

DATE OF MEETING | February 13, 2020 |

AUTHORED BY | DARCY FOX, MANAGER, BUILDING INSPECTIONS |

SUBJECT | **BYLAW CONTRAVENTION NOTICE - CONSTRUCTION STARTED WITHOUT A BUILDING PERMIT – 4259 CLUBHOUSE DRIVE** |

OVERVIEW

Purpose of Report

To obtain Council authorization to proceed with the registration of a Bylaw Contravention Notice on the property title of 4259 Clubhouse Drive. |

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 4259 Clubhouse Drive for construction started without a building permit in contravention of “Building Bylaw 2016 No. 7224”. |

BACKGROUND

An inspection was completed on 2019-JUN-24 in response to a complaint received regarding illegal construction. The inspection confirmed that two accessory buildings had been built in the rear yard without a building permit. Correspondence was forwarded to the owner advising that the structures must be removed. A follow-up inspection to confirm removal of the structures was conducted 2019-JUL-16; however, the inspector observed the structures remained in place. The owner indicated at that time his preference to keep the structures and have a notice placed on the property title. 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 buildings do not conform to the Building Code or the Zoning Bylaw, Staff will refer this matter to Bylaw Services for further 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 structures remain in place.
- 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:

Jeremy Holm
Director, Community Development

Dale Lindsay
General Manager, Development Services