

CITY OF VANCOUVER

ADMINISTRATIVE REPORT



Date: May 19, 2006
Author: Pattie Hayes
Phone No.: 604-873-7787
RTS No.: 06004
VanRIMS No.: 11-4400-10
Meeting Date: June 15, 2006

TO: Standing Committee on Planning and Environment
FROM: City Building Inspector
SUBJECT: 5496 Ormidale Street - Warning to Prospective Purchasers

RECOMMENDATION

THAT the City Clerk be directed to file a 336D Notice against the title to the property at 5496 Ormidale Street (Lot 31, Block 6, District Lot 36 & 49, Plan 2889) in order to warn prospective purchasers that there are contraventions of the Zoning and Development, Vancouver Building, and Electrical 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 5496 Ormidale Street Avenue to warn prospective purchasers of By-law violations.

BACKGROUND

The property addressed as 5496 Ormidale Street is approved as a one family dwelling. This building was constructed prior to 1955 and is located in a CD-1 District.

DISCUSSION

Following an attempt to inspect the building on April 4, 2006 it was noted by inspection staff that access was gained to only One (1) dwelling unit on the lower floor. At this time it was revealed by a tenant that there were four (4) dwelling units in the building (2 dwelling units in the basement and two dwelling units on the first storey) in this approved one (1) family dwelling in contravention of the Zoning and Development and Vancouver Building By-laws. A subsequent order was sent April 6, 2006 for the inspection groups to gain access to the entire building to determine the use of the building and the living standard. The owner did not provide access as required under our access order however one tenant did allow an inspection. As access was not gained to the entire building the matter has been referred to the City Prosecutor for charges.

The owner was sent further correspondence on April 28, 2006 outlining deficiencies that were noted under the Electrical By-law for the one area that they did gain access to however to date no permits have been issued nor has the required work been completed.

CONCLUSION

The building is currently listed for sale by the owner's wife who is a realtor and she has it listed as a multiple dwelling containing four (4) dwelling units, and therefore it is recommended that a 336D Notice be filed against the title so that any prospective purchasers will be warned that there are violations of the Zoning and Development, Vancouver Building and Electrical By-laws.

* * * * *