



## REQUEST FOR DECISION

**TO:** Council **MEETING DATE:** May 7, 2025  
**FROM:** James Nyhus Chief Building Official  
**SUBJECT:** Notice on Title Contravention of Building Bylaw 409, 2003  
**FILE NO:** 5430.001

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### RECOMMENDATIONS

1. That the Corporate Officer be directed to file notice in the Land Title Office, in accordance with Section 57 of the Community Charter, against 4931 Skylark Road described legally as Lot 1 Block B DL 2307 Group 1 New Westminster District Plan BCP10024 and;
  2. That upon confirmation from the Chief Building Official that all outstanding issues are resolved and the required permits, certifications and inspections approved, the Notice may be discharged from the title upon receipt of the required fee.
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### PURPOSE

The purpose of this report is to obtain Council authorization to register a Notice of Bylaw Contravention in the Land Title Office due to a contravention of the District's Building Bylaw, in accordance with Section 57 of the *Community Charter*.

### OPTIONS

1. Defer the authorization pending the receipt of further information.
2. Deny the request for authorization.

### DISCUSSION

#### Background

On July 8, 2020, a building permit was issued for a foundation for a double wide mobile home. Several inspections were performed until September of 2020. At that time, it became apparent to the Building Official that the mobile home was being occupied without final inspection, and no occupancy permit had been issued. The following is the timeline of events:

- July 18, 2023, a final inspection was conducted but not passed as several deficiencies were noted.
- June 10, 2024 the Chief Building Official sent a letter to the owner requiring final inspection and completion of the permit.
- On and subsequent to July 18, 2024, Bylaw Enforcement Officers issued Bylaw Notices for occupying without a permit.
- November 7, 2024, a letter was sent to the owner warning that staff would request that Council direct that Notice on Title in accordance with Section 57 of the Community Charter be placed on title if the building permit is not renewed and completed.

The Building Officials are concerned that the mobile home is not attached to the foundation and poses a potential life and safety risk to the occupants.

### **POLICY AND BYLAW IMPLICATIONS**

The District's Building Bylaw places the onus on property owners to arrange for building permits prior to the start of construction. In this case the building permit was not completed, and safety and health issues may exist in contravention of the District's building bylaw.

### **SUSTAINABILITY PLAN IMPLICATIONS**

1. Social Sustainability and Community Well Being

### **STRATEGIC PLAN IMPLICATIONS**

1. Community Safety and Wellbeing

### **FINANCIAL IMPLICATIONS**

If deficiencies are not registered on title, and a safety or health related incident occurs, costs to the District to defend legal actions may be substantial.

Staff resources are required for follow-up notices, letters, inspections and preparing of Land Title Office documentation. There is a \$28.63 Land Title Office fee for filing the legal notation. An administration fee of \$100 is collected from the property owner at the time of removal of the Notice, to reimburse these costs.

### **COMMUNICATIONS**

Staff have endeavoured to compel the owner to complete the building permit without success.

As required under the *Community Charter*, the owner has been given notice that this matter will be placed before Council for their consideration by way of a register letter. A copy of the letter was also delivered by hand to their residence.

Respectfully submitted,

James Nyhus

Chief Building Official