

## COUNCIL REPORT

---

**TO:** CITY MANAGER **DATE:** 2007 December 04

**FROM:** DIRECTOR PLANNING & BUILDING

**SUBJECT:** 3734 FRANCES STREET, BURNABY, BC  
LOT "A" DISTRICT LOT 116 GROUP 1 NEW WESTMINSTER  
DISTRICT PLAN 12086

**PURPOSE:** To request a Council resolution to file a Notice in the Land Title Office pursuant to Section 57 of the Community Charter.

---

**RECOMMENDATIONS:**

1. **THAT** Council direct the City Clerk to file a Notice in the Land Title Office 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 following owner:
  - (a) Baljinder Gill  
6651 Ross Street  
Vancouver, BC V5X 4S1

**REPORT****1.0 SUMMARY**

Building Permit BLD05-00497 was issued 2005 June 06, for the construction of a new single family dwelling with detached garage. Work proceeded to the point of frame approval on 2005 August 10. Subsequent to this date, inspections ceased, the dwelling was sold without a transfer of the building permit being completed, and the permit eventually passed its expiry date of 2007 June 06. The property owner has not responded to letters mailed and hand delivered to his residence.

**2.0 BACKGROUND**

Building permit BLD05-00497 was issued to applicant, Sohan Chahal, on 2005 June 06, for the construction of a new single family dwelling with detached garage.

To: City Manager  
From: Director Planning & Building  
Re: Resolution to File a Notice in the Land Title Office  
3734 Frances Street

2007 December 04..... Page 2

The building inspector performed his last inspection on 2005 August 10. At that time, electrical, gas and plumbing permits had reached the rough approval stage, and the framing and insulation were approved by the building inspector.

The Building Department was advised by a letter, dated 2005 July 27, that the original applicant Sohan Chahal, "authorized Baljinder Gill and Tarsem Gill to use his permits and blue print for the construction of the house." The transfer fee was submitted, but the other requirements to change the ownership of the building permit were not completed.

A search of Land Title records indicates that application for registration was received 09 August 2005 and entered 2005 August 17 for the new property owner, Baljinder Gill.

The matter came to the attention of Bylaw Enforcement staff when the building permit reached its expiry date, 2007 June 06, and attempts to contact the new owner were unsuccessful.

Although letters have been mailed and hand delivered to the residence of the current property owner, there has been no response.

There has been no progress on the construction of the dwelling and garage since the change of ownership and the site has been the subject of complaints from neighbours relating to construction waste and unauthorized dumping.

### 3.0 CONTRAVENTION OF BYLAWS

The owner is in contravention of Burnaby Building Bylaw 2004, Sect. 4 (6) - Permit Conditions - (the transfer of the permit to the new owner has not been completed) and Sect. 18(2) - Permit Expiration - (where work shall cease and the construction be removed unless a new permit application is made).

### 4.0 CONCLUSION

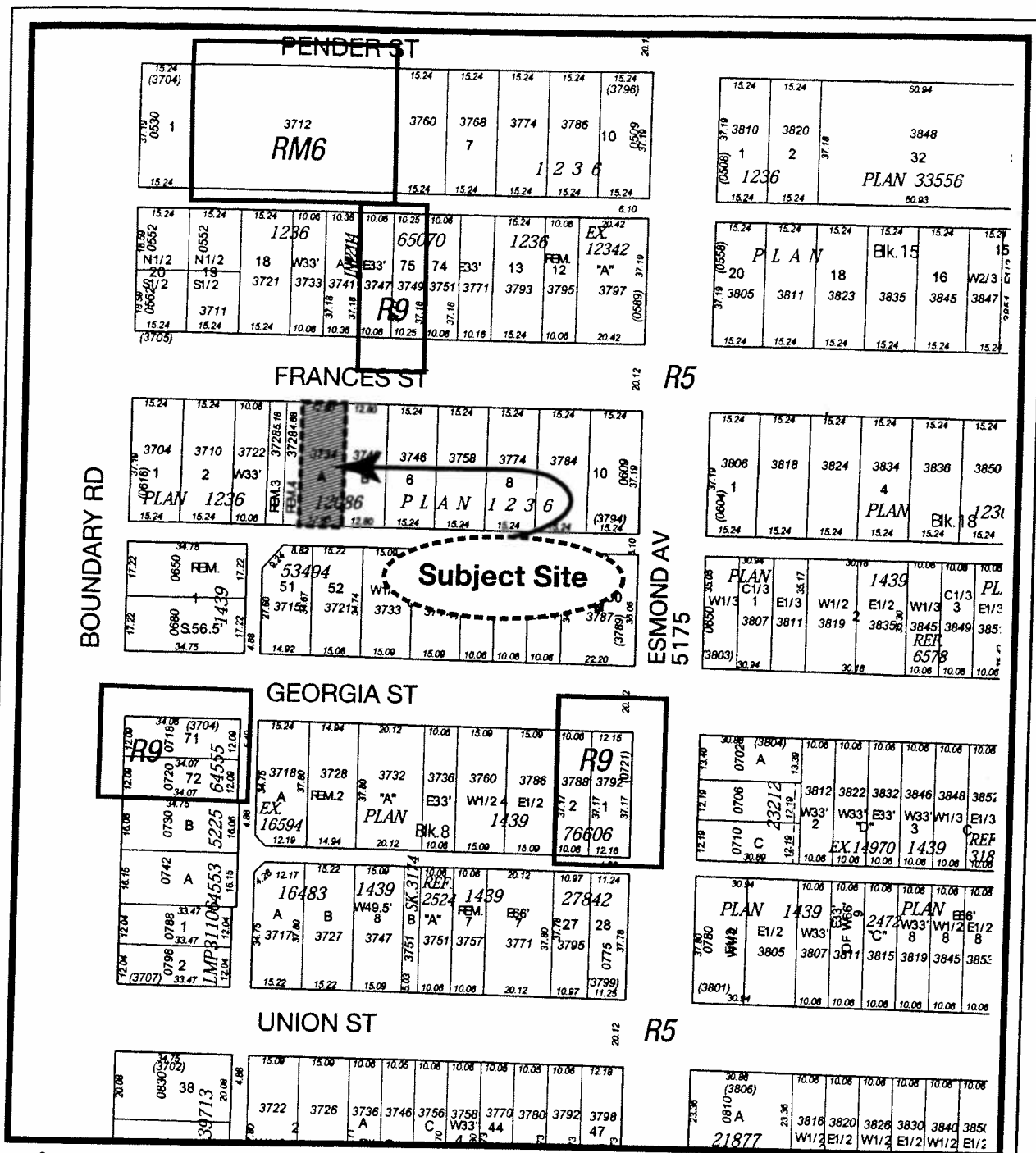
The filing of a notice in the Land Title office will ensure that should the property owner decide to sell this partly constructed dwelling, potential purchasers will be made aware of the status of the building permit.

Issuance of a new building permit will be required before construction can proceed.

  
B. B. Luksun, Director  
PLANNING & BUILDING

LP'su  
Attachment

Copied to: City Solicitor  
Director Finance  
Chief Building Inspector  
P:\Bylaw\notice on title reports\BLD-3734 Frances St.doc



## Planning and Building Department

Scale 1 = 1500

Drawn by: rcn

Date: December 2007

## Council Report

3734 Frances Street  
Lot "A" District Lot 116, New Westminster Plan 12086

Sketch #1