



ADMINISTRATIVE REPORT

Report Date: April 23, 2010.  
Contact: Pattie Hayes  
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RTS No.: 08694  
VanRIMS No.: 08-2000-20  
Meeting Date: June 10, 2010

TO: Standing Committee on Planning and Environment  
FROM: Director of Licenses & Inspections  
SUBJECT: 408-416 West 13<sup>th</sup> Avenue  
Warning to Prospective Purchasers

***RECOMMENDATION***

THAT the City Clerk be directed to file a 336D Warning Notice against the Certificate of Title to the property at 408-416 West 13th Avenue (Lot 7, Block C, District Lot 526, Plan 1530 - PID 009-422-986) in order to warn prospective purchasers that there are violations of the Zoning and Development and Vancouver Building By-laws related to this property.

***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 can warn prospective purchasers of contraventions of City by-laws related 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 is of a nature that a purchaser unaware of the contravention, would suffer a significant 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 requests Council approval to place a warning notice on title to the property.

## ***BACKGROUND***

This is a one family dwelling constructed in 1921 which contains a secondary suite. This building is located in an RT-6 Two Family Dwelling District.

## ***DISCUSSION***

As a result of a complaint in November of 2009, our inspection services reported that an approximate 30' X 12' second storey roof deck complete with guard rails was constructed at the rear of the building prior to obtaining the required permits or approvals in contravention of the Zoning and Development and Building By-laws.

Correspondence was sent to the owners with information on the permitting process however, to date no applications have been submitted or permits obtained and the building is now listed for sale. The real estate agent for the property owner has been advised that the deck addition was constructed without permits or approvals.

It is further noted that the listing as printed from the intranet shows three (3) dwelling units however, the building is approved under permit for two (2) dwelling units only. The 3rd dwelling unit is conditional under the Zoning & Development By-law. Development and Building permits are required.

## ***FINANCIAL IMPLICATIONS***

There are no financial implications.

## ***CONCLUSION***

The property is currently listed for sale and it is recommended that a 336D Warning to Prospective Purchasers be filed against the property in the Land Titles Office to warn any prospective purchasers that there are violations of the Zoning and Development and Building By-laws.

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