

DATE OF MEETING | November 19, 2020 |

AUTHORED BY | DARCY FOX, MANAGER, BUILDING INSPECTIONS |

SUBJECT | **BYLAW CONTRAVENTION NOTICE - CONSTRUCTION STARTED WITHOUT A BUILDING PERMIT – 3042 MCCAULEY DRIVE** |

## **OVERVIEW**

### **Purpose of Report**

To obtain Council authorization to proceed with the registration of a Bylaw Contravention Notice on the property title of 3042 McCauley 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 3042 McCauley 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 multiple illegal construction projects at the property, including a ground-level addition to the dwelling and the enclosing of the back deck. A Stop Work Order was posted on the job site and correspondence was forwarded to the owner advising that the illegal construction works were to be removed and guardrails on the deck reinstated. The deadline for removal was 2019-JUL-12. A drive-by inspection 2020-FEB-27 revealed the illegal construction remains. 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”.

Further to the registration of this notice, this matter will be referred to Bylaw Services for further enforcement (upgrade or removal).

## **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 this notice, this matter will be referred to Bylaw Services for further enforcement.

#### **Submitted by:**

Darcy Fox  
Manager, Building Inspections

#### **Concurrence by:**

Jeremy Holm  
Director, Development Approvals

Dale Lindsay  
General Manager, Development Services