



CITY OF VANCOUVER

ADMINISTRATIVE REPORT

Date: April 11, 2006
Author: Pattie Hayes
Phone No.: 604-873-7787
RTS No.: 05875
VanRIMS No.: 11-4400-10
Meeting Date: May 18, 2006

TO: Standing Committee on Planning and Environment

FROM: City Building Inspector

SUBJECT: 1537-1539 Victoria Drive
Warning to Prospective Purchasers

RECOMMENDATION

THAT the City Clerk be directed to file a 336D Notice against the title to the property at 1537-1539 Victoria Drive (Lot B of 9 & 10 of 4 of D, Block 137, District Lot 264A) PID 015-385-302 in order to warn prospective purchasers that there are contraventions of the Zoning and Development, Electrical 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 1537-1539 Victoria Drive to warn prospective purchasers of By-law violations.

BACKGROUND

The building at 1537-1539 Victoria Drive was constructed prior to 1955 and is approved as a two (2) family dwelling. The building is located in an RT-5 (Two Family Dwelling) District.

DISCUSSION

As a result of a complaint in January of 2002, our inspection services investigated and reported that alterations were being carried out prior to obtaining the required permits and approvals. This work includes interior and exterior alterations and an addition to the main floor, finished floor space in the previously unfinished basement, work to the exterior finish including plumbing and electrical work. An order to stop work was sent in January of 2002 with a further letter sent in February of 2002 outlining permit requirements and also with a request to gain access to the entire building.

A further request to gain access to all areas of the building was sent in October of 2003 however when the inspector attended the site the owner would not allow the inspector access to the building.

Information from a former tenant was given to the District Property Use Inspector that this building currently has five (5) dwelling units in it although the approved use of the building is a two (2) family dwelling and currently holds a 2006 Business License for a duplex (two family dwelling).

Requests for access outlining a date and time when the inspector would return received no reply even though the Post Office confirmed delivery. As the owner failed to provide access the matter is being referred to the City Prosecutor for charges. The inspector advises the unauthorized work remains outstanding.

CONCLUSION

This building is not listed at this time for sale however 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 contraventions under the Zoning and Development, Electrical and Vancouver Building By-laws.

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