
TO: CITY MANAGER **DATE:** 2010 January 15

FROM: DIRECTOR PLANNING & BUILDING

SUBJECT: 5713 GRANT STREET, BURNABY, BC
STRATA LOT 2 DISTRICT LOT 129 GROUP 1 N.W.D. STRATA PLAN
BCS2454

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 5713 Grant 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 owner:
 - (a) Serena Yeong Oh
5713 Grant Street
Burnaby, BC V5B 2K5

REPORT**1.0 BACKGROUND:**

The subject property is located at 5713 Grant Street, Burnaby, BC (see *attached* Sketch 1). Following a complaint of an illegal suite, Building staff inspected the subject property on 2009 November 19 and found unauthorized cooking facilities on the main floor. Following the inspection, Building staff requested the owner to remove the cooking facilities, restore the

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residence to the approved plans, and complete the electrical and plumbing work under permit. The owner did not undertake the required work. The owner subsequently appeared before Council at its closed meeting on 2009 December 07. Since that date no work has been undertaken.

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:

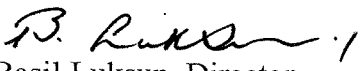
“No person shall commence or continue construction or change the occupancy of any building, structure or part thereof, unless the Building Inspector has issued a permit for the construction and that permit remains in force.”

3.0 CONCLUSION:

Staff will continue working with the property owner to resolve this matter. However, as the property owner is contemplating selling the duplex, Building 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.

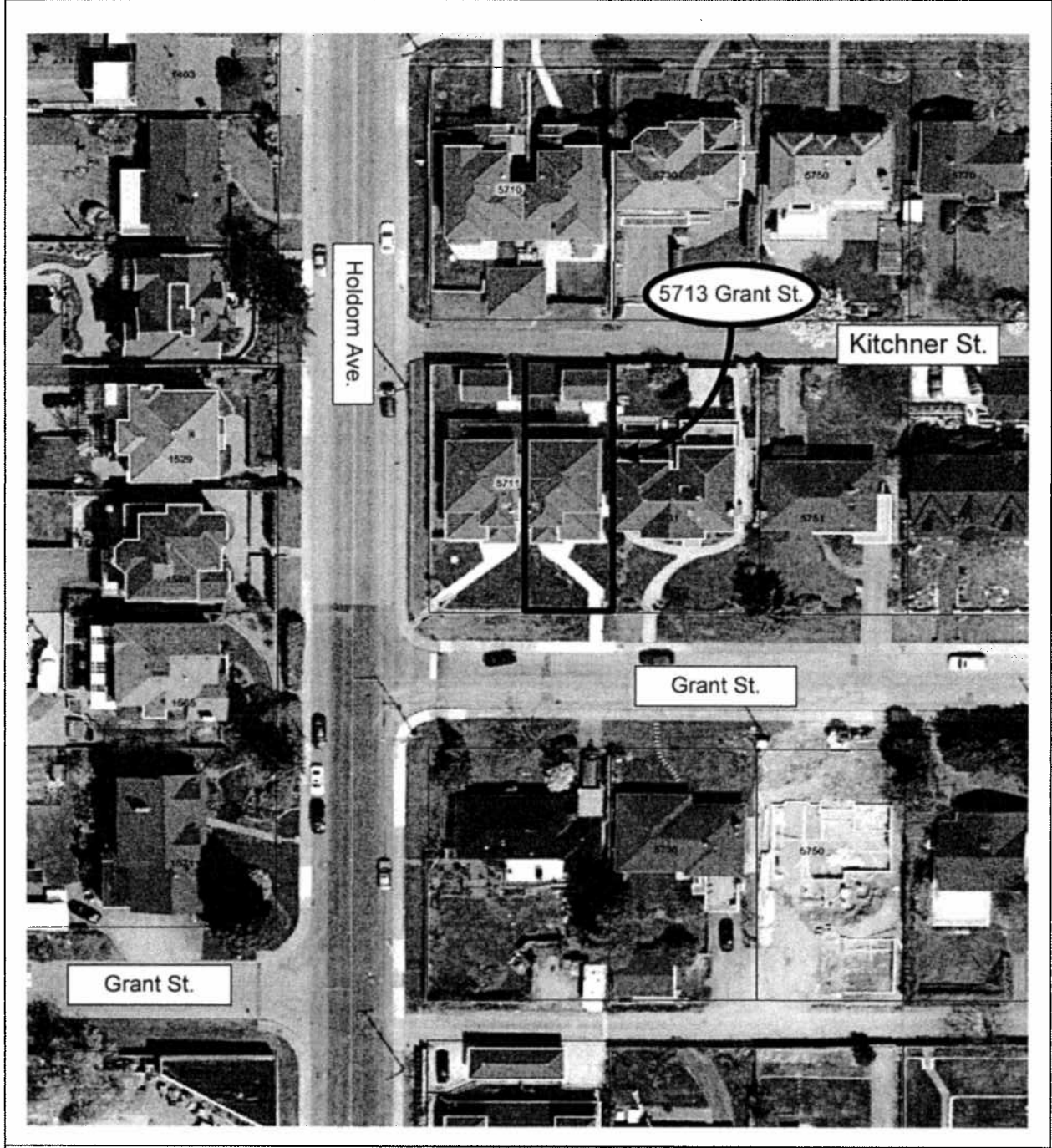
The City Clerk, in keeping with Section 57 (2) of the Community Charter, has notified the property owners and provided them with the opportunity to appear before Council to address this staff report.


Basil Luksun, Director
Planning & Building Department

JMK:su

Attachment

Copied to: City Clerk
City Solicitor
Director Finance
Chief Building Inspector



Planning and Building Department

Scale: 1 = 1500

Drawn By: su

Date: 2010 Jan 05

Council Report

5713 Grant Street, Burnaby, BC

STRATA LOT 2 DISTRICT LOT 129 GROUP 1 N.W.D.STRATA
PLAN BCS2454

Sketch #1