



CITY OF VANCOUVER

ADMINISTRATIVE REPORT

Date: October 6, 2006
Author: Pattie Hayes
Phone No.: 604-873-7787
RTS No.: 06313
VanRIMS No.: 11-4400-10
Meeting Date: November 2, 2006

TO: Standing Committee on Planning and Environment

FROM: City Building Inspector

SUBJECT: 6925 Granville Street
Warning to Prospective Purchasers

RECOMMENDATION

- A. THAT the City Clerk be directed to file a 336D Notice against the title to the property at 6925 Granville Street (Lot 8 of F, Block 11, District Lot 526, Plan 5614) PID 011-105-887 in order to warn prospective purchasers that there are deficiencies under the Zoning and Development and Vancouver Building/Plumbing, Electrical and Standards of Maintenance By-laws.
- B. THAT the Director of Legal Services is hereby authorized, in her discretion, to commence a legal action or proceeding in relation to the premises located at 6925 Granville Street (Lot 8 of F, Block 11, District Lot 526, Plan 5614) PID 011-105-887 and may, in her discretion, seek injunctive relief in that action or proceeding, in order to bring this property into compliance with City 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.

Sections 334 and 571 of the Vancouver Charter allow the City to seek injunctive relief for any By-law contravention.

PURPOSE

The purpose of this report is to request approval to file a 336D Notice against the title to 6925 Granville Street to warn prospective purchasers of By-law violations and to request approval to seek injunctive relief.

BACKGROUND

The building at 6925 Granville Street was constructed in 1944 and is approved as a one family dwelling. The building is located in an RS-6 (One Family Dwelling) District. This building was purchased by the current owners in June of 2005.

DISCUSSION

As a result of a complaint in August of 2005, our inspection services reported that the building which is approved as a one family dwelling was being occupied illegally as a rooming house with twenty (20) sleeping rooms with each individually keyed with a number on the door. It was further noted that extensive alterations have been carried out to this building which include the construction of new demising walls on all three (3) floors and the installation of a new kitchen, a new washroom, a laundry area and seven (7) sleeping rooms in the basement which was previously unfinished with all work being done without permits or approvals.

Correspondence was sent to the property owners on September 12, 2005 outlining the above items and also included information on serving eviction notices to the tenants in these unapproved sleeping rooms. Following a re-inspection by the District Property Use Inspector it was noted that the building was occupied as approved.

A further complaint was received in July of 2006 which revealed that once again the building was being used illegally as a rooming house with twenty (20) individually keyed and numbered sleeping rooms and the interior alterations as described above still exist. These alterations and deficiencies are in contravention of the Zoning and Development and Vancouver Building/Plumbing, Electrical and Standards of Maintenance By-laws.

As the owners have not permitted our inspectors to gain access to all areas of the building to ascertain the full extent of unauthorized work, this matter will now be referred to the City Prosecutor for the laying of charges for not providing access.

CONCLUSION

Although this 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 there are deficiencies under the Zoning and Development, Vancouver Building/Plumbing, Standards of Maintenance and Electrical By-laws. Subject to Council approval, I will be referring this matter to the Director of Legal Services to request that she commence legal action and seek an injunction if, in her opinion, it is appropriate to do so.

* * * * *