

DATE OF MEETING     March 18, 2021

AUTHORED BY         DARCY FOX, MANAGER, BUILDING INSPECTIONS

**SUBJECT                BYLAW CONTRAVENTION NOTICE – CONSTRUCTION NOT  
COMPLETED AS PER CONDITIONS OF BUILDING PERMIT –  
2883 GLEN EAGLE CRESCENT**

## **OVERVIEW**

### **Purpose of Report**

To obtain Council authorization to proceed with the registration of a Bylaw Contravention Notice on the property title of 2883 Glen Eagle Crescent.

### **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 2883 Glen Eagle Crescent for construction not completed as per the conditions of the building permit.

## **BACKGROUND**

An inspection on 2017-JUN-12 revealed that a secondary suite was constructed within the single-family dwelling sometime after 2005 without a permit or inspections. A post-inspection letter was forwarded to the owners outlining deficiencies and detailing what is required in order to legalize the suite. The owners contacted the City and an inspection to confirm removal of the suite was conducted on 2017-NOV-27, the results of which found deficiencies remaining, including an intact kitchen. The deadline for a building permit application of 2018-JAN-03 to retain the kitchen was not met and the matter was referred to Council.

At the 2018-APR-05 Special Council meeting, Council referred the matter back to Staff for further consultation with the homeowner. Consequently, a building permit application was issued 2018-NOV-28 to decommission the illegal suite and return the building back to a single family dwelling with included seasonal kitchen in the basement as part of the main dwelling. This required the removal of a stairwell wall and the installation of an open guard in its place, as well as the exposing and review of plumbing installed for a laundry and the kitchen sink previously installed. However, no inspections were conducted under the permit, and the permit subsequently expired.

A monitoring inspection conducted 2020-OCT-21 found that all the work had been completed without the required inspections having been done. Therefore, a notice on title is recommended to reflect the construction undertaken without the required inspections, in contravention of "Building Bylaw 2016 No. 7224".

## **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.

### **Submitted by:**

Darcy Fox  
Manager, Building Inspections

### **Concurrence by:**

Jeremy Holm  
Director, Development Approvals

Dale Lindsay  
General Manager, Development Services