



CITY OF VANCOUVER

ADMINISTRATIVE REPORT

Date: May 8, 2008.  
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Meeting Date: May 22, 2008

TO: Standing Committee on Planning and Environment

FROM: City Building Inspector

SUBJECT: 1021 Odium Drive  
Warning to Prospective Purchasers

RECOMMENDATION

- A. THAT the City Clerk be directed to file a 336D Notice against the title to the property at 1021 Odium Drive, Lot E (except the west 3 feet now lane) of Lot 30, Block I, District Lot 182, Plan 3365, PID 011-626-747, 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 1021 Odium Drive, Lot E (except the west 3 feet now lane) of Lot 30, Block I, District Lot 182, Plan 3365, PID 011-626-747, 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 1021 Odlum Drive to warn prospective purchasers of By-law violations and to request approval to seek injunctive relief.

## BACKGROUND

The existing building at 1021 Odlum Drive was constructed prior to 1946 and is located in an RM-4 (Multiple Dwelling District). This building was constructed and is approved as a one family dwelling. The current owner purchased this property in January of 2006.

As a result of a routine inspection in 2007, our inspection services reported that extensive alterations were carried out to this vacant building prior to obtaining the required permits or approvals in contravention of the Zoning and Development, Building, and Electrical By-laws.

These alterations include but are not limited to; installation of a secondary suite (which cannot be legalized as the headroom clearance does not comply with the Building By-law), removal of an interconnecting stair from the basement to the main floor, new stairs to the attic (therefore creating additional floor space), an approximate 8' X 20' second storey rear deck, new plumbing and electrical installations. The overall workmanship of the alterations is reported to be extremely poor. The electrical alterations were to the extent that they created a hazardous condition. Subsequently, BC Hydro was notified, and the power was disconnected to the building.

Correspondence was sent to the owner informing him of the results of our coordinated inspection and provided him with information on permitting requirements.

It was further reported that a "for sale" sign was posted on the property.

**DISCUSSION**

The work carried out to this building is very extensive and includes building, plumbing and electrical alterations. There have been no permits or approvals to date. The building remains vacant with the electrical service disconnected.

**CONCLUSION**

Although the building is no longer 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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