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CITY OF KELOWNA

MEMORANDUM

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**Date:** March 20, 2009  
**File No.:** 4000-00  
**To:** City Manager  
**From:** Chief Building Official  
**Subject:** Notice on Title – Section 57 Community Charter  
2219 Mayer Road, Kelowna, B.C.  
Lot 1 Plan 31979 Section 16 Township 26 (*the property*)

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**RECOMMENDATION:**

THAT Council authorize the City Clerk to file a Notice in the Land Title Office against Lot 1 Plan 31979 as permitted by Section 57 of the Community Charter, regarding the outstanding Building and Plumbing infractions and contravention of City of Kelowna Bylaws.

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

Be it resolved that:

Council confirms the recommendations of the Chief Building Official under Section 57 of the Community Charter and directs the City Clerk to file a Notice in the Land Titles Office stating that:

1. A resolution relating to Lot 1 Plan 31979 has been made under Section 57 of the Community Charter, and;
2. Further information respecting the resolution may be inspected at Kelowna City Hall.

**BACKGROUND:**

On January 23, 2009 Building and Plumbing/Gas Officials conducted a follow up inspection on the above Single Family Dwelling. Staff determined that the BC Building Code, City of Kelowna Building, Plumbing and Zoning Bylaw violations have not been corrected. The outstanding infractions include work without all necessary building and plumbing permits, work authorized by permits installed contrary to Building & Plumbing Code requirements and occupying the building without an Occupancy Permit.

**LEGAL/STATUTORY AUTHORITY:**

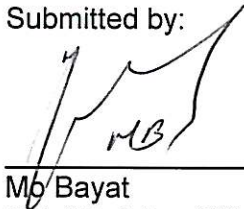
Section 57(1) of the Community Charter



**Considerations that were not applicable to this report:**

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

Submitted by:



Handwritten signature of Mo Bayat in black ink, featuring a stylized 'M' and 'B'.

Mo Bayat  
Chief Building Official

Approved for Inclusion:



Handwritten signature of Ron Dickinson in blue ink, featuring a stylized 'R' and 'D'.

Ron Dickinson,  
Director of Development Services

Cc: