

DATE OF MEETING | April 15, 2021 |

AUTHORED BY | DARCY FOX, MANAGER, BUILDING INSPECTIONS |

**SUBJECT | BYLAW CONTRAVENTION NOTICE – CONSTRUCTION STARTED WITHOUT A BUILDING PERMIT – 179 CAPT MORGANS BOULEVARD |**

## **OVERVIEW**

### **Purpose of Report**

To obtain Council authorization to proceed with the registration of a Bylaw Contravention Notice on the property title of 179 Capt Morgans Boulevard. |

### **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 179 Capt Morgans Boulevard for construction started without a building permit in contravention of “Building Bylaw 2016 No. 7224”. |

## **BACKGROUND**

An inspection was completed on 2020-OCT-27 in response to a complaint received regarding illegal construction. The inspection confirmed that work was underway to construct an accessory building exceeding 10m<sup>2</sup> without a building permit. A Stop Work Order was posted on the job site and correspondence was forwarded to the owner advising that the structure was to be reduced to less than 10m<sup>2</sup> in size, or that a building permit was required for the work, with a deadline provided for compliance of 2020-NOV-29. To date, a building permit application has not been received. An inspection 2021-MAR-09 found the structure to remain unmodified. 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 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.

#### **Submitted by:**

Darcy Fox  
Manager, Building Inspections

#### **Concurrence by:**

Jeremy Holm  
Director, Development Approvals

Dale Lindsay  
General Manager, Development Services