



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

Municipal Hall
1229 Esquimalt Road
Esquimalt, B.C. V9A 3P1

Legislation Text

File #: 18-256, Version: 1

REQUEST FOR DECISION

DATE: June 4th, 2018

Report No. CSS-18-010

TO: Laurie Hurst, Chief Administrative Officer

FROM: Blair McDonald, Director of Community Safety Services

SUBJECT:

Removal of Notice of Contravention of Bylaws from Land Title and Repeal of Bylaw No. 2264

RECOMMENDATION:

That Council:

- A. Authorize staff to submit the necessary documentation to the Land Title Office in order to have the Notice of Contravention of Bylaws (Document EK92710) discharged from the title of the property described as:
LOT 14 BLOCK A SECTION 10 ESQUIMALT DISTRICT PLAN 195
EXCEPT PART IN PLANS 12714, 13477 AND 15155; and
- B. Repeal "Building Repair or Demolition Bylaw (901 Selkirk Avenue), 1996, No. 2264."

RELEVANT POLICY:

Building Repair or Demolition Bylaw (901 Selkirk Avenue), 1996, No. 2264

STRATEGIC RELEVANCE:

Review Township policies and bylaws to ensure efficient processes; amend and update as necessary.

BACKGROUND:

On August 12, 1996, Council resolved to add a Notice on title to a lot described as: LOT 14 BLOCK A SECTION 10 ESQUIMALT DISTRICT PLAN 195, EXCEPT PART IN PLANS 12714, 13477 AND 15155; civic address of 901 Selkirk Avenue. The owner of the property at the time refused to comply with an order to repair or demolish the building located on the lot by a specified time. This subsequently resulted in the adoption of Bylaw No. 2264 on January 13, 1997. (See Attachments)

In May of 2018, the new owners of the property contacted the Township to request the Notice on title be removed as the building referred to in the Notice had been demolished quite some time ago. As Council gave the original approval for the Notice of Contravention of Bylaws to be registered on

the title to the property and now the building to which the Notice applied has been demolished, the Notice is no longer relevant to the property and should be removed.

ISSUES:

1. Rationale for Selected Option

The present owners are seeking to develop the property and would like the Notice to be removed from title. As the circumstances that led to the Notice of Contravention of Bylaws are no longer present, the Notice should be removed.

2. Organizational Implications

This property has been the subject of numerous bylaw complaints. The concerns relating to this property will be significantly addressed when the property is developed.

3. Financial Implications

Any costs associated to the removal of the Notice will be paid by the property owner.

4. Sustainability & Environmental Implications

There are no sustainability or environmental implications.

5. Communication & Engagement

Once a decision is rendered by Council, the decision will be communicated to the property owners and any required documentation will be completed and forwarded to Land Title Office for registration.

ALTERNATIVES:

1. That Council:

- A. Authorize staff to submit the necessary documentation to the Land Title Office in order to have the Notice of Contravention of Bylaws (Document EK92710) discharged from the title of the property described as:
LOT 14 BLOCK A SECTION 10 ESQUIMALT DISTRICT PLAN 195
EXCEPT PART IN PLANS 12714, 13477 AND 15155; and
- B. Repeal "Building Repair or Demolition Bylaw (901 Selkirk Avenue), 1996, No. 2264."

2. That Council does not:

- A. Authorize staff to submit the necessary documentation to the Land Title Office in order to have the Notice of Contravention of Bylaws (Document EK92710) discharged from the title of the property described as:
LOT 14 BLOCK A SECTION 10 ESQUIMALT DISTRICT PLAN 195
EXCEPT PART IN PLANS 12714, 13477 AND 15155; and
- B. Repeal "Building Repair or Demolition Bylaw (901 Selkirk Avenue), 1996, No. 2264."