

REQUEST FOR DECISION

DATE: October 21, 2015

Report No. ADM-15-039

TO: Laurie Hurst, Chief Administrative Officer

FROM: Anja Nurvo, Director of Corporate Services

SUBJECT:

Repeal of "Building Repair or Demolition Bylaw (973 Lampson Place), 2000, No. 2440"

RECOMMENDATION:

That Council repeal the "Building Repair or Demolition Bylaw (973 Lampson Place), 2000, No. 2440" and direct staff to cancel the Notice registered against the title to the subject property.

RELEVANT POLICY:

Community Charter
BC Building Code
Building Code Bylaw, 2002, No. 2538, as amended

STRATEGIC RELEVANCE:

This Request for Decision does not directly relate to any of Council's Strategic Priorities.

BACKGROUND:

Attached is a copy of Bylaw 2440, which was passed on October 2, 2000 in order to deal with a residential building that was constructed in non-compliance with the Township's Building Code Bylaw at the time.

Pursuant to the Bylaw, the owner was given 60 days to repair the deficiencies noted in section 3 (1)-(4). As an alternative to making the specified repairs, the owner could either demolish the building or "provide Letters of Assurance that comply with the requirements of the British Columbia Building Code." In default of doing so, the Township may carry out the repair or demolition or obtain the Letters of Assurance at the expense of the owner.

Staff has recently been contacted by the current owner requesting that the Notice that had been registered against title to the property be removed. Staff reviewed the file and found that the owner had previously provided a Letter of Assurance from a qualified professional; accordingly, they had assumed that this matter had been adequately dealt with and that the conditions of the Bylaw had been met. However, upon further review, staff found that only 3 of the 4 issues required by the Bylaw had been addressed in the Letter of Assurance. Staff therefore advised the owner that a further Letter of Assurance from a qualified professional was required in order to address the remaining deficiency.

Staff confirms that the additional Letter of Assurance has now been provided and staff is satisfied that all of the terms of the Bylaw have been adequately addressed by the owner.

ISSUES:

1. Rationale for Selected Option
With the provision of the recent additional Letter of Assurance, staff is satisfied that all of the terms of Bylaw No. 2440 have been adequately addressed by the owner, and therefore recommend that the Bylaw be repealed and the Notice on title be removed.
2. Organizational Implications
There are no organizational implications.
3. Financial Implications
There are no financial implications.
4. Sustainability & Environmental Implications
There are no sustainability or environmental implications.
5. Communication & Engagement
Once approved by Council, the owner will be notified, and the Notice registered against the title of the property will be cancelled.

ALTERNATIVES:

1. That Council repeal Bylaw No. 2440 and direct staff to cancel the Notice registered against the title of the property located at 973 Lampson Place.
2. That Council request further information from staff.