

## ADMINISTRATIVE REPORT

**TO:** Board of Directors

**FROM:** J. Zaffino, Chief Administrative Officer

**DATE:** March 6, 2025

**RE:** **Building Bylaw Infraction – 995 Eagle Place (Electoral Area “A”)**

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### Administrative Recommendation:

THAT a Section 302 Notice on Title, pursuant to Section 302 of the *Local Government Act* and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 302 of the LGA), be filed against the title of lands described as Lot 13, DL 2709, Plan KAP79733, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2805, 2018.

Civic: 995 Eagle Place Folio: 06749.715

Legal: Lot 13, DL 2709, Plan KAP79733 PID: 026-513-293

Zone: SH3

### Purpose:

The purpose of this report is to seek direction from the Regional District Board regarding enforcement against the property owner(s) of 995 Eagle Place, legally described as Lot 13, DL 2709, Plan KAP79733, in relation to the **placement of a structure without building permit**.

### Site Context:

The subject property is approximately 3.88 acres (1.57 ha) in area and is situated at 995 Eagle Place, approximately 20.8 km east of the town of Osoyoos BC.

### Regulatory Provisions:

Regional District of Okanagan-Similkameen Building Bylaw No.2805, 2018 (“Building Bylaw”). The property is zoned SH3 under RDOS Zoning Bylaw 2800.

### Business Plan Objective:

To develop an economically sustainable region.

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### Background:

The Contravention of Building Regulations Report dated January 9, 2025 from the Building Official indicates on April 27, 2023 the Building Official attended the property and saw a tiny home was placed on the property. The property was listed for sale by real estate. A Stop Work Notice was placed on the structure.

The following contact has been made with the property owner in an attempt to resolve this matter:

**May 1, 2023** Stop Work letter was mailed to owners

**May 2, 2023** Copy of Stop Work letter was mailed to the realtor

Despite correspondence to the owner (s) and realtor, to date no permit has been applied for.

The Building Bylaw infraction is considered to be a Category 2.

### Analysis:

Reasonable efforts have been made to achieve voluntary compliance with the property owner. In July 2009 the Board adopted a Policy (Resolution B354/09) to provide for a consistent and cost effective approach to the enforcement of Building Bylaw violations. This policy provides the Board with three categories of infractions and the recommended action for each.

### Category 2

As there are potential construction deficiencies on this property which are not a health and safety concern, a Section 302 Notice on Title is recommended by staff. The Notice on Title advises the current and future owners of the deficiency and protects the RDOS from liability.

#### Alternatives:

##### Category 2

1. Place a notice of deficiencies on the folio file (Category 1) and abandon further enforcement action
2. Place a Section 302 Notice on property title and proceed with injunctive action (Category 3)
3. Do not proceed with enforcement action

#### Communication Strategy:

The owners will be notified via mail of the Regional District of Okanagan-Similkameen Board results.

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### Respectfully submitted:

Mark Petry

M. Petry, Senior Manager of Building and Enforcement Services

### Endorsed by:

"Allen Fillion"

Allen Fillion, Managing Director, Development & Infrastructure Services

Attachments:          Parcel Map          Photos



**Regional District of Okanagan-Similkameen**

101 Martin Street, Penticton, BC V2A 5J9

Phone: (250)492-0237 Fax: (250)492-0063

Toll Free: 1-877-610-3737

Website: [www.rdos.bc.ca](http://www.rdos.bc.ca)

## PARCEL MAP

Created on: 09-Jan-2025



### LEGEND

Electoral Area Boundaries

Major Highways

Indian Reserve

Parks

Streams

Major Lakes

Small Lakes

**Owner(s):** READE  
READE

STEVEN  
LAVONA

**Scale** 1:2257

**Civic Address(es):**

995 EAGLE PL

**Zoning:**

Designation: SH3

Bylaw Number: 2800

**BC Assessment:**

Assessed Land Value: \$349,000.00

Assessed Imp. Value: \$0.00

Total Assessed Value: \$349,000.00

**Property Details:**

Primfolio: 71406749.715

Folio: 06749.715

Jurisdiction: 714

PID: 026-513-293

Parcel Area (m2): 15,662.27

Electoral Area: A

**Legal****Description:**LOT 13, PLAN KAP79733,  
DISTRICT LOT 2709,  
SIMILKAMEEN DIV OF YALE  
LAND DISTRICT





Photo taken 27 April 2023




Photos taken 27 April 2023







Photo taken 27 April 2023







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## Listing Description

GORGEOUS PROPERTY on Anarchist Mountain in sunny Osoyoos featuring amazing VIEWS in every direction including LAKEVIEWS, Cascade Mountain Views, Valley Views and natural beauty surroundings. Build your dream home on this great piece of paradise! Amazing 3.88 acres lot in the spectacular Osoyoos Mountain Estates (former Regal Ridge), Canada's world class acreage development. Enjoy the beauty and privacy of this gorgeous property ready to build on with power, phone, water and paved driveway. BONUS: Super-cute and cozy, super-tiny cottage that is fully furnished and will amaze you with its charm and functionality. Must see! (36971269)

## Property Summary

<b>Property Type</b>	<b>Building Type</b>	<b>Neighbourhood Name</b>	<b>Title</b>
Vacant Land	Other	Osoyoos Rural	Freehold
<b>Land Size</b>	<b>Annual Property Taxes</b>	<b>Time on REALTOR.ca</b>	
3.88 ac 1 - 5 acres	\$1,605.60	295 days	

Realtor ad as of 14 January 2025