
TO: CITY MANAGER **DATE:** 2009 APRIL 06

FROM: DIRECTOR PLANNING & BUILDING

SUBJECT: 4005 TRINITY STREET, BURNABY, B.C.
LOT 18, BLOCK 34, D.L. 186, GROUP 1, NWD, PLAN 1124

PURPOSE: To have Council direct the City Clerk 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 stating:
 - (a) A resolution relating to the land at 4005 Trinity Street, Burnaby, BC has been made under Section 57 of the Community Charter, and
 - (b) Further information respecting the resolution may be inspected at the Office of the City Clerk, City of Burnaby.
- 2) **THAT** a copy of this report be sent to the following owners:
 - (a) Gurbax S. Gill & Avinash K. Singh
4005 Trinity Street
Burnaby, BC – V5C 1N7

REPORT**1.0 BACKGROUND:**

The subject property is located at 4005 Trinity Street Burnaby, BC – (see *attached* Appendix A). Following a complaint of unauthorized construction, Building staff inspected the subject property on 2009 March 26 and found extensive work had been done without permits. This included new decks and stairs; basement finishing, including suites; an addition to the main floor dining area; a new master bedroom suite on the upper floor; new electrical wiring, plumbing fixtures throughout the house; and exterior doors and windows.

At the time of inspection, the Building Inspector advised the owners of the requirements and processes to obtain permits for the work. The owners were also advised that the decks, stairs and guardrails are not authorized for use and no person should occupy these areas.

To: City Manager
From: Director Planning & Building
Re: 4005 Trinity Street, Burnaby, BC
2009 April 06..... Page 2

The property owners have not applied for a building permit for the work. When the owners apply for a permit, staff will review the plans and determine if permits can be issued for portions or all of the work.

2.0 CONTRAVENTION OF BYLAWS:

Any construction or alteration, without first obtaining a permit, is in violation of Section 7 (1) of Burnaby Building Bylaw No. 11729 that reads:

“No person shall commence or continue construction or change the occupancy of any building, structure or part thereof, unless the Building Inspector has issued a permit for the construction and that permits remains in force.”


3.0 CONCLUSION:

Staff will continue working with the property owners to resolve this matter. Because the property is listed for sale, staff recommend filing a Notice in the Land Title Office to ensure that any potential future purchasers are aware of the contravention of 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 on 1992 September 28.

The City Clerk, in keeping with Section 57(2) of the Community Charter, has notified the property owners and provided them with the opportunity to appear before Council to address this staff report.


Basil Luksun
for Director Planning & Building

 JMK:ap
Attach.
P:\Bylaw\notice on title reports\BLD-4005 Trinity.doc

cc: City Clerk
City Solicitor
Director Finance
Chief Building Inspector

