

DATE OF MEETING | May 15, 2025 |

AUTHORED BY | DARCY FOX, MANAGER, BUILDING INSPECTIONS |

**SUBJECT | BYLAW CONTRAVENTION NOTICE - CONSTRUCTION STARTED
WITHOUT A BUILDING PERMIT – 668 PINE STREET |**

OVERVIEW

Purpose of Report

To obtain Council authorization to proceed with the registration of a Bylaw Contravention Notice on the property title of 668 Pine Street. |

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 668 Pine Street for construction started without a building permit in contravention of “Building Bylaw 2016 No. 7224”. |

BACKGROUND

Building regulations for the City of Nanaimo are outlined in the “Building Bylaw 2016 No. 7224” and are enforced by the Building Inspections section and where necessary, Bylaw Services.

Where construction has been undertaken without a building permit, and in violation of the Building Bylaw, a report is brought forward for a resolution of Council to file a Bylaw Contravention Notice on the property title under Section 57 of the *Community Charter*. The purpose of registering a Bylaw Contravention Notice 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. |

DISCUSSION

A fire inspection conducted by FLPD on 2021-MAR-04 revealed a previous grow operation and structural alterations to the building had taken place. At that time, the owner was maintaining the premises in such a state of disrepair that a fire starting in it might spread rapidly to endanger life or other property. As a result, a Fire Order and Do Not Occupy order were posted. The owner was notified that a building permit application was to be submitted to repair the building to comply with zoning, fire and building codes and to remediate damages from a previous grow operation. The property owner denied access to the building for a follow-up inspection and took no action to resolve the issues.

The property was sold to new owners in February 2025 and the new owner was made aware of the Do Not Occupy Order. In March 2025, there was a complaint received that construction was taking place within the building. In a follow-up inspection on 2025-MAR-19, the building inspector observed alterations to the building were underway and a work crew was working within the

building. At the inspection, the lower floor Do Not Occupy was reposted. Correspondence with the new owner and several meetings have taken place regarding the Do Not Occupy Order that remains in place. Following the registration of the notice, further action will be required to resolve the outstanding issues.

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”. |

SUMMARY POINTS

- A fire inspection revealed a previous grow operation and structural alterations had taken place within the building at 668 Pine Street.
- A Fire Order and Do Not Occupy Order were posted in March 2021.
- The property ownership changed in February 2025.
- The Do Not Occupy Order was reposted in March 2025.
- 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
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Concurrence by:

Jeremy Holm
Director, Planning & Development |