
TO: CITY MANAGER **DATE:** 2008 AUGUST 19

FROM: DIRECTOR PLANNING & BUILDING **FILE:** RFS08-00788

SUBJECT: 4981 CLAUDE AVENUE, BURNABY, B.C.
LOT 170, D.L. 85, GROUP 1, N.W.D., PLAN 40315

PURPOSE: To recommend that Council declare the building on the subject property a fire hazard and order that it be demolished.

RECOMMENDATION:

1. **THAT** Council declare the building on the property having the civic address 4981 Claude Avenue (the "Property") to be a fire hazard nuisance.
2. **THAT** Council require the owners of the Property to complete the following remedial action requirements by not later than 30 days after the notice referred to in Recommendation #3:
 - a) Demolish the building;
 - b) Remove from the Property all building materials and demolition waste; and
 - c) Obtain all permits and approvals, as may be required, to effect the works outlined in (a) and (b) above.
3. **THAT** Notice of the remedial action requirements and a copy of this report be given to the following owners of the land and each registered charge holder in relation to the Property:
 - a) 0780256 BC Ltd.,
104 – 2418 E. Broadway
Vancouver, BC – V5M 4T9
 - b) Premka Nand
3395 Euclid Avenue
Vancouver, BC – V5R 5G1

4. **THAT** Council direct that if the owners of the Property fail to fulfill the remedial action requirements, the City be authorized to fulfill the remedial action requirements and recover the costs incurred by the City from the owners as a debt similar to taxes in arrears if they are unpaid on 2008 December 31.

REPORT

1.0 SUMMARY

The building on the Property is currently vacant and open to unauthorized access by vagrants. The interior shows obvious signs of being occupied and the fireplace being used. This constitutes a hazard to property and life safety of those accessing the building.

2.0 BACKGROUND

On 2008 January 17, the City received a complaint of unsightly premises violations for the subject unoccupied single-family residence and attempted to work with the Property owners to achieve voluntary compliance to clean up the Property. As the owners failed to clean up the Property, a report to Council dated 2008 April 01 requested Council approval to clean up the Property and charge the costs to the property taxes. On 2008 April 08, the Fire Department inspected the premises, found obvious signs of occupancy and recommended that the windows and doors be boarded up. On 2008 April 16, a letter was sent to the Property owners to board the premises and apply for a permit to demolish the building by 2008 April 30. On 2008 May 02, City staff inspected the Property and found that the Property had neither been cleaned up nor the premises boarded. On 2008 May 05, Council authorized removal of debris on the Property at the owners' expense. On 2008 May 13, City personnel completed the clean-up of the Property. City staff inspected the Property on 2008 May 15 and found the premises boarded. On 2008 May 30, the Fire Department received a report of smoke coming from the premises and during inspection, noted signs of occupancy. All cable and wiring have been stripped from the interior of the building and the casings left in the front yard. On 2008 July 16, following an inspection of the interior of the building by Fire Department staff, a letter was sent to the owners citing violations of the Fire Services Act and recommending that the building on the Property be demolished. To-date, the owners have not made an application to demolish the building and currently have the Property offered for sale. The City continues to receive reports of vagrants entering and occupying the building despite the fact that it has been boarded on previous occasions.

The 2008 July 16 inspection by Fire Department found the premises in a state of disrepair with clear signs of the fireplace being used, and existing combustible material, which they consider create a fire hazard to the premises and a life safety hazard to those entering the premises.

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Re: 4981 Claude Avenue Burnaby, BC
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3.0 CONCLUSION

The Community Charter provides statutory authority for Council to declare the structure a hazard and to impose remedial action requirements. The Charter also provides for notice of Council's decision to owners and an opportunity for reconsideration. Council also has the authority, if it so chooses, to direct the remedial action requirements be undertaken at the owners' expense.

Reports continue to be received from the neighbourhood regarding the boarding being breached and unauthorized occupancy of the premises continuing. Although the windows and doors were boarded, an inspection by City staff on 2008 June 17 determined that the boards had been removed, leaving the premises again open to intrusion. An inspection of the interior of the building was conducted by City staff on 2008 July 09. Pictures taken during this inspection (*attached*) clearly show the premises in a state of disrepair. Garbage litters every room. The drywall has been removed from some walls leaving gaping holes. The Fire Department found signs of the fireplace being used and existing combustible material which, in their view, creates a fire hazard to the premises and the life safety of persons entering the premises. For reasons of public safety, the Planning and Building Department recommend that the building on the Property be declared a fire hazard nuisance and demolished.

On 2007 June 17, the Building Department sent the owners a letter advising that a report would be prepared requesting Council to declare the building a hazard and to order its demolition. Fire Department staff conducted an inspection of the interior of the premises on 2008 July 16 and found the premises in violation of the Fire Services Act and a fire safety hazard.

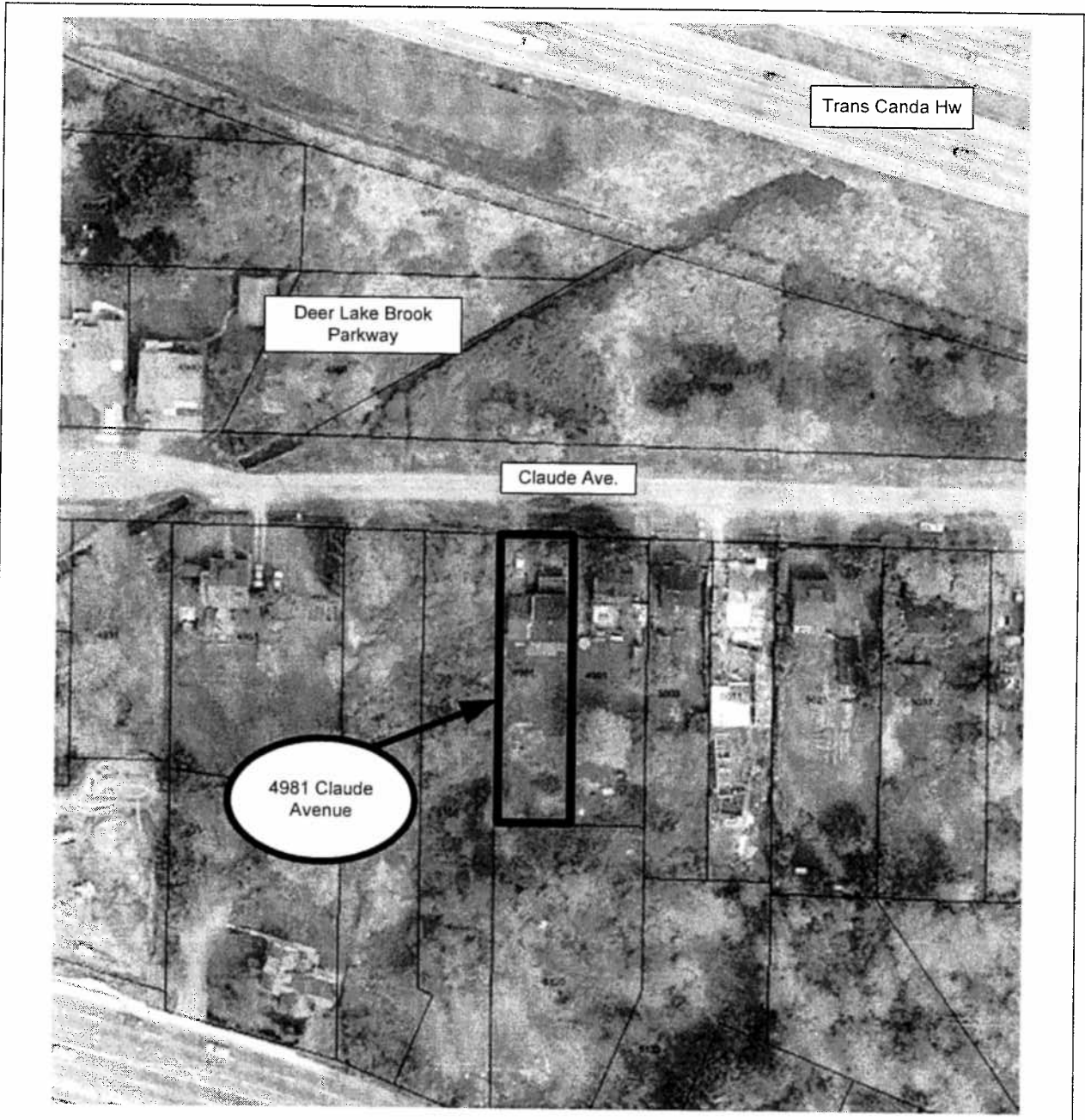

Basil Luksun
Director Planning & Building

CL:ap/su

Attach.

P:\Bylaw\BLD-4981 Claude (rev).doc

cc: City Clerk
City Solicitor
Director Finance
Chief Building Inspector
Fire Chief
Director Engineering



Planning and Building Department

Scale: 1 = 1500
 Drawn By: su
 Date: 2008 June

Council Report
4981 Claude Avenue

Lot 170, D.L. 85, Group 1, N.W.D., Plan 40315

Sketch #1

