
TO: CITY MANAGER **DATE:** 2016 June 20

FROM: DIRECTOR OF FINANCE **FILE:** 4800-20

SUBJECT: **UNSIGHTLY PREMISES ON NORTH HOLDOM AVENUE**

PURPOSE: To obtain Council authority to have City staff and/or agents enter onto three adjacent properties at 22, 104 and 106 North Holdom Avenue to bring the properties into compliance.

RECOMMENDATION

1. **THAT** Council under the provisions of the Burnaby Unsightly Premises Bylaw No.5533 authorize the municipality by its workmen or others, to enter three adjacent properties at 22, 104 and 106 North Holdom Avenue to effect the removal and the disposal of any overgrowth, debris or derelict vehicles contributing to the unsightliness of the properties at the expense of the property owner(s).

REPORT

On 2016 March 10, the Licence Office received a complaint about 104 North Holdom Avenue alleging that it was unsightly. Site inspection confirmed that the property and the two adjacent properties located at 22 and 106 North Holdom Avenue were in violation of the Burnaby Unsightly Premises Bylaw No.5533. The three properties are zoned Residential District (R5), and developed with single family dwellings. The properties are all registered to the occupant of 22 North Holdom Avenue which is also jointly registered to a person residing in Kelowna, BC. Tenants reside in the homes located on 104 and 106 North Holdom Avenue.

Since 2000 the Licence Office has received a total of 17 unsightly premises complaints and one RCMP report regarding these three properties. The owner(s) of the three properties have been issued 32 compliance letters and 4 bylaw violation notices totaling \$2,000.00. The bylaw violation notices were later reduced to warnings.

On 2008 July 21, Licence Office staff prepared a report to Council recommending that the City undertake cleanup action of the properties. City action was ultimately unnecessary after the property was cleaned up with support from the Burnaby Firefighters Association. After bylaw compliance was achieved Licence staff continued to monitor the properties for a period of time to ensure continued compliance. The file was closed on 2009 April 27.

The most recent complaint was received 2016 March. Licence staff have confirmed that the properties are again non-compliant and staff have attempted to work with the property owners in an effort to achieve voluntary compliance.

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Two compliance letters were sent to the property owners on 2016 March 30 and on 2016 May 05. Seven site inspections of the three properties have been conducted since 2016 March 11, the latest occurring on 2016 June 07. The properties contain derelict vehicles, appliances, interior furniture, and other debris. In addition there are a large number of paint cans, oil cans and other possible chemicals amongst the items which will require separate disposal treatment at the time of cleanup.

Staff have had extensive contact with the property owners, both historically and currently, and the property owners have expressed a consistent belief that the issue is minor in nature.

RECOMMENDATION

Given the extent of the unsightly conditions and the previously issued violation notices voluntary compliance by the owner(s) is not expected. Staff recommend that Council under the provisions of the Burnaby Unsightly Premises Bylaw No.5533 authorize the municipality by its workmen or others, to enter three adjacent properties at 22, 104 and 106 North Holdom Avenue to effect the removal and the disposal of any overgrowth, debris or derelict vehicles contributing to the unsightliness of the properties at the expense of the property owner(s).

If the charges for such work should remain unpaid on the 31st day of December of the year in which the expenses are incurred, they shall be added to and form part of the taxes payable in respect of those real properties, as taxes in arrears. The three properties will be invoiced separately for actual work performed. The Engineering Department has provided an estimate of \$81,000.00 to perform the clean-up of these three properties (approximately \$27,000 per property).



Denise Jorgenson
DIRECTOR FINANCE

DJ:RR/ew

Attachment: 1 – Pictures of 22, 104, 106 North Holdom Avenue

Copied to: Director Engineering

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ATTACHMENT 1

22 North Holdom Avenue

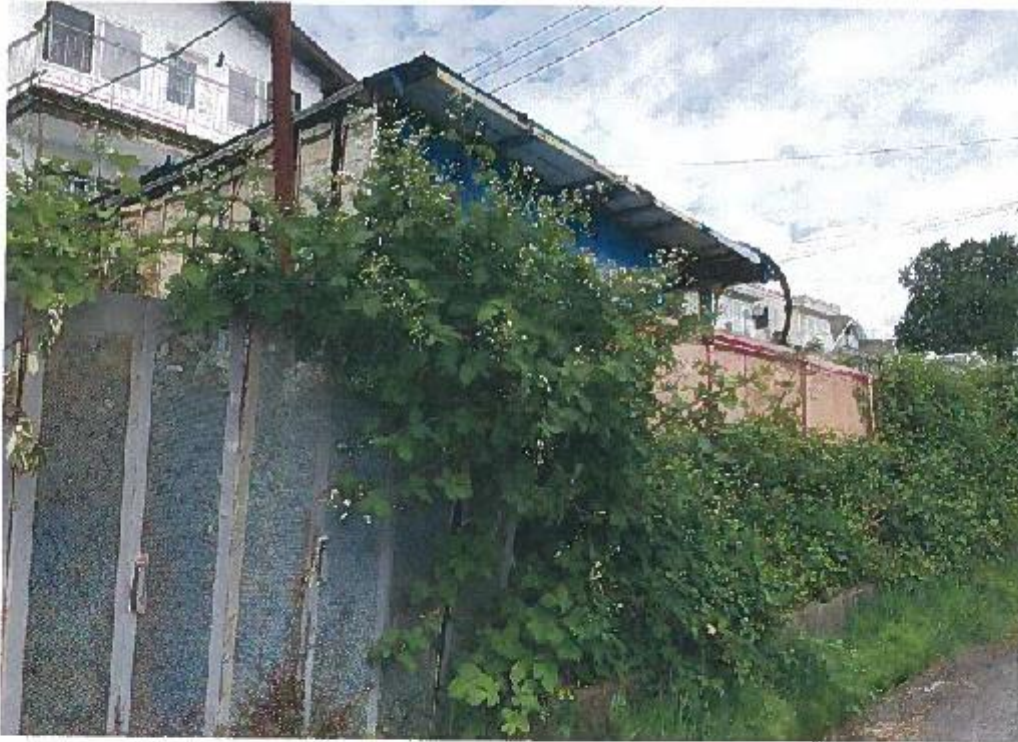


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104 North Holdom Avenue



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106 North Holdom Avenue



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ATTACHMENT 1



Sketch #1