

To: Mayor and Council
From: Paul Gipps, CAO

Meeting Date: April 21 2026
Meeting Type: Regular Council Meeting

Prepared by: Greg Price, Manager of Building and Bylaw Services
Department: Planning and Development

Title: Notice on Title, for Bylaw infractions

Description: To consider placing a Notice on Title in accordance with section 57 of the Community Charter

RECOMMENDATION

THAT a Notice on Title be filed in the land title office for the property at 15082 Middle Bench Road PID: 009-579-290 pursuant to section 57 of the Community Charter.

EXECUTIVE SUMMARY

To achieve compliance on the property located on Middle Bench Road staff are recommending Council consider registering a notice on title on property 15082 Middle Bench Road.



BACKGROUND

Notice on Title Application Information			
Application Type	Notice on Title	Owner:	Vivian and Maurice Gouliquer
Property Information			
Folio/Roll #:	09265.000		
Legal Description	LOT 1 District Lot 7 Osoyoos Division Yale District Plan 10392		
PID	009-579-290		
Civic Address:	15082 Middle Bench Road		

Property Information: Land Use	
OCP Designation:	Tourist Commercial
Zoning Designation:	A1 Agricultural
Land Use Contract	n/a
ALR:	n/a
Parcel Size:	1 Acres
Development Permit Areas:	Multi-Unit Development, Commercial and Industrial Development

DISCUSSION/ANALYSIS

A building permit to construct a main floor and second floor deck addition was issued to Jordy Starling (previous owner) February 10, 2008. A footing inspection was completed June 15, 2009, with a follow up inspection May 14, 2010. The District followed up September 27, 2011, new owners took possession June 29, 2011. An inspection report was left requesting the owners contact the District to complete the building permit. The deck remains incomplete, including upper deck guardrails. A Notice on Title was created October 03, 2016, however, was not presented to council. Follow up letters were sent January 14, 2021, and August 09, 2022, with no response. A stop work notice was issued January 09, 2025, it was removed by the owners and a subsequent notice was placed May 28, 2025. The District's Bylaw Officers have been to site multiple times between May and September 2025 regarding compliance and issuing Bylaw Offence Notices (BON). The District sent a letter June 05, 2024, informing the owners that the building permit is now cancelled. The District's Director of Legal Services sent a compliance letter on June 20th, 2025, advising the owners they must bring their property into compliance by July 15, 2025, no response has been received. It was determined that placing a Notice on Title would be the appropriate action moving forward.



Placing a Notice on Title will serve as a formal record of the non-compliance and ensure that future owners or interested parties are aware of outstanding health and life safety issues that exist on the properties. This step aligns with the District's commitment to upholding community standards and protecting public interest.

FINANCIAL IMPLICATIONS

None Budget Previously Approved Other (see below)

COMMUNICATION

The process for issuing a Notice on Title is as follows:

- Letters (Attachment D) were sent to property owners on April 07 advising them of the April 21 Regular Council Meeting, informing owners that they have the opportunity to address Council.

ALTERNATE RECOMMENDATION(S)

1. THAT staff not proceed with placing a Notice of Title on 15082 Middle Bench Road

Respectfully Submitted.

Greg Price, Manager of Building and Bylaw Services

Report Approval Details

Document Title:	Notice on Title 15082 Middle Bench Road Lot 16 Plan 444.docx
Attachments:	Attachment 1.pdf
Final Approval Date:	Apr 15, 2026

This report and all of its attachments were approved and signed as outlined below:

Jeremy Frick, Director of Development Approvals - Apr 10, 2026 - 4:33 PM

Reyna Seabrook, Director of Corporate Services - Apr 13, 2026 - 11:02 AM

Paul Gipps, Chief Administrative Officer - Apr 15, 2026 - 1:44 PM

Task assigned to Makayla Ablitt, Manager of Corporate Administration was completed by assistant Shara Glenn, Legislative and FOI Coordinator - Apr 15, 2026 - 1:48 PM