

DATE OF MEETING September 19, 2019

AUTHORED BY DAVID LABERGE, MANAGER, BYLAW SERVICES

SUBJECT UNAUTHORIZED STRUCTURE – 3440 SHENTON ROAD

OVERVIEW

Purpose of Report

To obtain Council authorization to enforce the provisions of the *Community Charter* related to an unauthorized temporary fabric-covered structure.

Recommendation

That Council:

1. issue a Remedial Action Order at 3440 Shenton Road pursuant to Sections 72 and 73 of the *Community Charter*;
2. direct Staff to advise the owner that he may request Council reconsider the Remedial Action Order by providing written notice within 14 days of the date on which notice of the remedial action requirement was sent;
3. direct Staff or its authorized agents to take action in accordance with Section 17 of the *Community Charter* without further notice and at the owner's expense if the said remedial action is not undertaken within 30 days of Council's resolution; and
4. direct that the remedial action consist of removal of the temporary fabric-covered structure.

BACKGROUND

The property at 3440 Shenton Road is the site of Enterprises Rent-a-Car Canada Ltd, operating as a commercial business. A complaint was received regarding a temporary fabric structure that has been erected on the property, which is utilized by the business as a car wash/detailing station. Temporary fabric structures are permitted for a limited time; however, as the structure exceeds 23m², a building permit with an accompanying structural engineering report must be obtained. A building permit has not been obtained, and the structure is therefore a hazard.

DISCUSSION

The business owner responsible for erecting the structure met with Staff from the Building Inspections Section and has been given options for legalizing this structure or erecting a permanent structure on site. The property owner was given direction to remove the temporary structure and has failed to do so.

OPTIONS

1. That Council:
 - a) issue a Remedial Action Order at 3440 Shenton Road pursuant to Sections 72 and 73 of the *Community Charter*;
 - b) direct Staff to advise the owner that he may request Council reconsider the Remedial Action Order by providing written notice within 14 days of the date on which notice of the remedial action requirement was sent;
 - c) direct Staff or its authorized agents to take action in accordance with Section 17 of the *Community Charter* without further notice and at the owner's expense if the said remedial action is not undertaken within 30 days of Council's resolution; and
 - d) that the remedial action consist of removal of the temporary fabric-covered structure.

2. That Council provide alternative direction. |

SUMMARY POINTS

- An illegal structure has been located on the property.
- The fabric-covered structure exceeds the allowable 23m², and to remain, would require a building permit.
- The property owner has been directed to remove the structure.

Submitted by:

David LaBerge
Manager, Bylaw Services |

Concurrence by:

Bill Corsan
Director, Community Development

Dale Lindsay
General Manager, Development Services |