

Section 57 for 750 Kingsway Avenue

RECOMMENDATION:

That the Corporate Officer be directed to file a notice in the Land Title Office stating:

- 1) A resolution relating to Lot "C" Except: **FIRSTLY: PARCEL "ONE" (REFERENCE PLAN 10936) SECONDLY: PART SUBDIVIDED BY PLAN12877; SECTIONS 16 AND 17 BLOCK6 NORTH RANGE 1 EAST NEW WESTMINSTER DISTRICT PLAN 5405 has been made under Section 57 of the Community Charter for the property at 750 Kingsway Avenue.***
- 2) Further information concerning this matter is available from the Building Division, City of Port Coquitlam, 200-2564 Shaughnessy Street, Port Coquitlam, BC V3C 3G4.*

PURPOSE

To reduce liability to the City for construction or alteration work done by property owners, business owners or contractors without, or not in compliance with, building permits or inspections and to encourage compliance with the City's bylaws, the BC Building Code and other regulations.

BACKGROUND AND COMMENTS

Since 2021, the Building Division has been aware of numerous building and structural deficiencies on the property that are unsafe and in contravention of the City's bylaws and the BC Building Code. These deficiencies were discovered as a result of a business license inspection of Ground X, the tenant and operator of the property. The City has requested that these deficiencies be resolved, but to date the City has received little cooperation from the business proprietor or the property owner regarding these deficiencies.



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The attached correspondence from the Building Inspector describes the work without permit at 750 Kingsway Avenue. The Corporate Officer has sent a copy of this report and details of the hearing date and time to the property owner.

The Manager of Building Permits and Inspections recently reviewed the business inspection issues with the property owner.

A Section 57 Notice on title is recommended because the following has not been resolved:

Building and Plumbing Comments:

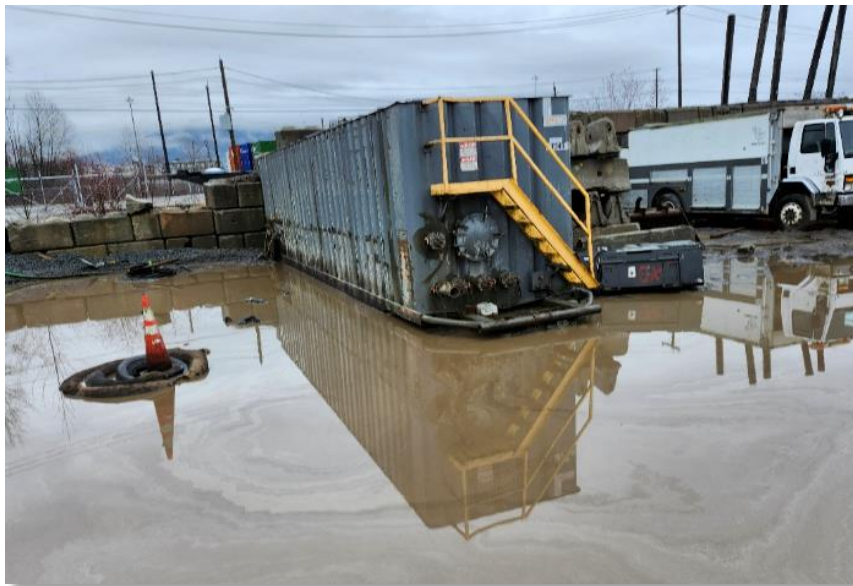


- Accessory canopy structure constructed without a permit.

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- Building Permit is required for siting of the office trailer currently sitting above storage containers. The City does not have record of a building permit for the new office building located next to the large green two storey building near the entrance to the property. Alternatively, this building should be removed from the property.
- There are also several accessory buildings for which there is no record of permits.



- A permit is required prior to any installation of any drainage facilities on site.

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- A number of storage containers used for storage.



- Structures currently encroaching onto city property to be addressed.

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- Indicate which of the existing abandoned buildings are going to be retained and used. The structures must be made safe to occupy. Demolition Permits will be required to remove the structures. Several buildings on the property appear to be abandoned and are in disrepair. It is recommended that these buildings be removed. Demolition permits are required to be obtained prior to commencing work for the removal of any buildings.
- Provide washroom facility. Note; Services for washroom facilities are required to be provided as required under the 2018 BC Building Code. Portable washrooms are not an acceptable method to satisfy this requirement and are not adequate as a public health solution.

Fire Department Comments:

- Condemned building being used.
- Shipping containers hooked up to electricity, some being used as offices, and others stacked in precarious manners.
- Emergency access route appears to be blocked by mounds of dirt and gravel, limiting the actions of Fire Departmental response during an emergency.

No action to resolve the items of deficiencies submitted to the business owner in the letter dated March 13, 2023, have been undertaken.

It should be emphasized that the removal of any material(s) from the property is required to follow Provincial guidelines regarding contaminated sites.

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Filing a Section 57 Notice against the property title will:

- Provide information for present and future owners of the building permit or inspection issues;
- Shift the liability away from the City;
- Encourage compliance with the building regulations as real estate agents, mortgage holders and insurers may be very concerned about the risk.

After providing the property owner, building inspector and those affected an opportunity to be heard, Council may decide on this matter.

OPTIONS (✓ = Staff Recommendation)

	#	Description
<input checked="" type="checkbox"/>	1	Direct staff to file the notice.
<input type="checkbox"/>	2	Request additional information prior to making a decision on the notice.
<input type="checkbox"/>	3	Decline to file the notice.

ATTACHMENTS

Attachment 1: Inspection Notice dated July 28, 2022

Attachment 2: Fire Department Letter dated Nov 14, 2023

Attachment 3: Letter to Ground X dated March 13, 2023

Attachment 4: Memo to Director dated Feb 1, 2024

Lead author(s): Larry Lorette