

DATE OF MEETING April 5, 2018

AUTHORED BY DARCY FOX, MANAGER, BUILDING INSPECTIONS

SUBJECT BYLAW CONTRAVENTION NOTICE – CONSTRUCTION NOT COMPLETED AS PER CONDITIONS OF BUILDING PERMIT – 5030 LOST LAKE ROAD

OVERVIEW

Purpose of Report

To obtain Council authorization to proceed with the registration of a Bylaw Contravention Notice on the property title of 5030 Lost Lake 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 5030 Lost Lake Road for construction not completed as per the conditions of the building permit.

BACKGROUND

A building permit for construction of a lock block retaining wall was issued 2016-OCT-05. However, the permit has expired and deficiencies, including an encroachment onto City property, remain outstanding in contravention of the Building Bylaw. The owner was given 30 days to rectify the outstanding deficiencies, but has declined to do so. Therefore, 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".

Although the matter of the encroachment was transferred to Bylaw Services on 2018-MAR-06 for further action and removal enforcement, a notice is required to disclose to those with an interest in the property of the regulations contravened and the deficiencies that remain outstanding.

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 was not completed as per the conditions of the permit.
- The deadline to renew the permit 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.

Submitted by:

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Concurrence by:

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