

DATE OF MEETING | November 18, 2021 |

AUTHORED BY | DARCY FOX, MANAGER, BUILDING INSPECTIONS |

**SUBJECT | BYLAW CONTRAVENTION NOTICE - CONSTRUCTION STARTED  
WITHOUT A BUILDING PERMIT – 3411 SHENTON ROAD |**

## **OVERVIEW**

### **Purpose of Report**

To obtain Council authorization to proceed with the registration of a Bylaw Contravention Notice on the property title of 3411 Shenton 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 3411 Shenton Road for construction started without a building permit in contravention of “Building Bylaw 2016 No. 7224”. |

## **BACKGROUND**

A building permit application to complete two previously-retired permits (BP122528/BP125718) for washroom changes was submitted 2021-JAN-26 (BP127131). As part of a site visit for this application and to verify current status of the structure with respect to a Fire Order issued 2017-FEB-22, an inspection was conducted 2021-JUN-22 in conjunction with Fire and Loss Prevention. During the course of the inspection, a number of non-compliant issues were observed. Correspondence was forwarded to the property owner advising of the issues and the requirement for a building permit to bring the structure into compliance. The deadline for a building permit application was 2021-JUL-26. To date, a building permit application has not been received. Pursuant to Section 57 of the *Community Charter*, it is recommended a notice be registered on the property title to reflect the outstanding issues with respect to building safety in contravention of “Building Bylaw 2016 No. 7224”.

As the issues observed are a safety concern, this matter will be referred to Bylaw Services for an Upgrade Order. |

## **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.
- Further to the registration of the notice, this matter will be referred to Bylaw Services for further enforcement.

#### **Submitted by:**

Darcy Fox  
Manager, Building Inspections

#### **Concurrence by:**

Jeremy Holm  
Director, Community Development

Dale Lindsay  
General Manager, Development Services