

DATE OF MEETING | January 3, 2019 |

AUTHORED BY | DARCY FOX, MANAGER, BUILDING INSPECTIONS |

SUBJECT | BYLAW CONTRAVENTION NOTICE - CONSTRUCTION STARTED WITHOUT A BUILDING PERMIT – 1799 STEWART AVENUE |

OVERVIEW

Purpose of Report

To obtain Council authorization to proceed with the registration of a Bylaw Contravention Notice on the property title of 1799 Stewart 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 1799 Stewart Avenue for construction started without a building permit in contravention of “Building Bylaw 2016 No. 7224”. |

BACKGROUND

An inspection was completed on 2018-OCT-16 in response to a complaint received regarding illegal construction. The inspection confirmed that work was underway to construct a new shed structure on a new deck exceeding 2ft above grade 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 the work. The deadline for a building permit application was 2018-NOV-02. To date, a building permit application has not been received. Pursuant to Section 57 of the *Community Charter*, it is recommended that a notice be registered on the property title to reflect the work completed without a permit or inspections in contravention of “Building Bylaw 2016 No 7224”.

This matter will be referred to Bylaws 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