

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 – 5862 BROADWAY ROAD

OVERVIEW

Purpose of Report

To obtain Council authorization to proceed with the registration of a Bylaw Contravention Notice on the property title of 5862 Broadway 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 5862 Broadway Road for construction not completed as per the conditions of the building permit.

BACKGROUND

A building permit application (BP123562) to install a swimming pool was received 2017-AUG-02. During the site visit for the permit application, the inspector observed the swimming pool had already been installed without the required permit having been issued or inspections done. Correspondence was forwarded to owner advising of the requirement for revised drawings for the already-installed pool. The requested as-built drawings were not submitted and the permit application subsequently expired. A new permit application was submitted and issued 2019-SEP-06 (BP124999); however, no inspections were called and the permit expired. Correspondence was forwarded to the owner 2020-OCT-20 advising of the deficiencies remaining to be rectified; however, the City became aware the property had been sold and was under new ownership. Correspondence was forwarded to the new owners 2020-NOV-24 advising of the outstanding permit, with opportunity given to rectify the outstanding deficiencies, but to date, the deficiencies have not been rectified. 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".

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.

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