
TO: CITY MANAGER **DATE:** 2008 April 01
FROM: DIRECTOR FINANCE **FILES:** RFS06-02541
RFS08-00166
SUBJECT: UNSIGHTLY PROPERTIES AT 4981 AND 4991 CLAUDE AVENUE
PURPOSE: To obtain Council authority for City staff or agents to enter the adjacent properties at 4981 and 4991 Claude Avenue and remove unsightly materials at the property owner's expense, in accordance with the Unsightly Premises Bylaw.

RECOMMENDATION:

1. **THAT** Council authorize City staff or agents to enter the adjacent properties at 4981 and 4991 Claude Avenue, to remove and dispose of the accumulation of rubbish and discarded materials referred to in this report that have created unsightly conditions, the costs of which will be charged to the property taxes if unpaid by December 31 of the year in which the expenses were incurred.

REPORT

On 2006 November 24 the City received an unsightly premises complaint concerning a Residential District R4 zoned property located at 4991 Claude Avenue. An initial inspection on 2006 December 07 confirmed an accumulation of unsightly materials on the property including tires, pails, plastic plant pots, aluminum gutters, clothing, mattresses, appliances, car batteries, used lumber, a hot water tank and a television, contrary to the Unsightly Premises Bylaw.

Staff worked with the original owners of the property, the Lu family, to achieve voluntary compliance with the Unsightly Premises Bylaw. Some small progress was made toward this end until the property was sold to the current owner, 0780256 BC Ltd. in 2007 May. The new owners received compliance letters, including copies of letters sent to the previous owners, on 2007 November 26, 2008 March 03 and 2008 March 31. Voice mail messages left for a company director living in Vancouver have remained unanswered.

On 2008 January 17 the City received a further unsightly premises complaint concerning the adjacent R4 zoned property located at 4981 Claude Avenue. This property is also owned by 0780256 BC Ltd. A 2008 January 14 inspection confirmed that an accumulation of unsightly materials including, household appliances, a partially dismantled vehicle, metal drums, a metal storage tank, indoor furniture, personal belongings, articles of clothing, used building materials and various debris were being stored on the property contrary to the Unsightly Premises Bylaw.

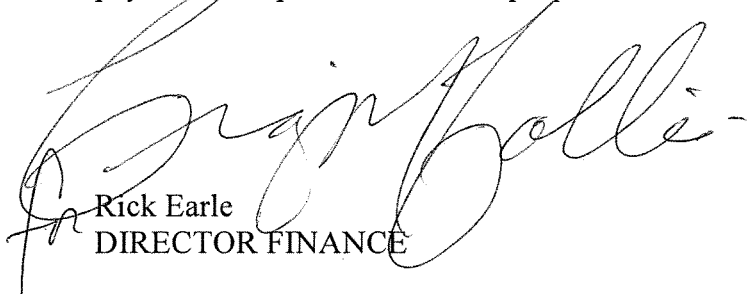
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Over the past two months staff have attempted to work with the property owner in order to achieve voluntary compliance. Compliance letters in regard 4981 Claude Avenue have been sent to the owners on 2008 February 04, 2008 March 03 and 2008 March 12.

Despite all efforts by staff to achieve voluntary compliance with the Bylaw the two adjacent properties remain essentially unchanged from previous inspections. The property at 4981 Claude Avenue is vacant while the property at 4991 Claude Avenue is currently tenanted. Images of the two properties, taken on 2008 April 01, are attached for the information Council.

As a result of the continued bylaw violations, staff request Council approval to have City personnel or agents enter both properties to perform the necessary clean up, removal and disposal of discarded materials and debris contributing to unsightly conditions at the expense of the property owners. The estimate for clean up, removal and disposal of the discarded items on the property at 4981 Claude Avenue is approximately \$ 5,120.00. The estimate for clean up, removal and disposal of the discarded items on the property at 4991 Claude Avenue is approximately \$500.00.

Under the provisions of the Burnaby Unsightly Premises Bylaw No. 5533, Council may authorize the municipality by its workmen and others to enter upon the said real properties and effect such removal at the expense of the persons so defaulting and the charges for so doing, if unpaid on the 31st day of December in any year, shall be added to and form part of the taxes payable in respect of those real properties as taxes in arrear.



Rick Earle
DIRECTOR FINANCE

GF/RG:sk

Attachments

Copied to: Director Engineering
Director Planning & Building





4991 Claude Avenue

2008 April 01