



## CITY OF VANCOUVER

### ADMINISTRATIVE REPORT

Date: April 7, 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: 841 SE Marine Drive  
Warning to Prospective Purchasers

#### RECOMMENDATION

THAT the City Clerk be directed to file a 336D Notice against the title to the property at 841 SE Marine Drive (Lot 14 of 5-8, Block A, District Lot 327, Plan 3089) PID 013-173-260 in order to warn prospective purchasers that there is one unauthorized dwelling unit in the basement and there are contraventions under the Standards of Maintenance, Electrical, License, 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 841 SE Marine Drive to warn prospective purchasers of By-law violations.

## BACKGROUND

The building at 841 SE Marine Drive is approved as a single family dwelling. The building is located in an RS-1 (One Family Dwelling) District.

## DISCUSSION

As a result of a complaint our inspection services investigated and reported that one unauthorized dwelling unit was installed in the basement without permits or approvals in contravention of the Zoning and Development and Vancouver Building By-laws. It was noted by the Vancouver Police on a inspection in November of 2005 that the basement walls were extensively contaminated with mould, however, upon our inspection one month later this area had been painted over and no mould was visible.

Because of the observation of mould and the concerns related to the health and safety for building occupants, the owner of this property has been advised that the building must be professionally cleaned. The building owner has also been advised that they must use the services of a qualified Environmental Consultant who will inspect the cleaning and conduct air monitoring for spore counts. Once the services of the Environmental Consultant are complete, the Consultant must provide written confirmation to the Chief Building Official indicating that the spore counts in the building meet acceptable standards and the building is substantially free of any pesticides, fertilizers, toxic substances, moulds or fungi.

It was further noted that there were several deficiencies of the Standards of Maintenance and Electrical By-laws and an order was sent to the owner in December of 2005 requiring that all deficiencies under all of the By-laws be rectified and written confirmation must be received from an Environmental Consultant. Following a recent inspection it was reported that the infractions are still existing and the report from the Environmental Consultant has not been submitted. This file will be referred to the City Prosecutor for charges.

A recent conversation between the owner and our inspection services notes that the owner has listed the house for sale.

## CONCLUSION

As the building is 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 deficiencies under the By-laws.

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