

File No.: 04-1000-20-2023-249

June 5, 2023

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 26, 2023 under the ***Freedom of Information and Protection of Privacy Act (the Act)*** for:

1. **Decision Path Document/Review Process from Property Use Inspection Branch regarding illegal dwellings, unauthorized dwellings, and illegal suites; and**
2. **Property Use Inspection checklist/form used in scenarios of inspecting suspected authorized dwellings/suites/construction.**

All responsive records are attached. Some information in the records has been severed (blacked out) under s.15(1)(c) of the Act. You can read or download this section 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 (#04-1000-20-2023-249); 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. Alternatively, you can call the FOI Case Manager at 604-871-6584.

Encl. (Response Package)

:ag

Main Address	PermitLocation	Case Number	JobNumber
Specifics and/or Suite #		Date of Inspection (yyyy/mm/dd)	
Number of Storeys		IA Number	
Building Name		Permit Number	
Approved Use of Building/Land		Owner & Contact Info.	Defendants.FormattedName Defendants.FormattedAddress
Present Use of Building/Land		Owner's Rep & Contact Info.	
Zoning		Tenant & Contact Info.	
Strata Titled Building	<input type="checkbox"/> Yes: <input type="checkbox"/> Common property <input type="checkbox"/> No <input type="checkbox"/> Individual suite	Business Licence	

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

In Attendance

PUJ		Owner/Rep	
Plumbing/Gas/Sprinkler		Fire	
Electrical		VPD	
Building		Other	

Inspection Overview/Narrative:

<Insert notes here>

Pictures Taken?
 Yes
 No

Notice Posted?
 No
 Stop Work Order
 Do Not Occupy
 Unsafe to Occupy

Violation Details:

Violation Number:

OutstandingViolations.
ViolationNumber

Violation Date:

Violations.FormattedVi
olationDate

Related Bylaw:

OutstandingViolations.
ViolationType

Violation Status:

OutstandingViolations.
Result

Violation Description:

OutstandingViolations.Description

Violation Photo(s):

Administrative Request:

Please select required correspondence type for this case file:

- 30 Day Letter
- 60 Day Letter
- Immediate Action
- Other - Please Specify Preferred Action: _____
- 7 Day Order
- 10 Day Order
- 14 Day Order
- 30 Day Order

If permits are required, please specify those that should be mentioned in the correspondence:

- Development Permit
- Building Permit
- Electrical Permit
- Plumbing Permit
- Gas Permit
- Sprinkler Permit
- Sewer Permit
- Sign Permit
- Tree Permit
- Occupancy Permit
- IA (Special Inspection)

Provide specific instructions (i.e. actions needed for the owner/applicant/tenant to comply) that you would like included in the letter/order:

Send <letter/order> to <property owner AND/OR tenant> instructing them to <actions required to correct violations>.

Date Report Made: CurrentDate

DefaultInvestigator
DefaultInvestigatorPhoneNumber
Case File Manager

Supervisor Notes:

[sign]image:SigningUserSignatureDocumentId

Manager / Supervisor Approval

Additional Documentation	Description

BRANCH PROCEDURE/PRACTICE Interim Secondary/Tertiary Suite Inspections

Effective Date: February 11, 2022

DEFINITIONS:

1. **One Family Dwelling (1 FD)** - is a self-contained dwelling unit occupied by one family, one family with 2 boarders/lodgers or 5 unrelated people.
2. **Illegal Suite** - is a self-contained dwelling unit consisting of a living area, washroom(s) and cooking facilities that exists without approval/permits.
3. **Phase-out Suite (*Original Phase out Program*)** - is a self-contained dwelling unit approved for a limited time, which was in existence prior to October 22, 1986. These were allowed on a permanent basis if the PO provided an electrical declaration by a qualified electrician, otherwise it would have reverted to a 1FD or last approved use.
4. **Permanent Suite** - is a self-contained dwelling unit approved for the life of the existing building (minimum of 394 sq.ft).
5. **Family Suite** - is a self-contained dwelling unit occupied by parents, grandparents, children or grandchildren or a fulltime support person. Not an alternative for a Secondary Suite, would need appropriate permits.
6. **Moratorium Suite** - is an existing dwelling unit installed prior to June 18, 1956 and which had been subject to a Development Permit expiring December 31, 1974.
7. **Suite Approved Under Appeal** - is a dwelling unit approved between 1930 and 1954 by the Zoning Board of Appeal in existing larger houses. These units can remain for the life of the building.
8. **Legally Non-confirming Suite** - suites that existed prior to the adoption of Zoning and Development By-law No. 3575 in June 1956.
9. **Summer Kitchens** - permitted secondary kitchens, allowed up until 1986.

PROCEDURE:

1. Supervisor/Manager review of existing alleged illegal secondary suite(s) CFs to determine which CFs are to be followed up on.
2. Bylaw Administration (BLA) sends out educational secondary suite letters to all CFs that have not had any formal enforcement actions commenced (eg. upgrading letter, enforcement letter or order to PO). Once the letter has been sent, the CF will appear on the PUI's "To Do List".
3. PUI reviews secondary suites CF that appear on their "To Do List", conducts file research regarding approved use, permits, plans, registered property owner (PO), business license, contact phone numbers and district schedules.
4. PUI arranges a site inspection with the PO.

Site Inspection:

1. Observe and record relevant information of the illegal suite(s) and the approved portion of the building on the IR 500 form.
 - i. Please make note if the suite(s) are occupied or vacant
 - ii. Please make note how many individuals are occupying the suite(s)
2. Observe and record potential safety concerns, these may be related, but not limited, to:
 - i. functioning fire extinguishers
 - ii. functioning smoke alarms in bedrooms and common spaces (note if hardwired and interconnected or not)
 - iii. accessible bedroom egress (eg. bars on window(s), no window(s))
 - iv. clear egress paths (eg. no obstructions)
 - v. furnace location (eg. not in bedroom)
 - vi. Electrical concerns:
 1. Exposed/open wires
 2. Exterior electrical service location - at least 1.7 meters above any access point
 3. Extension cords
 4. Panel location - not in bathroom and/or above a sink
 5. Open/exposed junction boxes
3. Capture photos of the illegal suite(s) s.15(1)(c) [REDACTED]
s.15(1)(c) [REDACTED]
4. Sketch the layout of the illegal suite(s). s.15(1)(c) [REDACTED]
[REDACTED]

s.15(1)(c) This sketch can be overlaid on the exiting plans if available.

5. In the course of the site inspection, should apparent life safety hazards be observed of non-conforming conditions covered by Building, Plumbing and/or Electrical bylaws, these should be referred to a Supervisor for review/referral.
6. Observe the exterior of the building/site for any SOM and/or U/T violations.

Reporting:

1. s.15(1)(c)
2. s.15(1)(c)
3. If there are potential safety concerns violations as noted above, make note of the findings in a newly created separate SOM case file. Relevant documentation would be uploaded and then forwarded for supervisor review and enforcement.
4. If there are no violations (eg. no illegal suite(s)), make note of the findings, upload relevant documentation and then close the CF.
5. If there are other violations eg. SOM or U/T associated with the property, initiate appropriate action to bring the violation(s) into compliance.
6. Should voluntary compliance of the suite(s) be achieved through removal or legalization, please make note of this in the "Brief Description" field in Posse prior to closing the CF.

Enforcement:

1. Should enforcement action be required against an illegal suite(s) following supervisor review as, the standard enforcement process would be applicable.

CF Number	JobNumber	Date of Inspection (yyyy/mm/dd)	
Main Address	PermitLocation	Specifics and/or Suite #	
Tenant		Number of Storeys	
Owner	Defendants.FormattedName Defendants.FormattedAddress	Permit Number Plans (Y/N)	
Agent		Approved Use of Building/Land	
District Zone		Present Use of Building/Land	
Business License			

Reason for Inspection

Floor		Floor	
LSS	USS	TS	
DU	HKU	SU	
SINK	CF'S		
Bathroom		Bathroom	
WC	WB	BT/SHR	
Rooms		Rooms	
CH	L & V		
Heating - Gas/Elec/Other		Heating - Gas/Elec/Other	
Separate Furnace Room (Y/N)		Separate Furnace Room (Y/N)	
Smoke Alarms	Wired	Battery	
Fire Protection (Describe)		Fire Protection (Describe)	
Sprinkler? (Y/N)		Sprinkler? (Y/N)	
Means of Egress (Describe)		Means of Egress (Describe)	
Clear? (Y/N)		Clear? (Y/N)	
Bars on Bedroom Windows (Y/N)		Bars on Bedroom Windows (Y/N)	
Interconnection (where)		Interconnection (where)	
Occupant Information (Vacant or # of ppl)		Occupant Information (Vacant or # of ppl)	

General Information

Grades

No. of Parking Spaces

Electrical Components	Property Scan	DEI Referral		Comments
Electrical Mast Clearance (> 1.7m)	(Y/N)	(Y/N)		
Panel Location (No Kit/Bath)	(Y/N)	(Y/N)		
Exposed Wiring	(Y/N)	(Y/N)		
Open/Exposed Junction Boxes	(Y/N)	(Y/N)		
Extension Cord Use	(Y/N)	(Y/N)		
Other Bylaw Violations	Property Scan	CF#		Comments
Untidy	(Y/N)			
Standard of Maintenance	(Y/N)			

Narrative/Observations

Requirements

Recommendations

Photos Taken? Yes No

Date Report Made: CurrentDate

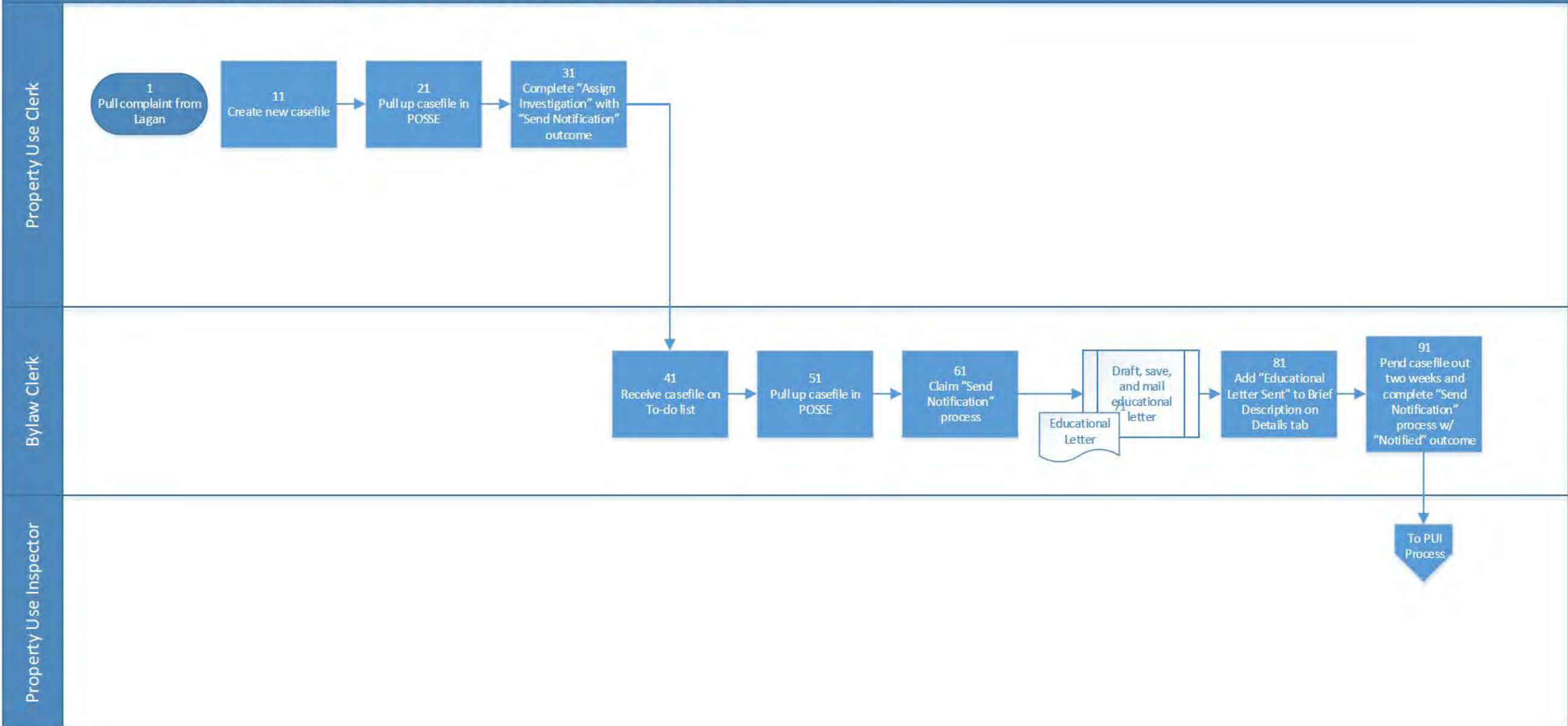
Inspector's Name

Violation Details	
Violation Number: OutstandingViolations.ViolationNumber	Violation: OutstandingViolations.Description
Violation Date: OutstandingViolations.FormattedViolationDate	OutstandingViolations.CodeSection: OutstandingViolations.CodeSectionText
Violation Type: OutstandingViolations.ViolationType	Violation Instructions: OutstandingViolations.SpecialInstructions
Resolve By: OutstandingViolations.FormattedResolveByDate	
Violation Status: OutstandingViolations.Result	

Photo	Description

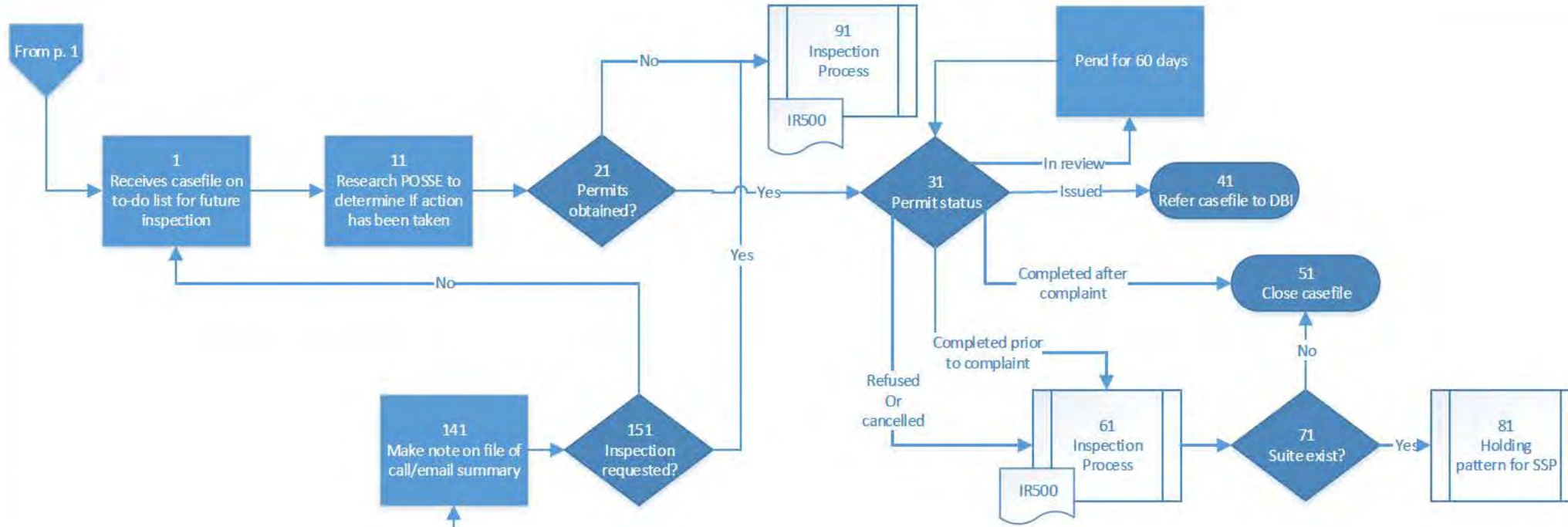
Interim Secondary Suite Program Solution for Casefiles w/ no letter or order sent

Note: This addresses new cases AND backlog cases that have not had an order or a letter sent

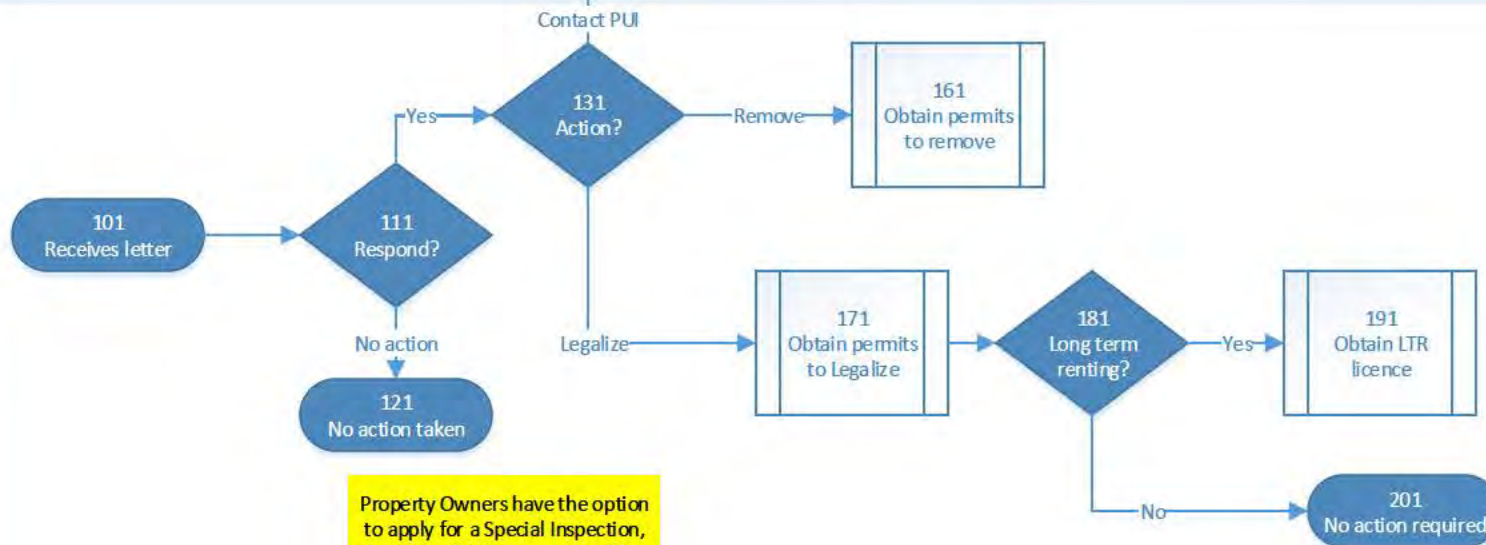


Interim Secondary Suite Process for Property Use for cases with Educational Letter Sent

Property Use Inspector



Property Owner



Property Owners have the option to apply for a Special Inspection, however this is not required for any property as of April 5, 2022.