
CITY OF KELOWNA

MEMORANDUM

Date: February 4, 2008
File No.: 4000-00
To: City Manager
From: Building Inspector
Subject: Notice on Title – Section 57 Community Charter
2600 Dubbin Road, Kelowna, B.C.
Lot 1 Plan 19732 Sec 20 Two 23 Land District 41 (*the property*)

RECOMMENDATION:

THAT Council directs the City Clerk to file a Notice on Title to the property pursuant to Section 57 of the Community Charter.

AND THAT Council consider and adopt the following resolution regarding the property:

Be it resolved that:

Council confirms the recommendations of the building inspector in the report dated January 30, 2008 under Section 57 of the Community Charter and directs the City manager to file a Notice in the Land Titles Office stating that:

- a) a resolution relating to the property referred to in the building inspectors report has been made under Section 57 of the Community Charter; and
- b) further information about it may be inspected at Kelowna City Hall.

BACKGROUND:

This report is prepared under the authority of Section 57 of the Community Charter.

Staff has confirmed, and I have discovered in the course of carrying out my duties, that work requiring a building permit under the City of Kelowna Building Bylaw 1993 No. 7245 as amended (The Building Bylaw) was done on retaining walls on the property. No building permit was ever obtained from the City of Kelowna for that work.

The property has been involved in various Building Bylaw violations over the past number of years. The property has also had a number of changes in ownership during which time, a period of five (5) years, no work was conducted on site. The property was eventually sold and is currently owned by Robert B. Forsyth of Victoria, B.C. During this period of time (approximately 1993 to 2008) work on the retaining walls has been completed without obtaining the required permits or certifications or inspections.

Considerations that were not applicable to this report:

LEGAL/STATUTORY AUTHORITY:
LEGAL/STATUTORY PROCEDURAL REQUIREMENTS:
EXISTING POLICY:
FINANCIAL/BUDGETARY CONSIDERATIONS:
PERSONNEL IMPLICATIONS:
TECHNICAL REQUIREMENTS:
EXTERNAL AGENCY/PUBLIC COMMENTS:
COMMUNICATIONS CONSIDERATIONS:
ALTERNATE RECOMMENDATION:

Submitted by:



J.A. Dixon – Building Inspector

Approved for Inclusion:



cc: R. Dickinson