



Item
Meeting2016 September 19

COUNCIL REPORT

TO: CITY MANAGER **DATE:** 2016 July 29

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: 4327 DUNDAS STREET, BURNABY, BC
LOT 30, BLK 14, DL 187, PLAN NWP 1282

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:

Sandy Infanti
4327 Dundas Street
Burnaby, BC V5C 1B4

R E P O R T

1.0 BACKGROUND

On 2010 August 11, the owner was sent a letter directing that a building permit be obtained to reinstate crawl space area which was excavated and finished as living space. The letter also stated that plumbing and/or electrical permits be obtained as required.

On 2011 March 14, the owner was informed that the building permit (BLD11-00280) to reinstate approximately 450 square feet of crawl space was ready to be issued.

On 2015 October 22, a review of outstanding files determined that, despite ongoing enforcement actions, the permit issuance had not been completed.

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On 2016 April 08, the building permit was issued. The building permit's expiry date was 2016 June 08. During the active period of the building permit no inspections were scheduled by the owner.

Although a number of bylaw violation notices have been issued the property owner continues to express no interest in rectifying the infractions.

Recognizing that six years have lapsed since the owner was originally directed to bring the house into compliance with City bylaws, the registering of a Notice will advise any future purchaser of the outstanding bylaw contraventions noted against this property.

2.0 CONTRAVENTION OF BYLAWS

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

- i) Burnaby Zoning Bylaw No. 4742 Section 4.1 Erecting, moving, altering or enlarging a building or structures in a manner that does not conform with the bylaw,
- ii) Burnaby Building Bylaw No. 11729 Section 7(1) Construction without permit,
- iii) Burnaby Plumbing Bylaw No 11148 Section 4(1)(b) Constructing, installing, commencing or carrying out work without a permit,
- iv) Burnaby Electrical Bylaw No. 6494 Section 19 Constructing, altering or repairing without permit

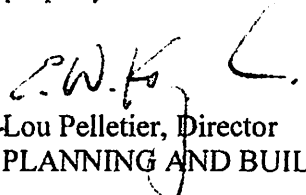
3.0 CONCLUSION

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 owner 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 owner with notice of this report and with the opportunity to appear before Council.


Lou Pelletier, Director
PLANNING AND BUILDING

DC:jw

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

Chief Building Inspector
City Clerk

