

DATE OF MEETING June 16, 2022

AUTHORED BY DARCY FOX, MANAGER, BUILDING INSPECTIONS

SUBJECT **BYLAW CONTRAVENTION NOTICE - CONSTRUCTION STARTED WITHOUT A BUILDING PERMIT – 900 DARSHAN PLACE**

## **OVERVIEW**

### **Purpose of Report**

To obtain Council authorization to proceed with the registration of a Bylaw Contravention Notice on the property title of 900 Darshan Place.

### **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 900 Darshan Place for construction started without a building permit in contravention of “Building Bylaw 2016 No. 7224”.

## **BACKGROUND**

An inspection was conducted on 2021-MAY-26 as a result of a complaint received regarding illegal construction. The inspection confirmed work had been completed to add a set of stairs off the second-storey rear deck and to incorporate a second suite on the lower floor, adjacent an existing legal secondary suite. A post-inspection letter was forwarded to the owners advising of the requirement to submit a building permit application for the stairs, and to remove the illegal second suite. A permit application was subsequently received, however none of the required work has been completed, and the permit has expired. Inspections conducted 2021-JUN-28, 2021-SEP-01, and 2021-NOV-08 were unsuccessful in confirmed removal of the suite was incomplete.

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.”

This matter will also be referred to Bylaw Services for removal enforcement.

## **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.
- A second suite was installed in contravention of zoning.
- A permit was issued to legalize the stairs. It is incomplete and has expired.
- The removal of the illegal second suite is incomplete.
- 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  
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#### **Concurrence by:**

Jeremy Holm  
Director, Development Approvals

Dale Lindsay  
General Manager, Development Services /  
Deputy CAO