
TO: CITY MANAGER **DATE:** 2009 September 30

FROM: DIRECTOR FINANCE

SUBJECT: UNSIGHTLY PREMISES AT 4991 CLAUDE AVENUE

PURPOSE: To obtain Council authority for City staff or agents to enter the property at 4991 Claude Avenue to remove unsightly materials at the property owner's expense, in accordance with the Burnaby Unsightly Premises Bylaw.

RECOMMENDATION:

1. **THAT** Council authorize City staff or agents to enter the property at 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

The property at 4991 Claude Avenue is zoned as a Residential District R4 and is owned by 829290 B.C. LTD (Gill, Ajit). The property has a single family dwelling that is currently tenanted by two adult males and one adult female.

From 2006 November 24 through to 2008 February 20 the property had been the subject of eight complaints which were eventually resolved on 2008 May 13 when City staff performed a Council authorized clean up of the property under the Burnaby Unsightly Premises Bylaw. In 2008 October the city received a complaint regarding people living in a recreation vehicle parked at 4991 Claude Avenue. On the ensuing site inspection staff addressed the complaint and discovered the property was again unsightly. Two additional complaints were received in 2009, claiming that the property was in an unsightly state.

Although the site had previously been cleaned by City crews, upon receiving the 2008 October complaint, staff attempted to work with the tenant(s) and landlord to achieve voluntary compliance and avoid repeated City action. Since this time the quantity of discarded materials on the property has both risen and fallen, but at no time has sufficient action been taken to bring the entirety of the property into compliance. Recent inspections reveal that the amount of discarded materials on the property is similar to that of 2008 when Council authorized a clean up of the property.

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The accumulation of unsightly materials on the property includes items such as; household garbage, backpacks, canvas bags, pieces of metal, bicycle frames & parts, pieces of wire cable casings, hand held grinder, electric motors, fridge filled with rotten food, tarpaulins, mattresses, indoor furniture (sofa & chair), microwave, blankets, articles of clothing, pots, construction waste, used lumber, plastic totes, milk crates, pieces of plastic and various debris. Images of the property taken on 2009 September 30, are provided for the information of Council as **Attachment 1.**

Compliance letters were sent to the property owner's listed address, business' registered office mailing address and primary tenant on 2009 April 30 and 2009 August 25. Despite all efforts by staff to achieve voluntary compliance the property remains in an unsightly state.

As a result of the continued bylaw violation, staff request Council approval to have City personnel and others enter the property to perform the necessary clean up, removal and disposal of discarded materials and debris contributing to unsightly conditions, at the expense of the property owner. The estimate for clean up, removal and disposal of the discarded items on the property at 4991 Claude Avenue is approximately \$ 1050.00.

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 property 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.


for Rick Earle
DIRECTOR FINANCE

GF:sk

Attachment

Copied to: Director Engineering



2009 September 30

4991 Claude Avenue