

DATE OF MEETING October 4, 2018

AUTHORED BY DARCY FOX, MANAGER, BUILDING INSPECTIONS

**SUBJECT BYLAW CONTRAVENTION NOTICE - CONSTRUCTION STARTED WITHOUT A BUILDING PERMIT – 2204 BELWOOD ROAD**

## **OVERVIEW**

### **Purpose of Report**

To obtain Council authorization to proceed with the registration of a Bylaw Contravention Notice on the property title of 2204 Belwood Road.

### **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 2204 Belwood Road for construction started without a building permit in contravention of "Building Bylaw 2016 No. 7224".

## **BACKGROUND**

An inspection was completed on 2017-JUL-20 in response to a complaint received regarding illegal construction. The inspection confirmed that work was underway to construct a deck without a building permit. A Stop Work Order was posted on the job site and correspondence was forwarded to the owner advising that a building permit was required for this work. The deadline for a building permit application was 2018-AUG-15. To date, a building permit application has not been received. Additionally, a heat pump was observed in the front yard of the property. The property owner was advised that the heat pump was to be relocated to the rear yard or a development variance permit submitted. To date, an application for a variance has not been received, nor has the owner contacted the City regarding a relocation of the unit.

Pursuant to Section 57 of the *Community Charter*, it is recommended that a notice be registered on the property title to reflect the work undertaken without a permit or inspections in contravention of "Building Bylaw 2016 No 7224" and the violation of "Zoning Bylaw 2011 No. 4500".

Further to the registration of the notice, this matter will be referred to Bylaw Services for further enforcement.

## **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.
- The deadline to submit a building permit application has passed.
- 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.
- Further to the registration of the notice, this matter will be referred to Bylaw Services for further enforcement.

**Submitted by:**

Darcy Fox  
Manager, Building Inspections

**Concurrence by:**

Dale Lindsay  
Director, Community Development