

February 19, 2019

FOI No: 2019-05

VIA E-MAIL – **Redacted**

Redacted

Dear **Redacted**,

Re: Request for Records
Freedom of Information and Protection of Privacy Act

The City of White Rock has processed your request for access to the following records pursuant to the *Freedom of Information and Protection of Privacy Act (the Act)*:

- *All records related to bylaw officer attendance at 15081 Buena Vista Ave on Monday, November 14, 2019*

Access to these records is available. However, some of the information in the records is excepted from disclosure under the Act. I have severed the excepted information so that I could disclose the remaining information to you as attached.

The severed information is excepted from disclosure under section 22 of the Act. Severing was necessary to avoid disclosing any third-party personal information without permission.

Please contact our office if you have any questions or concerns.

Sincerely,



Ken Overton
Manager, Property, Risk Management, and FOI
604-541-2104

Att.

Corporate Administration
P: 604.541.2212 | F: 604.541.9348

City of White Rock
15322 Buena Vista Avenue, White Rock BC, Canada V4B 1Y6

WHITE ROCK
City by the Sea!

www.whiterockcity.ca

If you believe that the City of White Rock has been unreasonable in its handling of your request, you may ask the Information and Privacy Commissioner to review our response. You have 30 days from receipt of this notice to request a review by writing to:

Office of the Information and Privacy Commissioner
3rd Floor, 756 Fort Street
Victoria BC V8W 1H2

Should you decide to request a review, please provide the Commissioner's office with:

1. your name, address and telephone number;
2. a copy of this letter;
3. a copy of your original request sent to the City of White Rock; and
4. the reasons or grounds upon which you are requesting the review.

REQUEST FOR SERVICE DETAIL

Workgroup ~BYLAW

Call 32715

Status ASSIGNED

Follow up NO

Jan 10, 2019 10:02 AM

Jan 10, 2019 10:16 AM

Internal NO

Class BYLAW ENFORCEMENT

Problem ZONING COMPLAINTS

Priority NORMAL

Bring Forward Mar 31, 2019

Reference

Repeat

Location	Requestor
Redacted S. 22	Redacted
15081 BUENA VISTA AVE WHITE ROCK BC V4B 1Y1	Phone Redacted
	Email Redacted

Call Detail

complaint received of the property having multiple unapproved suites and an ongoing illegal short term rental business. Owners **Redacted** according to requester (email attached in attachments).

Property Manager: Johnny Yue 778.865.5819/Jennifer 604-303-5880 and Peggy 778-968-6850

Workflow	Date	Name1	Name2	File No
ENTERED	Jan 10, 2019 10:02 AM	SANDEEP DHILLON		
ASSIGNED	Jan 10, 2019 10:16 AM	SANDEEP DHILLON		
EMAIL	Jan 10, 2019 10:17 AM	<SDhillon@whiterockcity.ca>		
		A CALL FOR BYLAW ENFORCEMENT - ZONING COMPLAINTS HAS BEEN ASSIGNED TO SANDEEP DHILLON		
NOTE	Jan 10, 2019 10:56 AM	SANDEEP DHILLON		
		City records indicate a non-registered secondary suite. Redacted has been notified that the living condition concerns inside the suite will have to be made to the residential tenancy branch. Bylaws will make an appointment to inspect suite.		
		The listing is up on booking.com and airbnb. https://www.booking.com/hotel/ca/hidden-oasis-close-to-beaches.en-gb.html?checkin=2019-01-17&checkout=2019-01-22&hp_refreshed_with_new_dates=1 https://www.airbnb.ca/rooms/26914142?guests=1&adults=1 (listing attached in attachments).		
NOTE	Jan 10, 2019 1:59 PM	SANDEEP DHILLON		
		I spoke to Johnny and he confirmed that there is a kitchen on each floor of the property. Each floor is rented out. The middle floor is being utilized as a short term rental by the tenants S. 22 , who rents from Johnny. He has a listing up on air bnb. Ive advised Johnny that an inspection needs to be conducted of all 3 floors and that the short term rental needs to be stopped immediately. He was advised of the short term rental requirements. I advised him that there are 2 unapproved suites at the property and that will have to be resolved and we will explain the steps when bylaws conducts an inspection.		

NOTE Jan 11, 2019 9:56 AM SANDEEP DHILLON

The short term rental listings have been effectively removed and suspended (PDF's attached). Inspection date has been confirmed for January 14, 2019 @ 1pm.

NOTE Jan 14, 2019 1:56 PM HARMAIL GILL

Inspected Property and the lower floor what used to be a garage contained a living area, kitchen, bathroom and bedroom (Picture taken of kitchen) illegal use. The middle floor contains 3 rooms, living area and kitchen. The wet bar has been turn into a illegal kitchen facility(Picture taken) illegal use. The top floor has a living area, kitchen, stairs leading up to bedrooms and laundry room. Also, contained stairs that lead to middle floor. Door was locked, only accessible from middle floor. Advise Johnny, the Property Manager, that he will receive an email with details of what needs to be done in the coming days.

NOTE Jan 15, 2019 2:39 PM SANDEEP DHILLON

I contacted the agent and advised him of the requirements to bring the property back into compliance with City Bylaws (Email attached). The deadline to address these matters is March 31, 2019.

From: Sandeep Dhillon
To: ["johnny@westernrental.ca"](mailto:johnny@westernrental.ca)
Subject: 15081 Buena vista Avenue - illegal suites and illegal short term rental
Date: Thursday, January 10, 2019 1:55:00 PM
Attachments: [image001.png](#)

Hi Johnny,

After further review we will have to do an inspection of all 3 floors of the house. I have provided links for the short term rental below:

<https://www.airbnb.ca/rooms/26914142?guests=1&adults=1>

https://www.booking.com/hotel/ca/hidden-oasis-close-to-beaches.en-gb.html?checkin=2019-01-17&checkout=2019-01-22&hp_refreshed_with_new_dates=1

Both of these listings need to be removed immediately and no short term rental is to continue until proper licenses/permits are obtained from the City.

Please advise me when I can set up inspection.

Thank You,

Sandeep Dhillon
Senior Bylaw Enforcement Officer
15322 Buena Vista Avenue,
V4B 1Y6, White Rock, BC
604-541-2183

image003







From: [Sandeep Dhillon](#)
To: [Johnny Yue](#)
Subject: 15081 Buena Vista Avenue (2 unapproved suites)
Date: Tuesday, January 15, 2019 2:37:00 PM
Attachments: [image001.png](#)
[Decommission Checklist.pdf](#)
[Secondary Suite.pdf](#)

Hi Johnny,

After inspection of the property at 15081 Buena Vista Avenue on January 14, 2019 regarding the illegal suites. The deadline to decommission the illegal suite that is on the bottom floor will be March 31, 2019. I have attached a decommissioned list on how to remove the suite(s). Once you have decommissioned the suite you will have contact us for inspection to confirm compliance. The other unapproved suite on the middle floor will either have to be decommissioned by March 31, 2019 and called for an inspection or registered through the City's Secondary Suite Registration process (document attached). Please note, the building permit must be submitted to register suite by March 31, 2019. I highly recommend you speak to a City Planner to assist you in your outstanding matters in person at City Hall as soon as possible. They will help you in the registration process and short term rental. A short term rental must not be operated unless proper permits and licensing is obtained.

If you have any further question please feel free to contact me at (604) 541 2183.

Thank You,

Sandeep Dhillon
Senior Bylaw Enforcement Officer
15322 Buena Vista Avenue,
V4B 1Y6, White Rock, BC
604-541-2183

image003



Secondary Suite Decommission Checklist

ADDRESS: _____

ELECTRICAL PANEL

1. Has the 40amp breaker powering cooking appliance been removed? Yes No
2. Has the wire connected to 40amp breaker been removed out of the electrical panel and cut and capped at the highest point possible? Yes No
3. Have filler plates been installed to cover the empty breaker and wiring slots? Yes No

SUITE

4. Has the 220v receptacle been removed? Yes No
5. Has the wiring for the receptacle been cut and capped off at the highest point possible?
Yes No
6. Has the range hood been removed and the electrical terminated within an electrical box?
Yes No
7. Has the venting for the range hood been removed? Yes No



Secondary Suite Registration Program

Planning and Development Services Department
15322 Buena Vista Ave., White Rock, B.C. V4B 1Y6
Phone: 604 541 2136 Fax: 604 541 2153
Website: www.whiterockcity.ca

The New Program

City Council has recently approved a process to legalize *accessory registered secondary suites* in one-unit single family residential zones. These zones include:

- RS-1 One-Unit Residential Zone
- RS-2 One-Unit (Small Lot) Residential Zone
- RS-3 One-Unit (Small Lot, Hillside) Residential Zone
- RS-4 One-Unit (12.1m Lot Width) Residential Zone
- RE-1, RE-2, RE-3 (Estate Residential Zones)
- RI-1, RI-2 One-Unit (infill 1 and infill 2) Residential Zones

Please check the zoning of your property to ensure you are eligible.

What is an accessory registered secondary suite?

The Zoning Bylaw states that an *accessory registered secondary suite* shall:

- be accessory to a one-unit residential use only;
- be limited to one accessory registered secondary suite per *lot*;
- shall conform with the current BC Building Code requirements and limited to a maximum of 90 square metres *residential gross floor area* and not more than two (2) bedrooms;
- provide one additional on-site parking space for occupants of the *accessory registered secondary suite*; and
- be inspected and registered through the City's Secondary Suite Registration process.

General Requirements

- The *accessory registered secondary suite* floor space cannot be more than 40% of the habitable floor space of the entire building.
- The *accessory registered secondary suite* can be located within the principal dwelling unit or within an "*accessory coach house*".
- One (1) additional off street parking space must be provided for the *accessory registered secondary suite* in addition to the parking already required for the main

house. The *accessory registered secondary suite* minimum parking space dimensions are 2.5m (8' - 0'') in width by 5.2m (17'-0'') in length. The *accessory registered secondary suite* parking space cannot block access to the main residential parking area. The City encourages the use of pervious parking surfaces for the additional parking space (i.e. grasscrete paving stones).

- ❑ RI-1 driveway width requirements restrict the additional space to tandem.
- ❑ For new homes, permits and inspections of the suite can be included as part of the overall permit and inspection process.

Construction Requirements

Please note that the following are guidelines and may or may not apply in each circumstance. For more comprehensive details refer to the current British Columbia Building Code Section 9.36.

Fire Sprinklered Residences

- ❑ Hardwired photoelectric type smoke alarm to be installed in the main residence, in each bedroom and in the suite living area. Photoelectric type alarms are less prone to nuisance false alarms.
- ❑ Exterior suite door to be hinged – using a sliding door as your only exit door not permitted.
- ❑ If you have an interconnecting door between suite and main residence the door, frame and self-closing devise must have a ULC 20 minute rating.
- ❑ Heating and ventilation ducts are not permitted to be interconnected.
- ❑ Independent heating system required. This could include: electrical baseboards, hot water or gas appliance rated to heat entire space. (i.e.; gas fireplace)
- ❑ Central Vacuum systems are not permitted to be interconnected.
- ❑ A ventilation system is required for the suite and could be as simple as a continuously running bathroom fan and 6'' passive make-up air duct from the exterior.
- ❑ A fire separation is required between the main residence and suite. This can be achieved with ½'' gypsum board on the walls and 5/8'' gypsum board on the ceilings. This is often typical construction in modern single dwelling houses making upgrading minimal.
- ❑ Minimum headroom height in suite shall be not less then 2.0m (6'-7'').
- ❑ Pot lights are not permitted

Non-Sprinklered Residences

If you have a non-sprinklered existing suite or wish to construct a suite in a non-sprinklered residence you must meet the full BC Building Code Section 9.36 standards for secondary suites.

Specific considerations under Section 9.36 of the BC Building Code include:

- ❑ Hardwired photoelectric smoke alarms are required in the main residence, in each bedroom and the suite. These alarms must be interconnected and conform to CAN/ULC S531 standard.
- ❑ Exterior suite door to be hinged – using a sliding door as your only exit door not permitted.
- ❑ If you have an interconnecting door between suite and main residence the door, frame and selfclosing device must have a ULC 20 minute rating.
- ❑ Heating and ventilation ducts cannot be interconnected.
- ❑ Central Vacuum systems are not permitted to be interconnected.
- ❑ Independent heating system required. This could include: electrical baseboards, hot water or gas appliance rated to heat entire space. (i.e. gas fireplace)
- ❑ A ventilation system is required for the suite and could be as simple as a continuously running bathroom fan and 6’’ passive make-up air duct from the exterior.
- ❑ A separation between the main residence and suite is required with a minimum fire resistant rating of 30 minutes. This can be achieved with ½ ‘’ gypsum board on the walls and 5/8’’ gypsum board on the ceilings. This is often typical construction in modern single dwelling houses making upgrading minimal.
- ❑ Minimum headroom height in suite shall be not less than 2.0m (6’-7’’).
- ❑ Pot lights are not permitted

Plan Requirements

Floor Plans

To apply for the Building Permit you will need two (2) copies of the Floor Plan of the suite with the following information:

- ❑ Scale ¼’’=1’0’’ or metric equivalent.
- ❑ The entire floor area of the level on which the suite is located.
- ❑ Floor plans of the rest of the house may be required to accurately determine the 40% total area of the suite.

- ❑ The walls of fire separation between the suite and the rest of the house.
- ❑ The uses and sizes of all the rooms.
- ❑ The uses and sizes of all the doors and windows.
- ❑ Location of smoke alarms.
- ❑ Location of exhaust fan.
- ❑ The exit door(s) and required bedroom exit window.
- ❑ Wall construction specifics.

Site Plans

You will also need two (2) copies of a Site Plan showing the following information:

- ❑ The entire lot.
- ❑ Property lines with dimensions.
- ❑ Location of the house on the lot.
- ❑ Identification and dimensions of setbacks from the property line.
- ❑ Location of all parking spaces indicating suite parking space.

Limits on uses and activities

Accessory registered secondary suites are allowed in all one-unit residential zones. Only one (1) *accessory registered secondary suite* is permitted per lot.

Enforcement

The City will continue it's current enforcement program acting on a complaint basis. Secondary suites which are not yet registered but which have been given notice by the City that they must conform to the Zoning Bylaw or be decommissioned shall be given six months from the date of notice to meet the requirements of the Zoning Bylaw. For information on how to properly decommission your suite please contact the Planning and Development Services Department at 604-541-2136.

Costs

A one-time fee of \$200 is required to apply for registration of an *accessory registered secondary suite* in conjunction with a new house building permit. A one-time fee of \$275 is required for all other secondary suite registrations. Inspections may be required and costs will vary based on the scope of work proposed.

A sanitary sewer levy charge (contact the City's Property Tax Clerk) will continue to be applied on a yearly basis to all registered and non-registered suites.