

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: J. Zaffino, Chief Administrative Officer

DATE: April 3, 2025

RE: **Building Bylaw Infraction - Civic Address: 117 Farleigh Lake Road**

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 15, District Lot 1444, SDYL, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2805, 2018.

<u>Civic:</u>	117 Farleigh Lake Road	<u>Folio:</u> 04768.375
<u>Legal:</u>	Lot 15, DL 1444, Plan KAP23234	<u>PID:</u> 006-536-573
<u>Zone:</u>	AG1	

Purpose:

The purpose of this report is to seek direction from the Regional District Board regarding enforcement against the property owner(s) of 117 Farleigh Lake Road, legally described as Lot 15, District Lot 1444, Plan KAP23234 in relation to:

1. Expired building permit

Site Context:

The subject property is approximately 13.18 acres (5.26 ha) in area and is 16.7 km south west of the city of Penticton BC.

Regulatory Provisions:

Regional District of Okanagan-Similkameen Building Bylaw No. 2805, 2018 (“Building Bylaw”). The property is zoned AG1 under RDOS Zoning Bylaw 2800.

Business Plan Objective:

To develop an economically sustainable region.

Background:

The Contravention of Building Regulations Report dated February 13, 2025 from the Building Official indicates that Permit #22971 was issued on April 21, 2022. This permit was issued for an addition to a single family dwelling and expired on April 21, 2024.

Despite correspondence to the owner(s) the permit has expired without the required inspections. The most recent inspection was on September 14, 2023 where it was observed by the Building Official the following items were still outstanding in order to close the file:

- Letter of certification for septic
- Exterior finished
- Completion of bathrooms

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

October 9, 2024 – Expired permit letter mailed to owners

November 13, 2024 – Final letter mailed to owners.

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.

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)

Communication Strategy:

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

Respectfully submitted:

Mark Petry

M. Petry, Senior Manager of Building and Enforcement Services

Endorsed by:

A. Fillion, Managing Director, Dev & Infrastructure

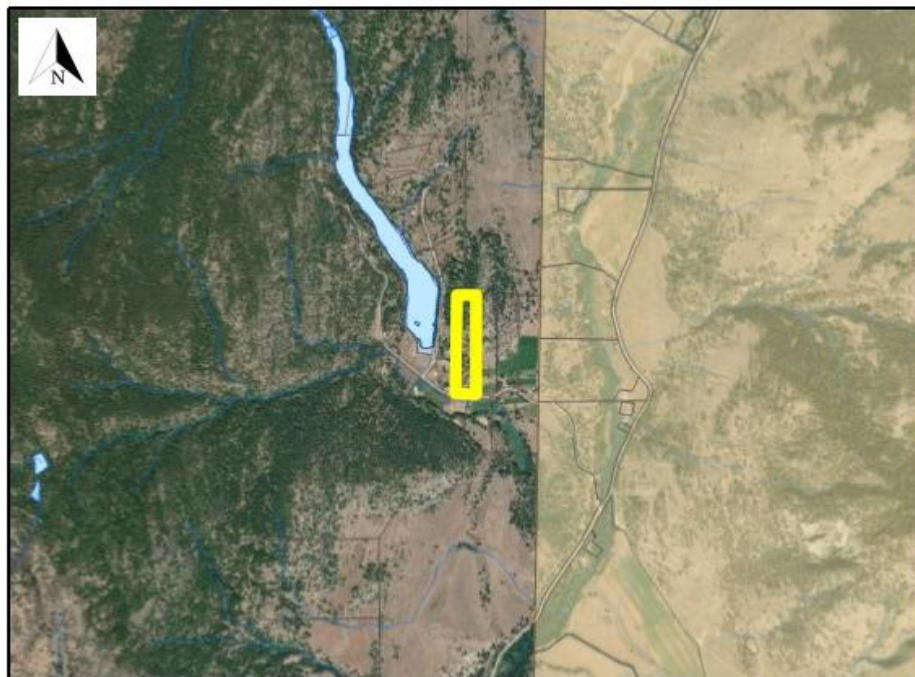


Regional District of Okanagan-Similkameen

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

PARCEL MAP

Created on: 18-Feb-2025



- LEGEND**
- Electoral Area Boundaries
 - Major Highways
 - Indian Reserve
 - Parks
 - Streams
 - Major Lakes
 - Small Lakes

Owner(s): **Scale** 1:4514

Civic Address(es):
117 FARLEIGH LAKE RD
115 FARLEIGH LAKE RD

Zoning:	BC Assessment:
Designation: AG1	Assessed Land Value: \$145,000.00
Bylaw Number: 2800	Assessed Imp. Value: \$760,000.00
	Total Assessed Value: \$905,000.00

Property Details:	Legal Description:
Primfolio: 71504768.375	LOT 15, PLAN KAP23234,
Folio: 04768.375	DISTRICT LOT 1444,
Jurisdiction: 715	SIMILKAMEEN DIV OF YALE
PID: 006-536-573	LAND DISTRICT,
Parcel Area (m2): 50,906.37	MANUFACTURED HOME REG.#
Electoral Area: I	7014