



## CITY OF VANCOUVER

### ADMINISTRATIVE REPORT

Date: June 2, 2005.  
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CC File No.: 2701  
Meeting Date: June 30, 2005

TO: Standing Committee on Planning and Environment

FROM: City Building Inspector

SUBJECT: 6991 Victoria Drive (Penthouse # 11)  
Warning to Prospective Purchasers

#### RECOMMENDATION

THAT the City Clerk be directed to file a 336D Notice against the title to the property at 6991 Victoria Drive (Penthouse #11), Strata Lot 42, District Lot 735, Group 1 New Westminster District Strata Plan LMS3954, PID 024-570-257 in order to warn prospective purchasers that this portion of the building has been used as an illegal marijuana grow operation on two occasions and there are contraventions of the Vancouver Building and Electrical By-laws related to this unapproved use.

#### 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.

## PURPOSE

The purpose of this report is to request approval to file a 336D Notice against the title to 6991 Victoria Drive (Penthouse #11) to warn prospective purchasers of By-law violations.

## BACKGROUND

The building at 6991 Victoria Drive was constructed in September of 1999 and is approved as a retail/residential building with Penthouse # 11 being approved as one (1) dwelling unit. The building is located in an C-2 (Commercial) District.

## DISCUSSION

In November of 2002, this unit (Penthouse #11) was closed by the Vancouver Police Drug Squad and City Inspectors because it was being used as an illegal marijuana grow operation. The power and gas to this unit was disconnected and the owners were advised that they were required to go through the inspection and re-occupancy permit process. A re-occupancy permit was issued on February 27, 2003 for this unit (Penthouse #11).

In May of 2005, the Vancouver Police reported that this unit was again being used as a grow operation. The services to this unit were disconnected again and the owners have been asked to come into City Hall to meet with City staff to discuss the situation.

The owners will be advised that a new departmental policy has been initiated to handle "repeat" grow ops, which is to request Council's approval for the filing of a warning notice on the title of these properties.

## CONCLUSION

Although this unit (Penthouse #11) 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 the this unit has been used previously as a marijuana grow operation on two occasions and that there are violations of the Vancouver Building and Electrical By-laws related to this unapproved use.

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