



Item.....
Meeting 2018 August 27

COUNCIL REPORT

TO: CITY MANAGER **DATE:** 2018 JULY 09

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

SUBJECT: 4631 SARDIS STREET, BURNABY, BC V5H 1K9
LOT B, DL 33, PLAN NWP4362

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:

Gurjit Jawandha and Sanjit Jawandha
4488 Carleton Avenue
Burnaby, BC V5G 3B9

REPORT

1.0 BACKGROUND

On 2018 June 04, the Building Department sent a letter to the owners requesting access to inspect the subject premises (see *attached* sketch) in response to a complaint alleging unauthorized construction in the dwelling.

On 2018 June 21, Building Department staff carried out an inspection of the subject premises and observed several instances of unauthorized construction relating to additional floor area, plumbing and electrical works, all without permit. The unauthorized construction would make the property over its allowable Gross Floor Area, which cannot be permitted under the Zoning Bylaw.

To: City Manager
From: Director Planning and Building
Re: 4631 Sardis Street, Burnaby, BC V5H 1K9
2018 July 09 Page 2

On 2018 June 29, the Building Department staff e-mailed a copy of the letter to the property owners listing the requirements to bring the dwelling into compliance with City Bylaws. The property is currently listed for sale and, as such, filing a notice in the Land Title Office to advise of the outstanding bylaw contraventions is warranted.

2.0 CONTRAVENTION OF BYLAWS

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

- i) Section 7(1) of the Burnaby Building Bylaw – Construction without permit.
- ii) Section 4(1) of the Burnaby Plumbing Bylaw – Construction, installing, commencing or carrying out work without permit.
- iii) Section 19 of the Burnaby Electrical Bylaw – Constructing, altering or repairing without permit.
- iv) Section 4.1 of the Burnaby Zoning Bylaw – Erecting, moving, altering or enlarging a building or structures in a manner that does not conform with the bylaw.

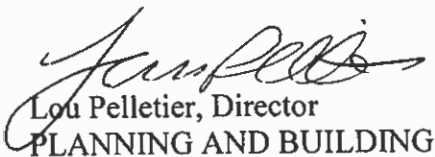
3.0 CONCLUSION

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

LD:ap
Attachment

cc: Chief Building Inspector
City Solicitor
City Clerk



JUL 06 2018

1:1,500

DRAWN BY: AY

NOTICE ON TITLE
4631 SARDIS STREET



Subject Site

Sketch #1

