



Item .....
Meeting ..... 2017 June 26

## COUNCIL REPORT

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**TO:** CITY MANAGER **DATE:** 2017 May 18

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

**SUBJECT:** 6569 RANDOLPH AVENUE, BURNABY, BC  
LOT 170, DL 963, PLAN NW 48764

**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.

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### 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) Agyapal S. Ladhar and Jaskirat S. Ladhar  
6607 Randolph Avenue  
Burnaby, BC V5H 3W3

## REPORT

### 1.0 BACKGROUND

On 2016 February 17, the Building Department sent a letter to the owners in response to a complaint alleging unauthorized suite(s) and unauthorized construction within the existing single-family dwelling with a cancelled in-law suite. The letter stated that the inspection must be arranged by the deadline of 2016 March 21.

Between 2016 March 22 and 2016 April 04, seven (7) telephone messages were left on the property owner's business lines requesting a return call regarding the nature of the alleged contraventions.

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On 2016 April 04, Building Department staff issued a Bylaw Violation Notice under Section 7.6 of the Burnaby Building Bylaw "Obstructing Building inspector."

On May 03 2016, the Building Department sent a second letter ordering that entry must be granted to 6569 Randolph by 2016 May 19. The letter was accompanied with a Burnaby Violation Notice under Section 7.6 of the Burnaby Building Bylaw to property owner Agyapal S. Ladhar, located at 6607 Randolph Avenue, Burnaby.

Between 2016 May 04 to 2016 June 08, two messages were left on property owner's business lines stating that several messages had previously been left and a return call regarding the nature of the alleged contraventions is required.

Between 2016 June 09 and 2016 November 30, eleven (11) Burnaby Violation Notice under Section 24.9 of the Burnaby Building Bylaw, "Failure to comply with an order" was sent to property owner Agyapal S. Ladhar located at 6607 Randolph Ave Burnaby.

On 2017 February 02, a letter was sent to Agyapal S. Ladhar located at 6607 Randolph Ave Burnaby, advising that a final opportunity to provide consent for entry and that a Building department inspection had been arranged for 2017 February 14 at 11:00 am.

On 2017 February 14, Building Department staff attended the site located at 6569 Randolph Ave Burnaby, however, access to gain entry was not granted, upstairs tenant advised that multiple suites were located at 6569 Randolph Ave Burnaby.

As of the date of this report, no access has been granted.

## **2.0 CONTRAVENTION OF BYLAWS**

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

- i) Section 7.6 of the Burnaby Building Bylaw "Obstructing Building Inspector"
- ii) Section 24.9 of the Burnaby Building Bylaw "Failure to comply with an order"

## **3.0 CONCLUSION**

Building Department staff recommends filling a Notice in the Land Title office to advise potential purchasers of the outstanding alleged bylaw contraventions noted on this property.

Building Department staff will continue to pursue legal action by preparing an Entry Warrant to achieve compliance with City Bylaws.

The use of Section 57 of the Community Charter to file Notices in the Land Title Office is consistent with Housing Committee Report adopted by Council 1985 September 28.

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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:jw  
**Attachment**

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

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City of  
Burnaby

## PLANNING & BUILDING DEPARTMENT



DATE:

MAY 16 2017

SCALE:

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DRAWN BY:

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## NOTICE ON TITLE

6569 RANDOLPH AVENUE



Subject Site

### Sketch #1