



## CITY OF VANCOUVER

### ADMINISTRATIVE REPORT

Date: March 29, 2006.  
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CC File No.: 11-4400-10  
Meeting Date: May 4, 2006

TO: Standing Committee on City Services and Budgets

FROM: City Building Inspector

SUBJECT: 4925 Moss Street  
Warning to Prospective Purchasers

#### RECOMMENDATION

THAT the City Clerk be directed to file a 336D Notice against the title to the property at 4925 Moss Street (Lot 5, Block 112, District Lot 37, Plan 2356) PID 004-313-518 in order to warn prospective purchasers that there are deficiencies under the Standards of Maintenance By-law, one unauthorized dwelling unit on the 1<sup>st</sup> storey, an enclosure to the carport and the installation of three (3) windows in the basement all without permits or approvals in contravention of the Zoning and Development and Vancouver Building By-laws.

#### 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 4925 Moss Street to warn prospective purchasers of By-law violations.

## BACKGROUND

The building at 4925 Moss Street was constructed prior to 1931 and is approved as a single family dwelling. The building is located in an RS-1 (One Family Dwelling) District.

## DISCUSSION

Following a routine inspection it was reported that an enclosure had been erected to the carport, installation of three (3) windows in the basement, one unauthorized dwelling unit on the 1<sup>st</sup> storey all without permits or approvals, and several deficiencies under the Standards of Maintenance By-law.

Correspondence was sent to the property owner in October and November 2005 requiring that the enclosure to the carport and the three (3) windows installed in the basement be removed, and all Standards of Maintenance deficiencies be corrected. However, as the owner failed to comply with the order, the matter is being referred to the City Prosecutor for charges.

A recent conversation between the owner's wife and the District Property Use Inspector alerted us that this building may be sold.

## CONCLUSION

As the building may be sold, 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 deficiencies under the Standards of Maintenance By-law, one unauthorized dwelling unit on the 1<sup>st</sup> storey, an enclosure to the carport and installation of three (3) windows in the basement in contravention of the Zoning and Development and Vancouver Building By-laws.

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