



CITY OF VANCOUVER

ADMINISTRATIVE REPORT

Date: April 22, 2005
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Meeting Date: May 26, 2005

TO: Standing Committee on Planning and Environment

FROM: City Building Inspector

SUBJECT: 3108 East 46th Avenue
Warning to Prospective Purchasers

RECOMMENDATION

THAT the City Clerk be directed to file a 336D Notice against the title to 3108 East 46th Avenue (Lot 32, Block 13 & 14, District Lot 338, Plan 2964) in order to warn prospective purchasers that there are contraventions of the Zoning and Development and Vancouver Building By-laws related to this building.

GENERAL MANAGER'S COMMENTS

The General Manager of Community Services RECOMMENDS approval of the foregoing.

COUNCIL POLICY

Section 336D of the Vancouver Charter provides a mechanism whereby the City of Vancouver can warn prospective purchasers of contraventions of City By-laws relating to land or a building or structure. It provides that if the City Building Inspector observes a condition that he considers to be a contravention of a By-law relating to the construction or safety of buildings; or as a result of that condition, a building or structure is unsafe or unlikely to be usable for its expected purpose; or is of a nature that a purchaser, unaware of the contravention, would suffer a significant loss or expense if the By-law were enforced against him, he may recommend to City Council that a resolution be considered directing the City Clerk to file a notice against the title to the property in the Land Title Office.

PURPOSE

The purpose of this report is to request approval to file a 336D Notice against the title to 3108 East 46th Avenue to warn prospective purchasers of By-law violations.

BACKGROUND

The existing building at 3108 East 46th Avenue is approved as a one family dwelling and is located in an RS-1 (One Family Dwelling) District. This building was constructed prior to 1953.

As a result of a complaint in February of 2005, our inspection services reported that alterations have been carried to provide two additional dwelling units in the basement. Work consists of removal of the interconnecting stairs between the basement and first storey, removal of interior walls and includes construction of bedrooms and a washroom, plumbing, and electrical work all carried out without permits. Correspondence has been sent to the owners to obtain permits and approvals and to install the interconnecting stairs, remove the work carried out without permit and restore the building to its approved use.

An extension of time was requested by the owners agent, and was granted to the owners of 3108 E 46th Avenue giving them until the end of May 2005 to obtain permits and address all of the above noted issues.

DISCUSSION

The owners have not obtained permits or approvals or carried out any work and it has come to our attention that the property has been listed for sale.

CONCLUSION

As the building is currently listed for sale, it is recommended that a 336D Notice be filed against the title to the property so that any prospective purchasers will be warned that there are violations of the Zoning and Development , Vancouver Building and Electrical By-laws.

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