

DATE OF MEETING June 19, 2025

AUTHORED BY DARCY FOX, MANAGER, BUILDING INSPECTIONS

**SUBJECT BYLAW CONTRAVENTION NOTICE – CONSTRUCTION NOT COMPLETED AS PER CONDITIONS OF BUILDING PERMIT – 1300 PRINCESS ROYAL AVENUE**

## **OVERVIEW**

### **Purpose of Report**

To obtain Council authorization to proceed with the registration of a Bylaw Contravention Notice on the property title of 1300 Princess Royal 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 1300 Princess Royal Avenue for construction not completed as per the conditions of the building permit.

## **BACKGROUND**

All building permits issued by the City of Nanaimo are required to complete the terms and conditions outlined in each permit as regulated in the “Building Bylaw 2016 No. 7224” and enforced by the Building Inspections section.

When conditions of a building permit are not met, and deficiencies are still in place, 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 building permit (BP123915) for removal of several offices, relocation of washrooms on the main floor, and all new plumbing for the washrooms was issued on 2018-MAR-13. The permit expired after four years with deficiencies remaining outstanding. A new building permit (BP128770) was issued on 2022-NOV-15 to complete the previous permit with additional scope. This included new exterior cladding; re-installation of windows on a portion of the building; an addition of a new covered side entrance canopy; and, new water entry for a future sprinkler system. This permit has now expired with deficiencies remaining outstanding in contravention of the Building Bylaw. Correspondence was forwarded to the property owner advising of the expiring permit and providing opportunity to rectify the outstanding deficiencies. Staff worked with the registered professionals trying to resolve the outstanding items. Several items remain outstanding including safety issues, and due to the use of the building as a public gathering space, Staff is bringing the matter forward to Council for consideration.

Pursuant to Section 57 of the *Community Charter*, it is recommended that a notice be registered on the above-noted property title to reflect the work undertaken that does not meet the terms and conditions of the issued permits in contravention of “Building Bylaw 2016 No. 7224.”

This matter will be forwarded to Bylaw Services to address the safety items. |

#### **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.
- Further to the registration of the notice, this matter will be referred to Bylaw Services for a safety upgrade.

#### **Submitted by:**

Darcy Fox  
Manager, Building Inspections |

#### **Concurrence by:**

Jeremy Holm  
Director, Planning & Development |