CITY OF **VANCOUVER**

ADMINISTRATIVE REPORT

Report Date:	November 14, 2006
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Meeting Date:	January 18, 2007

TO: Standing Committee on Planning and Environment

FROM: City Building Inspector

SUBJECT: 2121 Dundas Street - Warning to Prospective Purchasers

RECOMMENDATION

> THAT the City Clerk be directed to file a 336D Notice against the title to 2121 Dundas Street, Lot 16, Block 20, District Lot 184 Plan 178, PID 009-298-304, in order to warn prospective purchasers that eight units in the building were used as illegal marijuana grow operations and that there are contraventions of the Vancouver Building and Electrical By-laws related to these unauthorized uses.

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 enforce 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 warning notice against the title to the building at 2121 Dundas Street in order to warn prospective purchasers that eight units (#201, #202, #203, #208, #209, #211, #212 and #310) in this building were used as a marijuana grow operations resulting in By-law violations.

BACKGROUND

This is an apartment building that was constructed in 1971 containing 35 dwelling units. It is located in an RM-3A (Multiple Dwelling) District. The building is not strata titled and is owned by a corporation.

DISCUSSION

In February of 2003, #310 in this building was closed by the Vancouver Police Drug Squad and City Inspectors (Growbusters Team), because it was being used as a marijuana grow operation. To alleviate the unsafe condition created by the grow op, the power to the unit was disconnected and the owners were directed to obtain an electrical permit for correction of the electrical deficiencies in the suite. To date, the required electrical permit has not been obtained and permission to reoccupy this unit has not been granted.

In August of 2006, the Growbusters Team closed the following seven (7) units as they were also being used as marijuana grow operations:

> #201, #202, #203, #208, #209, #211 and #212

Police report that a total of 1,180 mature plants were seized which were valued at $1,180,000. The Police also advise that none of the affected suites appeared to be occupied.

Because of the unsafe conditions resulting from the modification of the electrical wiring, the electrical service to the units was disconnected and the owners were directed to meet with the Deputy Chief License Inspector to discuss the management of the building, however, to date, no meeting occurred nor have the required Special Inspection Permits been issued for the affected units. The owners are also required to obtain the services of a qualified Environmental Consultant to inspect the building for mould contamination and carry out the necessary remediation to eliminate the potential hazard.

CONCLUSION

It is recommended that a 336D warning notice be filed against the title to the building at 2121 Dundas Street. This action will provide a warning to any prospective purchaser that there are violations of the Vancouver Building and Electrical By-laws and potential mould contamination resulting from the grow operations.

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