



Item
Meeting 2018 July 23

COUNCIL REPORT

TO: CITY MANAGER **DATE:** 2018 June 22

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

SUBJECT: 7575 SAPPERTON AVENUE, BURNABY, BC
LOT 135, DL 13, PLAN NWP37458

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:
 - i) Fanyu Wang and Yaowu Wang
7575 Sapperton Avenue
Burnaby, BC V3N 4C9

REPORT

1.0 BACKGROUND

On 2017 May 17, Building Department staff sent a compliance letter to the property owners following a site inspection in response to a complaint alleging unauthorized interior construction with an illegal suite.

On 2017 July 12, property owner Fanyu Wang applied for a building permit which was approved and released on 2017 November 14.

On 2018 April 19, Building Department staff were on site to review gas installation work, but were unable to gain entry. Review of the property by Building Department staff showed that no other required inspections for the construction had been arranged with the City.

On 2018 April 24 to 2018 May 30, without success, Building Department staff made several attempts by telephone, email and site visits to establish contact with the property owners.

To: City Manager
From: Director Planning and Building
Re: 7575 Sapperton Avenue, Burnaby, BC
2018 June 22 Page 2

On 2018 June 04, contact with the property owner was established via e-mail. The property owner advised Building Department staff that they were not in residence at the property and were planning to sell the property.

On 2018 June 15, Building Department staff observed that further construction had been completed without City inspections and/or authorizations.

As of the date of this report, no sub-trades permit applications have been submitted.

2.0 CONTRAVENTION OF BYLAWS

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

- i) Section 21 (1) of the Burnaby Building Bylaw No 13658 – Failure to obtain an inspection prior to concealing work.
- ii) Section 4(1)(b) of the Burnaby Plumbing Bylaw No 11148- Constructing, installing commencing, or carrying out work without permits.
- 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 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, will provide the property owner with notice of this report and with the opportunity to appear before Council


Lou Pelletier, Director
PLANNING AND BUILDING

LD:jw
Attachment

cc: Chief Building Inspector
City Solicitor

Manager Revenue and Taxation
City Clerk

