

File No.: 04-1000-20-2022-195

May 24, 2022

s.22(1)

Dear s.22(1)

Re: **Request for Access to Records under the Freedom of Information and Protection of Privacy Act (the "Act")**

I am responding to your request of April 14, 2022 under the ***Freedom of Information and Protection of Privacy Act, (the Act)***, for:

Records, including notices of violations and orders for compliance, issued to the operator(s) of the Winters Hotel at 203 Abbott Street after a structure fire on April 8, 2022. Date range: April 8 to April 11, 2022.

All responsive records are attached. Some information in the records has been severed, (blacked out), under s.13(1), s.15(1)(l), and s.22(1) of the Act. You can read or download these sections here: http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/96165_00

Under section 52 of the Act, and within 30 business days of receipt of this letter, you may ask the Information & Privacy Commissioner to review any matter related to the City's response to your FOI request by writing to: Office of the Information & Privacy Commissioner, info@oipc.bc.ca or by phoning 250-387-5629.

If you request a review, please provide the Commissioner's office with: 1) the request number (#04-1000-20-2022-195); 2) a copy of this letter; 3) a copy of your original request; and 4) detailed reasons why you are seeking the review.

Yours truly,

[Signed by Cobi Falconer]

Cobi Falconer, MAS, MLIS, CIPP/C
Director, Access to Information & Privacy
cobi.falconer@vancouver.ca
453 W. 12th Avenue Vancouver BC V5Y 1V4

If you have any questions, please email us at foi@vancouver.ca and we will respond to you as soon as possible. Or you can call the FOI Case Manager at 604-871-6584.

Encl. (Response Package)

:ku



CE - Inspection Report - Building

Main Address	203 ABBOTT STREET, Vancouver, BC	Case Number	CF-2022-003762
Specifics and/or Suite #		Date of Inspection (yyyy/mm/dd)	2022/04/12
Number of Storeys	4	IA Number	
Building Name	Winter's Hotel	Permit Number	
Approved Use of Building/Land	SRA	Owner & Contact Info.	WINTERS RESIDENCE LTD 200-68 WATER ST VANCOUVER BC V6B 1A4
Present Use of Building/Land	SRA	Owner's Rep & Contact Info.	
Zoning	HA-2	Tenant & Contact Info.	
Strata Titled Building	<input type="checkbox"/> Yes: <input type="checkbox"/> Common property <input checked="" type="checkbox"/> No <input type="checkbox"/> Individual suite	Business Licence	

Reason for Inspection - ☐ Complaint | ☐ IA | ☐ Permit | ☒ Referral | ☐ Routine | ☐ Re-Check | ☐ 1 Year Access:

Following up after a structure fire the day prior

In Attendance

PUI		Owner/Rep	
Plumbing/Gas/Sprinkler		Fire	Chief Karen Fry ADC Trevor Connelly AC David Boone
Electrical		VPD	
Building	Adrian Cashato	Other	

Inspection Overview/Narrative:

A multi-alarm fire occurred at this building on 2022/04/12.
I conducted an inspection this morning to determine the extent of the damage.

At the time of the inspection, I was able to view the extent of the damage from above by means of a VFRS boom. I observed that the roof and a portion of the fourth floor have collapsed, much of the wood structure has been damaged or destroyed and much of the unreinforced masonry walls are without horizontal support.

In it's current condition as a result of the fire, the building represents a significant, imminent risk to the life safety of the public.

Pictures Taken?

- ☒ Yes
☐ No

Notice Posted?

- ☒ No
☐ Stop Work Order
☐ Do Not Occupy
☐ Unsafe to Occupy

Violation Details:

Violation Number:
VI-2022-01507

Violation Date:
April 12'22

Related Bylaw:
2019 VBBL

Violation Status:

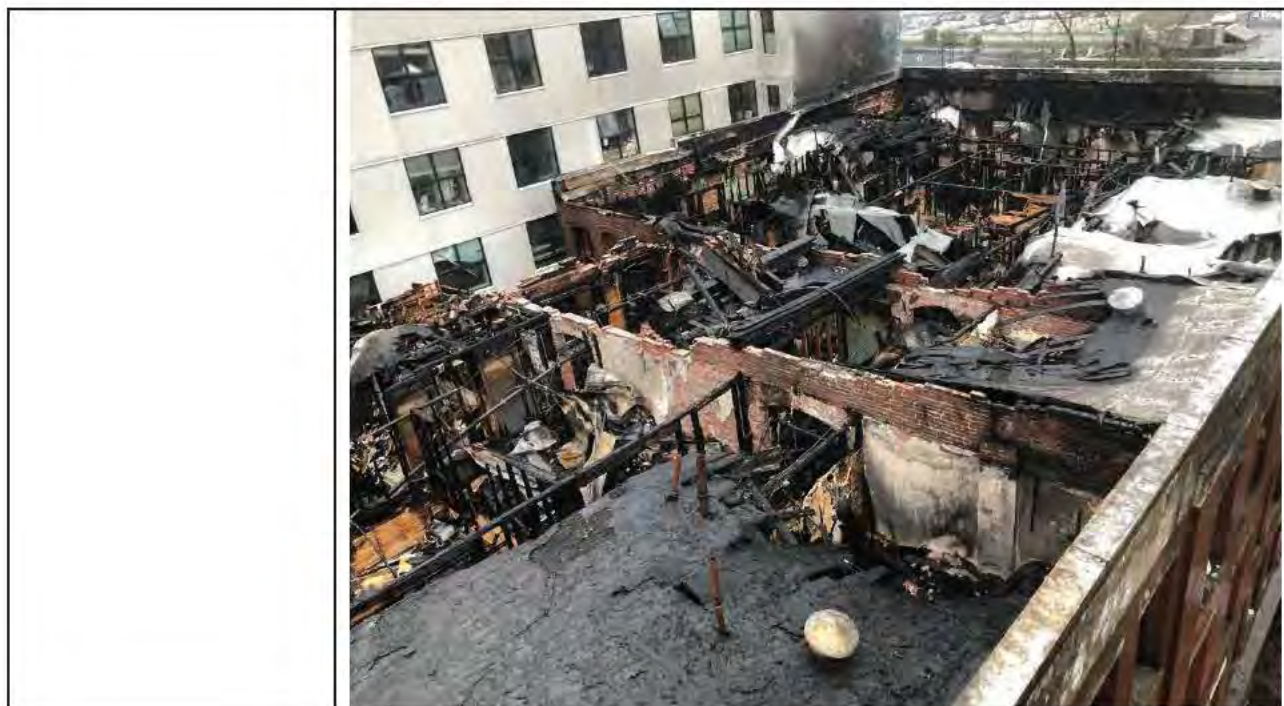
Violation Description:
Structural fire

Order to Remove Unsafe Condition
VBBL 2019 Division C - Section 1.5.3.3

When any building, construction or excavation or part thereof is in an unsafe condition, the Chief Building Official may issue a written order to the owner, certifying the existence of an unsafe condition and requiring correction of any unsafe condition found on a building site, within a specified time.

Violation Photo(s):





Administrative Request:

Please select required correspondence type for this case file:

- | | | |
|---|---------------------------------------|---------------------------------------|
| <input type="checkbox"/> 30 Day Letter | <input type="checkbox"/> 7 Day Order | <input type="checkbox"/> 14 Day Order |
| <input type="checkbox"/> 60 Day Letter | <input type="checkbox"/> 10 Day Order | <input type="checkbox"/> 30 Day Order |
| <input checked="" type="checkbox"/> Immediate Action | | |
| <input type="checkbox"/> Other - Please Specify Preferred Action: _____ | | |

Please specify any permits that are required:

- | | |
|---|--|
| <input type="checkbox"/> Development Permit | <input type="checkbox"/> Sign Permit |
| <input type="checkbox"/> Building Permit | <input type="checkbox"/> Tree Permit |
| <input type="checkbox"/> Electrical Permit | <input type="checkbox"/> Occupancy Permit |
| <input type="checkbox"/> Plumbing Permit | <input type="checkbox"/> IA (Special Inspection) |
| <input type="checkbox"/> Gas Permit | |
| <input type="checkbox"/> Sprinkler Permit | |
| <input type="checkbox"/> Sewer Permit | |

Please provide specific instructions/information (i.e. actions needed for the owner/applicant/tenant to comply with observed violations) that you would like included in the letter/order:

Immediate order to demolish and maintain a safe perimeter around the property

Date Report Made: April 12, 2022

Saul Schwebs 604.506.5538
Case File Manager

Supervisor Notes:



Manager / Supervisor Approval

REGISTERED AND REGULAR MAIL

April 12, 2022
CF-2022-003762

WINTERS RESIDENCE LTD
200 - 68 WATER STREET
VANCOUVER BC V6B 1A4

Contact Person:

Saul Schwebs
Chief Building Official
604-873-7040
saul.schwebs@vancouver.ca

ORDER TO DEMOLISH UNSAFE BUILDING

RE: 203 ABBOTT STREET (102 WATER STREET)

On April 12, 2022, City staff attended the above-cited property as a follow-up to a recent fire at the above-cited building to determine the extent of the damage.

Upon inspection, the following was reported:

- The roof and a portion of the fourth floor have collapsed.
- Most of the wood structure has been either damaged or destroyed.
- Most of the unreinforced masonry walls are without horizontal support.

The above noted condition at the property constitutes an Unsafe Condition contrary to Article 1.3.3.5 of Division C of Building By-law No. 12511 (the By-law), in that it could cause undue hazard or risk to the life, limb or health of any person authorized, expected or anticipated to be on or about the premises.

Articles 1.3.3.5 and 1.5.3.3 of Division C of the By-law specifically state:

1.3.3.5. Unsafe Conditions

1) No person who is an owner or who is involved in the construction, relocation or occupancy of a building shall cause, allow or maintain any unsafe condition.

1.5.3.3. Order to Remove Unsafe Condition

1) When any building, construction or excavation or part thereof is in an unsafe condition, the Chief Building Official may issue a written order to the owner, certifying the existence of an unsafe condition and requiring correction of any unsafe condition found on a building site, within a specified time.

Therefore, in accordance with Articles 1.5.3.3 and 1.5.4.2 of Division C of the Building By-law, **you are ordered to:**

1. **IMMEDIATELY** demolish the building.

PLEASE NOTE, THE BUILDING IS NOT TO BE OCCUPIED AND THE SITE MUST BE MAINTAINED IN A SAFE CONDITION WITH SECURITY FENCING KEPT AROUND THE PERIMETER OF THE SITE.

Note: Due to the unsafe condition at this property, the City is waiving the requirement of a building permit for this work.

Please be advised that failure to comply with this order will result in the matter being referred to the City Prosecutor with a request to approve charges against you under the applicable By-law. If charges are subsequently laid you will be required to attend Provincial Court and will face liability upon conviction to a fine of not less than \$500 for each day that the offence continues.

The imposition of fines by the Court will not absolve you from the requirement to comply with the By-law.

If you are selling your property you should disclose the contents of this order to the prospective purchaser and their representatives.

For questions or concerns please contact Saul Schwebs, Chief Building Official at 604-873-7040 or via email at saul.schwebs@vancouver.ca.

Yours truly,



Saul Schwebs, Architect AIBC
Chief Building Official

Copy: Posted on site

WINTERS RESIDENCE LTD
P.O. BOX 11504
3100 – 650 W GEORGIA STREET
VANCOUVER BC V6B 4P7

Smith, Susan

From: ByLaw Orders
Sent: Tuesday, April 12, 2022 2:46 PM
To: Smith, Susan
Subject: RE: UPDATED DRAFT - ORDER TO DEMOLISH - 203 Abbott St - CF-2022-003762

Looks good. Okay to sign.

Thanks,

Saul Schwebs Architect AIBC

CBO and Director of Building Policy, Inspections & Bylaw Services

Development, Building and Licensing

City of Vancouver

O: 604.873.7040

M: s.15(1)(l)

From: Smith, Susan <susan.smith@vancouver.ca>
Sent: Tuesday, April 12, 2022 2:27 PM
To: ByLaw Orders s.15(1)(l)
Cc: Brar, Gurv <Gurv.Brar@vancouver.ca>
Subject: FW: UPDATED DRAFT - ORDER TO DEMOLISH - 203 Abbott St - CF-2022-003762

Hi Saul,

Attached is the updated draft.

Gurv brought over the updated copy and he said I can leave in the sentence about not needing a building permit.

Gurv also mentioned that you wanted to contact the owner, Peter Plett. I'm working on a different order for another building that Peter owns, so I have his email: s.22(1)
The phone number listed for the building at 203 Abbott is 604-683-5403.

Please email me back with your approval to insert your e-signature or let me know if you have any further changes.

Thanks,
Sue

From: Smith, Susan
Sent: Tuesday, April 12, 2022 12:12 PM
To: ByLaw Orders s.15(1)(l)
Subject: ORDER FOR APPROVAL - Not Safe To Occupy - 203 Abbott St - CF-2022-003762

Hi Saul,

Attached is the following:

1. A draft of the Order for your review. s.13(1)
2. Inspection Report. I know you wrote the report, but I included it just in case.

Please email me back with your approval to insert your e-signature or let me know if you have any changes.
Thanks,
Sue

Susan Smith | Supervisor, Support Services
Development, Buildings and Licensing | City of Vancouver
susan.smith@vancouver.ca
604-871-6233

As Of: Apr 20, 2022 11:46:16

Case File: CF-2022-003762: In Violation

311 Case File Ref

Brief Description

Structural concerns resulting from a fire on Monday April 11

Business License Number

Completed Date

Description

Case File CF-2022-003762: In Violation (Vancouver Building By-law - Structural concerns resulting from a fire on Monday April 11)
203 ABBOTT STREET, Vancouver, BC

dup_DefaultInvestigator

Adrian Cashato

dup_Fine

0.00

Enforcement Stream

Findings

Invoice Due Date

Issue Date

Job Location

Location

Location Description

Location Type

Addressed

Parcel Owner is Defendant

N

Parent Job (Internal ID)

PRISM BU Permit Number

PRISM DB Permit Number

PRISM DE Permit Number

Proposed Investigator (Proposed Assignee)

Reason for Case File

Relationship

STR CD

Violation Updated Date

Apr 12, 2022 14:59:28

Processes

Assign Investigation (Completed on Apr 12, 2022 09:23:30 by Shawn Dyste, Building Inspections Supervisor with outcome "Assigned")

Perform Investigation (Completed on Apr 12, 2022 10:42:35 by Saul Schwebs with outcome "Send for Supervisor Review")

Additional Instructions

Comments

Description

Findings

Re-investigation Date

Route Order

Assignments

Saul Schwebs

Supervisor Review (Completed on Apr 12, 2022 10:57:48 by Shawn Dyste, Building Inspections Supervisor with outcome "Order Required")

Send Notification (Completed on Apr 12, 2022 14:59:28 by Susan Smith with outcome "Order Sent")

Actual Start Date

Comments

Date Completed

Apr 12, 2022 14:59:28

Description

Immediate Order to Demolish Building (Tracking # RN 619 625 472 CA)

Follow-up Investigation Date

Apr 12, 2022 00:00:00

Outcome

Order Sent

Route Order

Scheduled Complete Date

Scheduled Start Date

Apr 12, 2022 10:57:48

Staff Assigned Id List

Assignments

Susan Smith

Relationships

Shadow Process: 172408540

Referenced ObjectId

172408537

Relationships

Letter: 172413882 : CE - Inspec- SWO/RH/BU/EX/FI

Perform Investigation

Additional Instructions

Comments

Description

TO BE POSTED

Findings

Re-investigation Date

Route Order

Assignments

Saul Schwebs

Relationships

Violations: VI-2022-01507

Assess Fine on NOV? N

Assess Fine on Order? N

Description structural fire

Fees Assessed N

Fine Per Period

Fine Per Period

Fine To Assess (NOV)

Fine To Assess (Order)

Frequency

Frequency

Grace Period (days) 0

Grace Period (days) 0

Issue Warning/Violation Warning

Life Safety

Priority

Resolution Date

Resolve By Date

Result

Special Instructions

Violation Date Apr 12, 2022 00:00:00

Relationships

Violation Type: Vancouver Building Bylaw No. 12511

Relationships

Document: 172408510

Document: 172449265

Enforcement Stream: Building

Investigator: Adrian Cashato

Letter: 172396853 : CE - Inspection Report - Building

Description

CE - Inspection Report - Building

File Extension

pdf

File Name

File Size

Revisions

Revision 1 created on Apr 12, 2022 09:54:09 by Saul Schwebs

Relationships

Shadow Process: 172391061

Shadow Process: 172405537

Parcel: 015-712-826 - Parcel: 102 WATER STREET, Vancouver, BC V6B 1B2 (9)

Violation: VI-2022-01507

Assess Fine on NOV?

N

Assess Fine on Order?

N

Description

structural fire

Fees Assessed

N

Fine Per Period

Fine Per Period

Fine To Assess (NOV)

Fine To Assess (Order)

Frequency

Frequency

Grace Period (days)

0

Grace Period (days)

0

Issue Warning/Violation

Warning

Life Safety

Priority

Resolution Date

Resolve By Date

Result

Special Instructions

Violation Date

Apr 12, 2022 00:00:00

Relationships

Violation Type: Vancouver Building Bylaw No. 12511



FIRE & RESCUE SERVICES

NOTICE OF VIOLATION

General

Firehall Office Use only	
<input type="checkbox"/> Routine Inspection	<input type="checkbox"/> Incident
<input type="checkbox"/> Entered into FDM:	Date: _____

Date: 8 Apr 2022 Time: 2020
 Address of Violation: 203 Abbott St Business/Name: _____
 Business Owner: _____ Phone #: 236 889-1286 Fax #: _____
 Person Notice Given To: DANIEL GONCALVES Title: FRONT DESK Phone#: _____
 Receipt of Notice: Daniel Goncalves (signature)

ITEM	CODE	Vancouver Fire By-Law Violations - FOR IMMEDIATE COMPLIANCE
	6.1.1.5.(2) DIV B	<input type="checkbox"/> Have Portable Fire Extinguishers serviced by ASTTBC qualified technician, and service tag securely affixed to serviced equipment.
	6.1.1.5.(1) DIV B	<input checked="" type="checkbox"/> Have FIRE ALARM SYSTEM serviced by ASTTBC qualified technician, and service tag securely affixed to serviced equipment.
	6.1.1.5.(1) DIV B	<input type="checkbox"/> Have EMERGENCY LIGHTING SYSTEMS serviced by ASTTBC qualified technician, and service tag securely affixed to serviced equipment.
	6.1.1.5.(1) DIV B	<input checked="" type="checkbox"/> Have SPRINKLER SYSTEM serviced by ASTTBC qualified technician, and service tag securely affixed to serviced equipment.
	2.7.1.6.(1) DIV B	<input type="checkbox"/> Ensure all means of egress and access to exits are clear and free of any obstructions at all times.
	2.1.5.1.(2) DIV B	<input type="checkbox"/> Provide 5lbs "ABC" Class Portable Fire Extinguisher.
	6.1.1.4.(1) DIV B	<input checked="" type="checkbox"/> Provide 24 Hour Fire Watch until such time that fire alarm system is reset and fully functional.
		- Have unit # <u>s.22(1)</u> SMOKE DETECTORS RETURNED TO PROPER WORKING ORDER
		- Have unit # <u>s.22(1)</u> SMOKE DETECTOR REPLACED
		CALL CALL 2 WHEN COMPLETE 604-665 6002
<p>This Notice of Violation makes you legally responsible for any consequences arising from this matter. A re-inspection service charge of \$200.00 (or as per the current Vancouver Fire By-law fee schedule) for each hour or part thereof (plus G.S.T.) will be assessed for each re-inspection, until the violations noted have been corrected. Failure to comply with the above instructions may result in legal action against the Owner/Occupier.</p>		

IMPORTANT INFORMATION
Please have this translated

RENSEIGNEMENTS IMPORTANTS
Prière de les faire traduire

重要資料
請找人為你翻譯

जुमी महत्वकी
बिना यहके बिना केले दिस ए सुनिश्च करवत

CHỈ DẪN QUAN TRỌNG
Xin nhờ người dịch hộ

INFORMACIÓN IMPORTANTE
Busque alguien que le traduzca

A fire inspection of the above premises disclosed violations which may constitute a hazard to life or property in the event of fire and must be corrected.

Hall #: 2 Shift: B

FOR RE-INSPECTION APPOINTMENT DIAL 311

VFRS FIRE COMPANY INSPECTIONS

ANNUAL CHECK AND TAG MUST BE DONE IN THE 12 MONTHS PRIOR TO THE INSPECTION

ASTTBC is the Applied Science Technologists & Technicians of British Columbia. All service technicians must be certified by ASTTBC.

FIRE ALARM SYSTEMS:

1. Must be checked and tagged annually by an ASTTBC approved Technician
2. Must be tested and recorded monthly, including proper panel enunciator light on, all bells working and audible throughout the building. This can be done by the Mgr.
3. The enunciator panel must be unobstructed and in good repair, with the AC power light on and no trouble signals indicated.
4. All devices, including pull stations, and smoke or heat detectors, must be secure, unobstructed and unpainted.

FIRE EXTINGUISHERS:

1. Are required to be in every building or occupancy we inspect, with a minimum of one (1) per floor.
2. Maximum travel distance to a fire extinguisher in ordinary occupancies is 75 feet, except inside residential suites.
3. The type of extinguisher must be appropriate to the area covered.
4. Must be ULC approved, minimum "2A" rating, securely mounted on the wall, with the top of the extinguisher maximum five (5) feet from the floor.
5. They must be visible and easily accessed, preferably near an exit.

EXIT SIGNS, EXIT LIGHTS AND EMERGENCY LIGHTS:

1. Exit signs must be illuminated at all times the building is occupied.
2. Signs must be clearly visible with no obstructions
3. Emergency lights must have no physical damage and be aimed to cover the appropriate area.
4. Emergency light units must be inspected and tagged annually by an ASTTBC approved technician.
5. Generators must have monthly test records on site and be tagged by an ASTTBC approved technician.

EXIT DOORS:

1. Must function as designed, have clear aisles and visibility, free of any obstructions. This also includes vegetation and snow and ice build up outside the doors. Should also have a white light outside the exit.
2. Require approved self closing devices and feely self close and latch, including stairwell doors.
3. Are able to be readily opened without key or special knowledge of the door opening device.
4. Must have a clearly visible exit light above door.
5. Require "Fire Door Keep Closed" signs, visible when the door is open, unless the approved hold open sentence applies.
6. May be held open....by electromagnetic devices approved by the City of Vancouver, when connected to the Fire Alarm system.
7. No wedges, blocks or other devices to hold the doors open are permitted.
.....with panic hardware, they must also
8. NOT have any overriding locking/security devices in place while the business is open to the public.

CORRIDORS, EXIT STAIRS AND PASSAGEWAYS:

1. Must be maintained in good repair and kept clear of all storage or obstructions.
2. Exterior passageways must also be kept free of snow or ice build up.
3. Stair treads and handrails must be solid, not slippery or rotted, and maintained in good condition.
4. Adequate artificial lighting for good visibility must be provided at all times, including during daylight hours.
5. No timer controlled lights.

SPRINKLER SYSTEMS:

1. Fire Department connections, (Siamese), must be clearly visible, with directional signs if required.
2. F.D. connections must have unobstructed clear access, labels/signs indicating area covered and protective caps in place.
3. The main shutoff valve is to be in the open position with access to it locked against tampering.
4. Sprinkler valves must have clear labelling indicating their function and building coverage area.
5. A sprinkler wrench and a minimum of 6 spare heads for small systems must be on site with main shutoff valves.
6. All sprinkler heads must be kept free of any paint or coating they may be exposed to.
7. Check the log book of sprinkler system activities.
8. Sprinkler systems are required to be checked and tagged annually by an ASTTBC approved technician.

STANDPIPE AND HOSE SYSTEMS:

1. Fire Department connections, (Siamese), must be clearly visible, with directional signs if required.
2. F.D. connections must have unobstructed clear access, signs indicated area covered and protective caps in place.
3. The main shutoff valve is to be in the open position with access to it locked against tampering.
4. Fire hose cabinet valves are to be checked and tagged annually by an ASTTBC approved technician.
5. Fire hose in cabinets to be re-racked annually.

GENERAL:

1. Building addresses must be easily readable from the street, even at night.
2. NO propane fuelled vehicles in underground parking.
3. No general storage in underground parking, electrical rooms, or furnace rooms.
4. Assembly occupancies, e.g., restaurants or meeting rooms/halls holding over 60 people, require Occupant Load Certificates from VFRS, which *must be mounted visibly*, near the main entrance.....e.g. each room or hall area involved.

Review the Fire Safety Plan/Operations Manual; test the building keys from lock box.