sale. The owners and their listing sales agent were informed by written and electronic correspondence to declare the unauthorized works and outstanding bylaw contraventions to any potential purchasers of the subject property.

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On 2016 May 12, an inspection of the subject premises was undertaken by Building Department staff. Inspection staff observed unauthorized interior and exterior alterations of the principle building including: installation of sky lights, the creation of a suite in the lower floor, and an extension of the rear deck. Structural alterations to the accessory building observed by Building Inspection staff included interior alterations and structural changes to the roof.

On 2016 May 24, Building Department staff sent a letter to the property owners listing the requirements to bring the premises into compliance with City bylaws. In order to correct the objections, the owners were directed to submit a complete Building Permit application by 2016 June 30. As of the date of this report, no building permit application has been submitted.

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.11729 - *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

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CM:jw

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

Chief Building Inspector
City Clerk

