

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: J. Zaffino, Chief Administrative Officer

DATE: May 8, 2025

RE: **Building Bylaw Infraction – 1001 Bullmoose Way (Electoral Area “A”)**

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 7, Plan KAP84765, District Lot 2709, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2805, 2018

<u>Civic:</u>	1001 Bullmoose Way	<u>Folio:</u> 06750.535
<u>Legal:</u>	Lot 7, Plan KAP84765, District Lot 2709	<u>PID:</u> 027-217-531
<u>Zone:</u>	SH3	

Purpose:

The purpose of this report is to seek direction from the Regional District Board regarding enforcement against the property owner(s) of 1001 Bullmoose Way, legally described as Lot 7, Plan KAP84765, District Lot 2709 in relation to:

1. Placement of a structure without building permit.

Site Context:

The subject property is approximately 3.113 Acres (1.2 ha) in area and is situated at 1001 Bullmoose Way, approximately 17.74 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 SH 3 under RDOS Zoning Bylaw 2800.

Business Plan Objective:

To develop an economically sustainable region.

Background:

The Contravention of Building Regulations Report dated March 5, 2025 from the Building Official indicates on March 26, 2024 the RDOS received a formal email complaint from a neighbour who observed construction of a building with no permit placard visible. On April 4, 2024, the Building Official attended the property and saw a 20 by 30 foot on grade footings and took photos of the property. On May 24, 2024, the property owner attended the RDOS office and spoke with planners who advised because there is no principal residence on the property, he would require a Temporary Use Permit before the RDOS would accept a building permit application. On November 6, 2024, the Building Inspector attended the property, and placed a Stop Work Notice placard on the structure and took photos of continued construction. On November 12, 2024, the RDOS received another formal email complaint from a different neighbour regarding construction of the structure.

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

April 12, 2024 – Stop Work Letter mailed to registered property owner address in Abbotsford BC.

November 21, 2024 – Stop Work Letter with a Bylaw Offence notice of \$500 sent via Purolator to the registered property owner address in Abbotsford BC.

January 9, 2025 – A Final Letter sent via Registered mail to the registered property owner address in Abbotsford BC.

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:

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 registered mail 30 days prior to the Board date and will be notified via regular mail of the Regional District of Okanagan-Similkameen Board results

Will a PowerPoint presentation be presented at the meeting? No

Respectfully submitted:

Mark Petry

M. Petry, Senior Manager of Building and
Enforcement Services

Endorsed by:



A. Fillion, Managing Director, Development and
Infrastructure Services



Regional District of Okanagan-Similkameen

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Website: www.rdos.bc.ca

PARCEL MAP

Created on: 20-Mar-2025



LEGEND

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

Owner(s):

Scale 1:1128

Civic Address(es):

1001 BULLMOOSE WAY

Zoning:

Designation: SH3
Bylaw Number: 2800

BC Assessment:

Assessed Land Value: \$235,000.00
Assessed Imp. Value: \$0.00
Total Assessed Value: \$235,000.00

Property Details:

Primfolio: 71406750.535
Folio: 06750.535
Jurisdiction: 714
PID: 027-217-531
Parcel Area (m2): 12,607.96
Electoral Area: A

Legal

Description:

LOT 7, PLAN KAP84765,
DISTRICT LOT 2709,
SIMILKAMEEN DIV OF YALE
LAND DISTRICT



April 4, 2024



April 4, 2024

November 6 2024







