



## CITY OF VANCOUVER

### ADMINISTRATIVE REPORT

Date: February 17, 2006  
Author: Pattie Hayes  
Phone No.: 604-873-7787  
RTS No.: 05755  
VanRIMS No.: 11-4400-10  
Meeting Date: April 20, 2006

TO: Standing Committee on Planning and Environment

FROM: City Building Inspector

SUBJECT: 456 East 12th Avenue  
Warning to Prospective Purchasers

#### RECOMMENDATION

THAT the City Clerk be directed to file a 336D Notice against the title to the property at 456 East 12th Avenue (Lot 5 Ex E 14 Ft & 6 in, Block 129 N Hif, District Lot 264A, Plan 1235 & 1771) in order to warn prospective purchasers that there are contraventions of the Zoning and Development, Vancouver Building, Standards of Maintenance and Electrical By-laws related to this building.

#### 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 456 East 12th Avenue to warn prospective purchasers of By-law violations.

## **BACKGROUND**

The property addressed as 456 East 12th Avenue is approved as a one family dwelling. This building was constructed prior to 1939 and is located in an RT-5 (Two Family Dwelling) District.

## **DISCUSSION**

Following a recent co-ordinated inspection it was reported that this building which is approved as a one family dwelling, is being occupied as a rooming house containing up to seven (7) individual tenants on the upper three floors and a dwelling unit in the basement in contravention of the Zoning and Development and Vancouver Building By-laws.

The owner was sent correspondence on February 7, 2006 to cease occupying the building as rooming house and to remove the basement dwelling installed without permit. In addition because of visible mould identified in the basement, the building owners have also been advised that they must retain the services of a qualified Environmental Consultant who will inspect the work and conduct air monitoring for spore counts. Once the services of the Environmental Consultant are complete, the Consultant must provide written confirmation to the Chief Building Official indicating that the spore counts in the building meet acceptable standards and the building is substantially free of any pesticides, fertilizers, toxic substances, moulds or fungi.

Included in our correspondence was a requirement to repair the roof and holes in the interior walls and to repair and paint all water damaged ceilings and walls which were in contravention of the Standards of Maintenance By-law. Electrical deficiencies were identified and will require an Electrical Contractor to obtain a permit and do the necessary upgrading.

## **CONCLUSION**

The building is currently listed for sale, therefore it is recommended that a 336D Notice be filed against the title so that any prospective purchasers will be warned that there are violations of the Zoning and Development, Vancouver Building, Standards of Maintenance and Electrical By-laws.

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