

DATE OF MEETING | August 2, 2018 |

AUTHORED BY | DARCY FOX, MANAGER, BUILDING INSPECTIONS |

SUBJECT | **BYLAW CONTRAVENTION NOTICE - CONSTRUCTION STARTED WITHOUT A BUILDING PERMIT – 685 NICOL STREET** |

OVERVIEW

Purpose of Report

To obtain Council authorization to proceed with the registration of a Bylaw Contravention Notice on the property title of 685 Nicol 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 685 Nicol Street for construction started without a building permit in contravention of “Building Bylaw 2016 No. 7224”. |

BACKGROUND

An inspection was conducted 2016-JAN-04 in response to a complaint regarding illegal construction of a deck. As the result of a posted Stop Work Order, an application for the work was received and a permit issued 2016-JAN-29. However, the permit has now expired with deficiencies remaining outstanding in contravention of the Building Bylaw. Pursuant to Section 57 of the *Community Charter*, it is recommended that a notice be registered on the property title to reflect the contravention of “Building Bylaw 2016 No. 7224”. |

DISCUSSION

The purpose of registering a Bylaw Contravention Notice (Section 57 of the *Community Charter*) on the title of the affected property is to advise those with an interest in the property of the regulations contravened, to provide disclosure to future owners and to protect taxpayers against potential claims with regard to the regulations contravened. |

SUMMARY POINTS

- Construction requiring a building permit was undertaken without first obtaining a permit.
- A building permit was issued subsequently, but has now expired with deficiencies remaining outstanding.
- Registration of a Bylaw Contravention Notice is required on the title of the affected property to advise those with an interest in the property of the regulations

contravened, to provide disclosure to future owners and to protect taxpayers against potential claims with regard to the regulations contravened.

Submitted by:

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Concurrence by:

Dale Lindsay
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