

TO: Bruce Irvine
Director of Development Services

FROM: Larry Lorette
Manager of Building Permits and Inspections

SUBJECT: Section 57 Notice on Title for 750 Kingsway
Avenue

FILE: CS008962/CS009481

DATE: Feb 1, 2024

RECOMMENDATION:

The Building Inspector recommends Council place a notice on title as provided in Section 57 of the *Community Charter* because of multiple infractions of BC Building Code, City Bylaws, and environmental damage as described in the Council Report.

BACKGROUND & 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 we have received little cooperation from the business proprietor or the property owner regarding these deficiencies.

Jan 2021- During a business license inspection by the Building Department and Fire Department by the Fire Department, the following issues were observed:

Property and Business Deficiencies:

Building and Plumbing Comments:

- Accessory canopy structure constructed without a permit.
- Building Permit is required for siting of 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.
- A number of storage containers used for storage.
- Structures currently encroaching onto city property to be addressed.

- Indicate which of the existing abandoned building 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; Temporary portable is not adequate as a public health solution. 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.
- A weigh scale has been placed upon City Property between 750 and 855 Kingsway Avenue as part of Ground X's operations that needs to be removed. A permit for the weigh scale building will be required if relocated.

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.

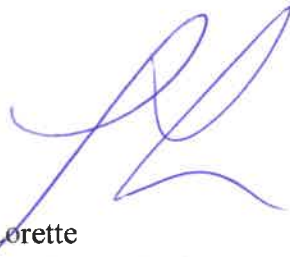
Engineering and Public Works Comments:

- Discharging deleterious substances to river and ditch.
- Encroachment on City ROW (dike). Unauthorized construction or modification of the dike lands
- Road debris and damage to roadway.
- Soil depositing in contradiction to city soil bylaw 3331. Metro Vancouver has advised that an unlicensed waste facility is in operation
- Alleged receiving contaminated soil- hydro carbons.

Planning Department Comments:

- The business has blocked culvert and is discharging into watercourse. Property has visible drainage issues - may be contaminated and is uncontrolled.
- Watercourse encroachment (with fill being dumped on west end of site).
- Watercourse development permit requirement for works within setback area (land clearing, siting of structures).

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



Larry Lorette
Manager of Building Permits and Inspections