



AGENDA SPECIAL COUNCIL MEETING

Thursday, July 18, 2024, 7:00 P.M.

SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE
80 COMMERCIAL STREET, NANAIMO, BC

1. CALL THE MEETING TO ORDER:
2. INTRODUCTION OF LATE ITEMS:
3. APPROVAL OF THE AGENDA:
4. REPORTS:

- a. Bylaw Contravention Notice - Construction Not Completed As Per Conditions Of Building Permit - 5804 Tweedsmuir Crescent

To be introduced by Darcy Fox, Manager, Building Inspections.

Purpose: To obtain Council authorization to proceed with the registration of a Bylaw Contravention Notice on the property title of 5804 Tweedsmuir Crescent.

Recommendation: That Council direct the Corporate Officer to file a Bylaw Contravention Notice at the Land Title and Survey Authority of British Columbia under Section 57 of the *Community Charter* for the property located at 5804 Tweedsmuir Crescent for construction not completed as per the conditions of the building permit.

- b. Bylaw Contravention Notice - Construction Not Completed As Per Conditions Of Building Permit - 930 Woodpecker Lane

To be introduced by Darcy Fox, Manager, Building Inspections.

Purpose: To obtain Council authorization to proceed with the registration of a Bylaw Contravention Notice on the property title of 930 Woodpecker Lane.

Recommendation: That Council direct the Corporate Officer to file a Bylaw Contravention Notice at the Land Title and Survey Authority of British Columbia under Section 57 of the *Community Charter* for the property located at 930 Woodpecker Lane for construction not completed as per the conditions of the building permit.

c. Bylaw Contravention Notice - Construction Started Without A Building Permit - 120 Swan Place

To be introduced by Darcy Fox, Manager, Building Inspections.

Purpose: To obtain Council authorization to proceed with the registration of a Bylaw Contravention Notice on the property title of 120 Swan Place.

Recommendation: That Council direct the Corporate Officer to file a Bylaw Contravention Notice at the Land Title and Survey Authority of British Columbia under Section 57 of the *Community Charter* for the property located at 120 Swan Place for construction started without a building permit in contravention of "Building Bylaw 2016 No. 7224".

d. Bylaw Contravention Notice - Construction Started Without A Building Permit - 176 McKinnon Place

To be introduced by Darcy Fox, Manager, Building Inspections.

Purpose: To obtain Council authorization to proceed with the registration of a Bylaw Contravention Notice on the property title of 176 McKinnon Place.

Recommendation: That Council direct the Corporate Officer to file a Bylaw Contravention Notice at the Land Title and Survey Authority of British Columbia under Section 57 of the *Community Charter* for the property located at 176 McKinnon Place for construction started without a building permit in contravention of "Building Bylaw 2016 No. 7224".

e. Bylaw Contravention Notice - Construction Started Without A Building Permit - 18 Machleary Street

To be introduced by Darcy Fox, Manager, Building Inspections.

Purpose: To obtain Council authorization to proceed with the registration of a Bylaw Contravention Notice on the property title of 18 Machleary Street.

Recommendation: That Council direct the Corporate Officer to file a Bylaw Contravention Notice at the Land Title and Survey Authority of British Columbia under Section 57 of the *Community Charter* for the property located at 18 Machleary Street for construction started without a building permit in contravention of "Building Bylaw 2016 No. 7224".

f. Bylaw Contravention Notice - Construction Started Without A Building Permit - 836 Douglas Avenue

To be introduced by Darcy Fox, Manager, Building Inspections.

Purpose: To obtain Council authorization to proceed with the registration of a Bylaw Contravention Notice on the property title of 836 Douglas Avenue.

Recommendation: That Council direct the Corporate Officer to file a Bylaw Contravention Notice at the Land Title and Survey Authority of British Columbia under Section 57 of the *Community Charter* for the property located at 836 Douglas Avenue for construction started without a building permit in contravention of "Building Bylaw 2016 No. 7224".

g. Illegal Construction - 3712 Sundown Drive

To be introduced by Dave LaBerge, Director, Public Safety.

Purpose: To inform Council that substantial alterations and additions have been made to exterior stairs and raised decks at 3712 Sundown Drive without a building permit rendering the structure unsafe and in contravention of the BC Building Code, and to recommend that a Remedial Action Requirement be issued.

Recommendation: That Council:

1. Declare that the exterior stairs and decks at 3712 Sundown Drive are unsafe, contravene the Provincial building regulations, and creates hazardous conditions.
2. Impose remedial action requirements in relation to the provisions of Sections 72 and 73 of the *Community Charter*.
3. Direct the remedial action requirements to include:
 - a. A building permit application signed by all owners on title must be submitted within 90 days from the date the remedial action requirement is imposed. The permit application must include:
 1. BC Building Code-compliant, designer-quality drawings.
 2. A signed/sealed survey prepared by a BC Land Surveyor, with all decks and stairs meeting City of Nanaimo Zoning Bylaw setback requirements without encroaching into Statutory Right-of-Ways.
 3. Structural Engineer's sealed design and Schedule B for design and field review of the foundation and framing.
 4. Geotechnical Engineer's sealed Schedule B for design and field review of bearing capacity of soil, compaction of engineered fill, structural considerations of soil including slope stability and seismic loading.
 5. Geotechnical Engineer sign off on the bearing capacity of foundations which have already been poured or the foundations must be removed and re-excavated for inspection.
 6. Design and field review (Schedule B) of glass guards on upper decks completed by an engineer or an Architectural Schedule B for structural capacity of architectural components.
 - b. The building permit must be picked up and paid in full within 14 days of issuance.
 - c. The scope of work set out in the building permit application must be completed within 90 days from the date the building permit is issued.
4. Direct Staff to advise the owner(s) that they may request Council reconsider the Remedial Action Requirement by providing written notice within 14 days of the date on which notice of the remedial action requirement was sent.

5. Direct Staff or its authorized agents to take action in accordance with Section 17 of the *Community Charter* without further notice and at the owner's expense if the said remedial action is not undertaken within the timeline set out in Council's resolution.

5. ADJOURNMENT: