

DATE OF MEETING April 15, 2021

AUTHORED BY DARCY FOX, MANAGER, BUILDING INSPECTIONS

**SUBJECT BYLAW CONTRAVENTION NOTICE – CONSTRUCTION NOT COMPLETED AS PER CONDITIONS OF BUILDING PERMIT – 341 CHESTERLEA AVENUE**

## **OVERVIEW**

### **Purpose of Report**

To obtain Council authorization to proceed with the registration of a Bylaw Contravention Notice on the property title of 341 Chesterlea Avenue.

### **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 341 Chesterlea Avenue for construction not completed as per the conditions of the building permit.

## **BACKGROUND**

An inspection was completed on 2018-OCT-03 in response to a complaint received regarding illegal construction. The inspection confirmed that extensive structure repairs, including new beams, new exterior walls with new windows, and new plumbing were underway without a building permit. A Stop Work Order was posted on the job site and correspondence was forwarded to the owner advising that a building permit was required for the work. The deadline for a building permit application was 2018-OCT-25, which was extended to 2018-NOV-09 and again to 2018-NOV-30. A building permit application was subsequently received and issued 2019-JUL-18. However, no inspections were called and the permit expired as incomplete. Correspondence was forwarded to the property owner advising of the expired permit and providing opportunity to correct outstanding deficiencies or to submit a new building permit application. However, to date, a building permit application has not been received, nor has the City been contacted regarding inspections for corrected deficiencies. 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.

#### **Submitted by:**

Darcy Fox  
Manager, Building Inspections

#### **Concurrence by:**

Jeremy Holm  
Director, Development Approvals

Dale Lindsay  
General Manager, Development Services