



BOARD REPORT

TO: Chair and Directors

File No: 3880 18 58
PR20180000098

SUBJECT: Electoral Area F: Community Charter Section 57 Notice

DESCRIPTION: Report from Charles Hamilton, Chief Administrative Officer, dated January 7, 2020.
7517 Castle Heights, Anglemont

RECOMMENDATION: THAT: the Board authorize the Corporate Officer to file a Notice in the Land Title Office against the property legally described as Lot 58, Section 21, Township 23, Range 9, West of the 6th Meridian, Kamloops Division Yale District, Plan 25318, in accordance with Section 57 of the Community Charter, this 16th day of January, 2020;

AND THAT: further information in respect of the Notice is available for inspection at the office of the Columbia Shuswap Regional District.

SHORT SUMMARY:

The CSR D Building Official has provided a recommendation pursuant to Section 57 of the Community Charter (CC) regarding a building located at 7517 Castle Heights in Anglemont. In accordance with Section 57 of the CC, the registered owner of the subject property has been notified that this matter will be placed before the Board of Directors at its regular Board meeting on January 16, 2020 commencing at 9:30 AM, in the Boardroom of the CSR D office located at 555 Harbourfront Drive NE in Salmon Arm.

Placing a Section 57 notice on title will alert subsequent owners of the property of the outstanding building regulation non-compliance.

VOTING:	Unweighted Corporate	<input checked="" type="checkbox"/>	LGA Part 14 (Unweighted)	<input type="checkbox"/>	Weighted Corporate	<input type="checkbox"/>	Stakeholder (Weighted)	<input type="checkbox"/>
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BACKGROUND:

See "3880_18_58_20191213_Memo_Package_Redacted.pdf" attached.

POLICY:

Section 57 of the Community Charter

The Building Official and the owner of the subject property must be given an opportunity to speak to the Board in respect of the matter. The Board may then confirm the recommendations of the Building Official and pass a resolution directing the Corporate Officer to file a notice in the land title office stating that a resolution relating to the subject property has been made in accordance with Section 57 of the CC, and that further information about it may be inspected at the CSR D office. See "3880_18_58_20191213_Memo_Package_Redacted.pdf" attached.

FINANCIAL:

Costs associated with placing a Section 57 notice on title total less than \$1,000. If the Board declines to endorse the staff recommendation, the Board may wish to direct staff to pursue legal action with a court injunction, which can vary from \$10,000 to \$30,000, depending on the complexity of the file.

If the property owner addresses the outstanding non-compliance issues, and the Building Official confirms that the Section 57 notice can be removed from title, prior to the Corporate Officer filing the cancellation notice, the property owner must pay a notice discharge fee, as per the CSRD Development Services Application Fees Bylaw No. 4000, as amended.

KEY ISSUES/CONCEPTS:

The Building Official has requested the owners of the subject property, both in verbal and written communications, to provide the required information that may allow for issuance of the necessary approvals. In the absence of the required approvals, placing a Section 57 notice on title is a priority. See "3880_18_58_20191213_Memo_Package_Redacted.pdf" attached.

SUMMARY:

Based on the information provided by the Building Official and her recommendation, it is my recommendation to the Board that a Section 57 notice be authorized to be filed on the title of the subject property, and that further information in regard to the notice is available for inspection at the office of the Columbia Shuswap Regional District.

IMPLEMENTATION:

If the Board authorizes the Corporate Officer to file a notice in the land title office against the title of the property legally described as Lot 58, Section 21, Township 23, Range 9, West of the 6th Meridian, Kamloops Division Yale District, Plan 25318, as per Section 57 of the CC, the notice will be sent to the registrar of land title for filing.

COMMUNICATIONS:

The Corporate Officer gave notice that the matter will be placed on the January 16, 2020 Regular Board Agenda for consideration by the Board of Directors to the registered owner of the subject property via registered mail on December 13, 2019.

The owner of the subject property will be advised of the Board's decision.

DESIRED OUTCOMES:

That the Board endorse the staff recommendation.

BOARD'S OPTIONS:

1. *Endorse the Recommendation.*
2. *Deny the Recommendation.*
3. *Defer.*
4. *Any other action deemed appropriate by the Board.*

LIST NAME OF REPORT(S) / DOCUMENT(S) AVAILABLE FROM STAFF:

1. Community Charter
2. Building Bylaw No. 660
3. Anglemont Zoning Bylaw No. 650

Report Approval Details

Document Title:	2020-01-16_Board_CA_38801858_s57.docx
Attachments:	- 3880_18_58_20191213_Memo Package_Redacted.pdf
Final Approval Date:	Jan 8, 2020

This report and all of its attachments were approved and signed as outlined below:



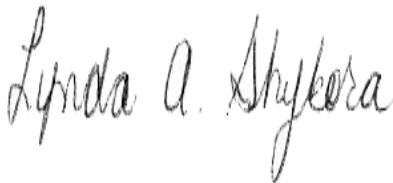
Marty Herbert



Gerald Christie



Jodi Pierce



Lynda Shykora

No Signature - Task assigned to Charles Hamilton was completed by assistant Lynda Shykora

Charles Hamilton