

DATE OF MEETING February 13, 2020

AUTHORED BY DARCY FOX, MANAGER, BUILDING INSPECTIONS

SUBJECT BYLAW CONTRAVENTION NOTICE – CONSTRUCTION NOT COMPLETED AS PER CONDITIONS OF BUILDING PERMIT – 3365 DEPARTURE BAY ROAD

OVERVIEW

Purpose of Report

To obtain Council authorization to proceed with the registration of a Bylaw Contravention Notice on the property title of 3365 Departure Bay 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 3365 Departure Bay Road for construction not completed as per the conditions of the building permit.

BACKGROUND

During the course of a site inspection for a retaining wall permit on 2019-FEB-27, the inspector observed work being undertaken to alter the dwelling, including cutting into the structural concrete, without the required building permit. A Stop Work Order was posted and a building permit was subsequently applied for. However, although the permit was issued, no inspections were called for and the permit has now expired with the illegal works remaining. 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 the construction is considered a safety issue, this matter will be forwarded to Bylaw 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 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.
- As the construction is considered a safety issue, this matter will be forwarded to Bylaw Services for removal enforcement.

Submitted by:

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Concurrence by:

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