



CITY OF VANCOUVER

ADMINISTRATIVE REPORT

Date: April 18, 2008  
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Meeting Date: May 22, 2008

TO: Standing Committee on Planning and Environment  
FROM: City Building Inspector  
SUBJECT: 2223 Oxford 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 2223 Oxford Street, Lot 1, Block 14, District Lot 184, Group 1, Plan LMP 34485, PID 023-869-542 in order to warn prospective purchasers that there are contraventions of the Zoning and Development, Building and Electrical By-laws related to this building.
- 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 2223 Oxford Street, Lot 1, Block 14, District Lot 184, Group 1, Plan LMP 34485, PID 023-869-542, and may, in her discretion, seek injunctive relief in that action or proceeding, in order to bring this building 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 2223 Oxford Street to warn prospective purchasers of By-law violations and to request approval to seek injunctive relief.

## BACKGROUND

The existing building at 2223 Oxford Street was constructed prior to 1940 and is located in an RM-3A (Multiple Dwelling) District). This building was constructed and is approved as a one family dwelling. The current owner purchased this property in March of 1999.

As a result of a complaint in June of 2000, our inspection services reported that extensive alterations were carried out to this building prior to obtaining the required permits or approvals in contravention of the Zoning and Development, Building and Electrical By-laws. Correspondence was sent to the owners at that time requiring all work to stop until permits and approvals had been obtained.

As the alterations were very extensive staff met with the owner to explain the options available to him and followed this up with a letter outlining permitting requirements and also gave him additional time to comply with our by-laws. Subsequent inspections revealed that there were no changes to the building and permits had not been obtained.

In January of 2008 following receipt of a complaint and a review of our files it was discovered that the enforcement of this property had not been followed through with due to staffing/district changes. A detailed access letter was sent to the owner requesting an inspection in order to determine the current state of the building in regards to the work done without a permit. Our inspection services reported on April 8, 2008 that further alterations had been carried out to the building without the required permits or approvals. These alterations are extensive and include additions, plumbing, electrical and structural work.

It was further reported that the site was extremely untidy with an accumulation of debris and discarded construction materials.

## DISCUSSION

The alterations to this building are extensive and include structural work. There have been no permits or approvals to date. The yards are strewn with construction debris and other miscellaneous items creating an extremely untidy site and an eyesore for the entire neighbourhood.

## CONCLUSION

Although the 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 violations of the Zoning and Development, Building 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.

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