

DATE OF MEETING | January 3, 2019 |

AUTHORED BY | DARCY FOX, MANAGER, BUILDING INSPECTIONS |

SUBJECT | BYLAW CONTRAVENTION NOTICE - CONSTRUCTION STARTED WITHOUT A BUILDING PERMIT – 139 WILDLIFE PLACE |

OVERVIEW

Purpose of Report

To obtain Council authorization to proceed with the registration of a Bylaw Contravention Notice on the property title of 139 Wildlife 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 139 Wildlife Place for construction started without a building permit in contravention of “Building Bylaw 2016 No. 7224”. |

BACKGROUND

A building permit application for construction of a roof over an existing patio was received 2017-AUG-28. However, the permit application expired without being issued. A site inspection 2018-OCT-25 confirmed that an aluminum roof had been constructed over the deck without a building permit or the required inspections. Correspondence was forwarded to the owners advising of the requirement for a building permit for the work. To date, a building permit application has not been received, nor has the owner contacted Staff with regard to removal of the structure. 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”.

This matter will be forwarded 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

- A building permit was applied for, but not issued.
- Construction requiring a building permit was undertaken without first obtaining the applied for building permit.
- 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