



## CITY OF VANCOUVER

### ADMINISTRATIVE REPORT

Date: May 1, 2005.  
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CC File No.: 2701  
Meeting Date: June 16, 2005

TO: Standing Committee on Planning and Environment

FROM: City Building Inspector

SUBJECT: 1331 West 59<sup>th</sup> Avenue  
Warning to Prospective Purchasers

#### RECOMMENDATION

THAT the City Clerk be directed to file a 336D Notice against the title to the property at 1331 West 59<sup>th</sup> Avenue, Lot 4 of A of 14, Block 17A, District Lot 526, PID 010-683-950 in order to warn prospective purchasers that this building has been used as an illegal marijuana grow operation on two occasions and there are contraventions of the Vancouver Building and Electrical By-laws related to this unapproved use.

#### 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 1331 West 59<sup>th</sup> Avenue to warn prospective purchasers of By-law violations.

## **BACKGROUND**

The building at 1331 West 59<sup>th</sup> Avenue was constructed prior to October of 1979 and is approved as a one family dwelling. The building is located in an RS-1 (One Family Dwelling) District.

## **DISCUSSION**

In January of 2002, this building was closed by the Vancouver Police Drug Squad and City Inspectors because it was being used as an illegal marijuana grow operation. The power and gas to the building were disconnected and the owners were advised that they were required to go through the inspection and re-occupancy permit process. A re-occupancy permit was issued on March 22, 2002 for this building.

In April of 2005, the Vancouver Police reported that this building was again being used as a grow operation. The services to the building were disconnected again and the owners have been asked to come into City Hall to meet with City staff to discuss the situation.

The owners will be advised that a new departmental policy had been initiated to handle "repeat" grow ops, which is to request Council approval for the filing of a warning notice on title these properties.

## **CONCLUSION**

Although the building is not 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 the building has been used previously as a marijuana grow operation on two occasions and that there are violations of the Vancouver Building and Electrical By-laws related to this unapproved use.

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