



REQUEST FOR DECISION

TO: Council **MEETING DATE:** July 2, 2025

FROM: James Nyhus Chief Building Official

SUBJECT: Notice on Title - 6300 Samron Road - Contravention of Building Bylaw No. 409, 2003

FILE NO: 3220 (6401.622)

RECOMMENDATIONS

That the Corporate Officer be directed to file notice in the Land Title Office, in accordance with Section 57 of the Community Charter, against 6300 Samron Road described legally as Lot: 22 District Lot: 4297 Plan: BCP5318 PID: 025-642-791; and

That, upon confirmation from the Chief Building Official, all outstanding issues are resolved and the required permits, certification and inspection are approved, the notice may be discharged for the title upon receipt of the required fee.

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. Not provide authorization.

DISCUSSION

Background

In June of 2024, the District of Sechelt Building Officials became aware of construction occurring at this property without the required building permits; in this instance, a basement finishing which created a secondary suite.

On July 11, 2024, staff sent a letter to the registered owner of the property directing them to apply for the required building permit within 14 days from the date of the letter.

The Building Official posted a stop work order on July 12, 2024. The owner then contacted staff and indicated that he was going to be out of the country for three weeks and would deal with the matter upon his return.

In spite of this assurance, and the subsequent issuance of bylaw infraction notices for violations of Building Bylaw 409, no application for a building permit was received.

On November 7, 2024, a final notice was sent by registered letter to notify the owner that a notice on title will be filed on the property if the matter remains unresolved.

On May 29, 2025, a notice was sent by registered letter to notify the owner, and any affiliated mortgage holder, that a request for a notice on title is being brought to the July 2, 2025 Council meeting for Council consideration.

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.

SUSTAINABILITY PLAN IMPLICATIONS

1. Social Sustainability and Community Well Being

STRATEGIC PLAN IMPLICATIONS

3. Community Safety and Wellbeing

FINANCIAL IMPLICATIONS

If deficiencies are not registered on title and a health or safety-related incident occurs, the District may face legal and financial liability in defending potential claims.

Staff resources are also required to issue follow-up notices and correspondence, conduct site inspections, and prepare documentation for registration with the Land Title Office. There is a \$28.63 Land Title Office administration fee for filing the legal notation. To offset this, The District collects an administration fee of \$100 from the property owner at the time of removal of the Notice on Title.

COMMUNICATIONS

Staff have made several attempts to compel the owner to obtain the required building permits, but these efforts have been unsuccessful.

In accordance with the *Community Charter*, a registered letter was sent to the owner notifying them that this matter will be brought before Council for consideration. A copy of the letter was also delivered by hand to their residence.

Respectfully submitted,

James Nyhus

Chief Building Official