



The Corporation of the District of Central Saanich

REGULAR COUNCIL REPORT

For the Regular Council meeting on Monday, April 27, 2026

Re: Notice on Title – 3224 Livesay Road

RECOMMENDATION(S):

That a Notice pursuant to the authority of Section 57 of the Community Charter be filed in the Land Titles Office against the Title of PARCEL A LOT 13 SECTION 16 RANGE 6E SOUTH SAANICH DISTRICT PLAN VIP1242 EXCEPTPLAN 13208 (DD 140947I) & LOT 17; PID 007-646-399; having a civic address of 3224 LIVESAY RD.

PURPOSE:

The purpose of this staff report is to recommend that a notice be placed on the land title record of the property described above because of non-compliance with the District of Central Saanich Building Bylaw, pursuant to the authority of Section 57 of the Community Charter and the District's Bylaw Enforcement Policy.

BACKGROUND:

In September of 2023, complaints were received regarding the property at 3224 Livesay Road, related to construction of accessory buildings as well as alterations to municipal drainage systems. Staff attended the property and spoke with the owner and subsequently followed up with a letter outlining the violations and compliance pathway.

For the two unauthorized accessory buildings, a wood frame barn and a separate cover-all structure, the owner ultimately obtained the required building permits. The barn construction was completed, and all final documentation was submitted, allowing the accessory barn file to be closed. The cover-all accessory building permit has not been completed, as the owner is not providing the final documentation (such as the structural engineer's approval) as requested. As a result, staff are unable to issue an occupancy certificate, and the structure remains non-compliant with the Building Bylaw.

DISCUSSION:

The owner has been advised of the issues and requirements for compliance with the Building Bylaw and the referenced BC Building Code and has had ample time to work with staff to resolve the violation (see Appendix Correspondence). Specifically, the bylaw states that:

- 6.2 No person shall occupy or use any *building* or *structure* unless an occupancy permit has been issued by a *building official* for the *building* or *structure*, or contrary to the terms of any permit issued or any notice given by a *building official*.

Due to this non-compliance, staff are seeking direction from Council as per the Bylaw Enforcement Policy. Using the policy to establish priority and associated level of non-compliance, this accessory building would be considered a **low priority** for enforcement.

IMPLICATIONS:

Financial

The cost of the process to file a notice on land title is included in the annual Planning and Building Services budget. In the event that the notice can be removed if resolved in the future, there would be a \$500 removal fee charged to the owner.

Legal

If a notice is not filed on the land title, the liability of the District is potentially increased, future owners may not be advised of a building deficiency and may be exposed to potential loss.

OPTIONS:

Option 1 (recommended):

That a Notice pursuant to the authority of Section 57 of the Community Charter be filed in the Land Titles Office against the Title of PARCEL A LOT 13 SECTION 16 RANGE 6E SOUTH SAANICH DISTRICT PLAN VIP1242 EXCEPTPLAN 13208 (DD 140947I) & LOT 17; PID 007-646-399; having a civic address of 3224 LIVESAY RD.

Option 2

That a notice on title is not filed and staff be directed to take alternative action.

Option 3:

That a notice on title is not filed and staff be directed to take no further action.

CONCLUSION:

It is recommended by staff that a notice be filed against the title, pursuant to Section 57 of the Community Charter. By registering a notice on title, current and future owners will be aware that the project is outstanding and not in compliance with the building bylaw. Notices filed against the land title would be removed when the building infractions have been resolved to the satisfaction of the Planning and Building Services Department.

Report written by:	Kristina DeMedeiros, Manager of Building, Bylaw & Business Services
Respectfully submitted by:	Jarret Matanowitsch, Director of Planning and Building Services
Concurrence by:	Christine Culham, Chief Administrative Officer

ATTACHMENTS:

Appendix A: File History

Appendix B: Correspondence