

DATE OF MEETING | March 14, 2019 |

AUTHORED BY | DARCY FOX, MANAGER, BUILDING INSPECTIONS |

**SUBJECT | BYLAW CONTRAVENTION NOTICE - CONSTRUCTION STARTED WITHOUT A BUILDING PERMIT – 479 PARK AVENUE |**

## **OVERVIEW**

### **Purpose of Report**

To obtain Council authorization to proceed with the registration of a Bylaw Contravention Notice on the property title of 479 Park 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 479 Park Avenue for construction started without a building permit in contravention of “Building Bylaw 2016 No. 7224”. |

## **BACKGROUND**

An inspection was completed on 2018-OCT-25 in response to a complaint received regarding illegal construction. The inspection confirmed that work was underway to alter windows without a building permit. 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-DEC-11. 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”. |

## **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