

DELIVERED TO BROTHERS
LEX BERNIER
2022/10/06 8:10 AM



TERRY KNOWLES # 47100

October 5, 2022

File No: 469764

HAND DELIVERED

Mr. Yan Reinhold Bernier
5 Durham Street Nanaimo, BC V9R 1V4

Re: Illegal Construction – 5 Durham Street

We are writing to you as the sole registered owner of the property located at 5 Durham Street and legally described as:

PID: 007-348-177, [Lot 12, Block 2, Section 1, Nanaimo District, Plan 1476] (the "Property")

The purpose of this letter is to advise you that City of Nanaimo Council adopted a resolution imposing a remedial action requirement on you in relation to the Property at its October 3, 2022 Special Council meeting. A certified copy of that resolution is enclosed.

The effect of the resolution is that the Property at the above noted address has been declared to be in violation of Section 6.1 of the City's Building Bylaw, pursuant to Sections 72, 73 and 74 of the *Community Charter*.

The remedial action requirement that Council has imposed requires you to remove the front entry deck, rear carport and second floor rooms and washrooms which have been constructed without a permit or inspection within 30 days of receiving notice of this requirement under Section 77 of *Community Charter* (the "Remedial Action Requirement") at your expense.

Pursuant to s. 78 of the *Community Charter* you are entitled to request that Council reconsider the remedial action requirement. If you wish to request reconsideration, you must do so by giving written notice to Council by submitting a letter to City Hall at 455 Wallace Street, Nanaimo, BC V9R 5J6, or via email at legislative.servicesoffice@nanaimo.ca within fourteen days after this notice has been delivered to you.

If you do not request reconsideration from Council and you fail to fulfill the remedial action requirement within the time limit set, s. 17 of the *Community Charter* authorizes the City to enter the Property and undertake any or all of the actions required by the remedial action requirement at your expense. Methods of recovery may include adding the cost of carrying out the Remedial Action Requirement to the taxes for the subject property.

A request for reconsideration to Council can be addressed to:

Sheila Gurrie, Director of Legislative Services
City of Nanaimo
455 Wallace Street,
Nanaimo, BC V9R 5J6

Sincerely,



Karen Robertson,
Deputy City Clerk

cc: Dave LaBerge, Manager, Bylaw Services (via email)
Sheila Gurrie, Director of Legislative Services (via email)
Cheryl Kuczarski, Supervisor/Sr. Bylaw Enforcement Officer (via email)
Gabriela Reinhold – appointed agent (hand delivered)

Encls:

Certified Council Resolution dated October 4, 2022