

DATE OF MEETING | January 21, 2021 |

AUTHORED BY | DARCY FOX, MANAGER, BUILDING INSPECTIONS |

SUBJECT | BYLAW CONTRAVENTION NOTICE - CONSTRUCTION STARTED WITHOUT A BUILDING PERMIT – 5433 METRAL DRIVE |

OVERVIEW

Purpose of Report

To obtain Council authorization to proceed with the registration of a Bylaw Contravention Notice on the property title of 5433 Metral 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 5433 Metral Drive for construction started without a building permit in contravention of “Building Bylaw 2016 No. 7224”. |

BACKGROUND

An inspection 2020-SEP-24 was conducted in conjunction with Bylaw Services as the result of a complaint received with respect to a grow operation (“grow-op”). The inspector found the building to be altered to change the use of the dwelling to accommodate the grow-op, as well as work undertaken to fill in the carport and to construct a sundeck on pier block foundations without permit. During a follow-up inspection with Bylaw Services and Public Works 2020-NOV-06, a Do Not Occupy Order was posted and will be in effect until the dwelling is deemed habitable through the successful completion of a building permit. A building permit application to remediate the grow-op and associated building deficiencies has been received; however, the application is incomplete and efforts to obtain the required documents remain unresolved. Pursuant to Section 57 of the *Community Charter*, a notice on title is recommended for the work completed without a building permit as well as to reflect that the dwelling was used for the purpose of growing marijuana. |

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.

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