

DATE OF MEETING | October 9, 2019 |

AUTHORED BY | DARCY FOX, MANAGER, BUILDING INSPECTIONS |

SUBJECT | BYLAW CONTRAVENTION NOTICE - CONSTRUCTION STARTED WITHOUT A BUILDING PERMIT – 4663 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 4663 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 4663 Lost Lake Road for construction started without a building permit in contravention of “Building Bylaw 2016 No. 7224”. |

BACKGROUND

An inspection on 2019-MAR-07 was conducted as part of a site visit for a previously-applied for permit, during which the inspector observed three accessory buildings had been constructed on the property, two of which appear to encroach in to the setback area. Correspondence was forwarded to the property owners with a deadline to submit a building permit application for the two larger accessory buildings and a survey to show the building locations. To date, the permit application and survey have not been received. Pursuant to Section 57 of the Community Charter, it is recommended 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”. |

As two of the buildings encroach into the setback area, this matter will be referred to Bylaws Services for removal 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:

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Concurrence by:

Jeremy Holm
Director, Development Approvals

Dale Lindsay
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