

## ADMINISTRATIVE REPORT

**TO:** Board of Directors

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

**DATE:** June 19, 2025

**RE:** Building Bylaw Infraction – 588 Highway 5A (Electoral Area “H”)

---

### 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 District Lot 2420, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2805, 2018.

---

<u>Civic:</u>	588 Highway 5A	<u>Folio:</u>	01166.000
<u>Legal:</u>	District Lot 2420,	<u>PID:</u>	013-180-690
<u>Zone:</u>	AG3	<u>Electoral Area:</u>	“H”

---

### Purpose:

The purpose of this report is to seek direction from the Regional District Board regarding enforcement against the property owner(s) of 588 Highway 5A, legally described as District Lot 2420, in relation to:

1. Expired building permit, outstanding inspections.

### Regulatory Provisions:

Regional District of Okanagan-Similkameen Building Bylaw No.2805, 2018 (“Building Bylaw”). The property is zoned LH2 and AG3 under RDOS Zoning Bylaw 2800.

### Business Plan Objective:

To develop an economically sustainable region

---

## Background:

The Contravention of Building Regulations dated April 2, 2025, from the Building Official indicates that on September 20, 2021, the property owner visited the RDOS Princeton office to inquire about placing a mobile home. They were provided a building permit application along with an explanation of the required procedures. However, within the same week, the Building Official drove by the property and observed that a mobile home had already been placed on the property without a permit, prompting the issuance of a Stop Work Notice on-site and a Stop Work letter by mail.

A building permit application was subsequently submitted on October 19, 2021, and the permit was issued on December 16, 2021. An initial inspection conducted on June 6, 2023, identified several deficiencies, and the owner was advised to request a re-inspection, which was never completed.

The permit expired on December 16, 2023, without further inspections or communication. Despite follow-up notices and emails sent in September and October 2024, the owner did not respond until April 15, 2025, when he sought assistance at the RDOS office. Instructions were provided the following day, and a Completion Permit was applied for on April 25, 2025, and issued with an expiry date of May 13, 2025. As of that date, no inspections had been conducted, and the owner has not contacted the Building Official, and no inspections have been requested or conducted.

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

**September 11, 2024** – Expired Permit letter mailed to owner

**April 16, 2025** – Building Official emailed owner

**April 25, 2025** – Permit issued to owner to complete project by May 13, 2025.

**October 4, 2024** – Building Official emailed owner.

**October 7, 2024** – Building Official emailed owner.

Despite correspondence to the owner, the required inspections to close this file have not occurred and as of **May 13, 2025**, the owner has not completed the project.

## 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 1 - Minor Deficiencies, Notice of Deficiency placed in the folio

Category 2 - Major Deficiencies, Board resolution to place a Notice on Title

Category 3 - Health and Safety Deficiencies, Seek Board resolution to place a Notice on Title and/or injunctive action through the courts.

---

**Recommended Enforcement Action: 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 Board date. The owners will be notified of the Regional District of Okanagan-Similkameen Board results via regular mail.

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**

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: 14-May-2025



## LEGEND

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

Owner(s):

Scale 1:4514

**Civic Address(es):**

588 HIGHWAY 5A

**Zoning:**

Designation: AG3  
Bylaw Number: 3065  
Designation: LH2  
Bylaw Number: 3065

**BC Assessment:**

Assessed Land Value: \$398,500.00  
Assessed Imp. Value: \$0.00  
Total Assessed Value: \$398,500.00

**Property Details:**

Primfolio: 71701166.000  
Folio: 01166.000  
Jurisdiction: 717  
PID: 013-180-690  
Parcel Area (m2): 252,634.74  
Electoral Area: H

**Legal**

**Description:**

DISTRICT LOT 2420,  
KAMLOOPS DIV OF YALE LAND  
DISTRICT, EXCEPT PLAN  
KAP78641 KAP78642



Photo taken April 8, 2025