



COUNCIL REPORT

**TO:** CHIEF ADMINISTRATIVE OFFICER **DATE:** 2022 October 03

**FROM:** GENERAL MANAGER COMMUNITY SAFETY **FILE:** BYL22-01293

**SUBJECT: UNSIGHTLY PROPERTY AT 6544 IMPERIAL STREET**

**PURPOSE:** To obtain Council authority for City Staff and/or agents to enter onto the property at 6544 Imperial Street in order to bring the property into compliance with the Burnaby Unsightly Premises Bylaw No. 5533.

**RECOMMENDATION:**

1. **THAT** Council authorize City staff and/or agents to enter the property at 6544 Imperial Street to remove and dispose of any overgrowth, materials or debris contributing to the unsightliness of the property at the expense of the property owner, as permitted by the Burnaby Unsightly Premises Bylaw, No. 5533.

**REPORT**

**1.0 BACKGROUND**

6544 Imperial Street is zoned Residential District (R5) and is improved with a single family dwelling. The property is currently occupied by tenants. An aerial photograph of the property is included as **Attachment #1**.

**2.0 POLICY SECTION**

Responding to citizen complaints aligns with policy objectives contained in the City's Moving Forward initiative, Burnaby Community Safety Plan (2020) and the Corporate Strategic Plan (2017).

**3.0 HISTORY**

Since 2022 May 01, 6544 Imperial Street has been the subject of five (5) complaints received from four (4) separate complainants, regarding the unsightly state of the premises due to the accumulation of materials and debris. There is significant accumulation of household garbage, debris and discarded items being dumped on the property. This debris pile, including the household garbage, has continued to grow.

To: Chief Administrative Officer  
 From: General Manager Community Safety  
 Re: Unightly Property at 6544 Imperial Street  
 2022 October 03..... Page 2

The complete complaint log history for the property is as follows:

Complaint #	Date complaint received	Complainant (identity concealed)
1	2022 May 12	A
2	2022 May 31	B
3	2022 June 30	C
4	2022 July 14	D
5	2022 August 03	A

#### 4.0 STAFF ACTIONS TAKEN TO ENCOURAGE VOLUNTARY COMPLIANCE

##### 4.1 Site Inspections

Since receiving the complaint on 2022 May 12, City staff have attended the property on seven (7) occasions. The dates and findings of each inspection are as follows:

Inspection #	Date	Findings
1	2022 May 12	Property not in compliance with bylaw
2	2022 June 14	No additional cleanup – still unsightly
3	2022 July 07	No additional cleanup – still unsightly
4	2022 July 20	No additional cleanup – still unsightly
5	2022 August 16	No additional cleanup – still unsightly
6	2022 September 01	No additional cleanup – still unsightly
7	2022 September 07	No additional cleanup – still unsightly

##### 4.2 Contact with the Property Owners

After the initial inspection conducted on 2022 May 12, City staff informed the property owners that the property was non-compliant with the Bylaw, and provided direction to the property owners on the necessary actions required to bring the property into compliance. These communications attempts are as follows:

Contact #	Date	Communication Type
1	2022 May 17	1 <sup>st</sup> Letter mailed out
2	2022 June 14	2 <sup>nd</sup> Letter mailed out
3	2022 June 14	Phone call with Property Owner
4	2022 June 14	Email correspondence with Property Owner
5	2022 August 25	Phone call with Property Owner

Copies of the relevant correspondence are included as **Attachment #2**.

To: Chief Administrative Officer  
From: General Manager Community Safety  
Re: Unsightly Property at 6544 Imperial Street  
2022 October 03.....Page 3

### 4.3 Bylaw Violation Notices Issued

As a result of continued non-compliance, a total of three (3) Bylaw Violation Notices have been issued to the property owners. The status of the Bylaw Violation Notices issued are as follows:

BVN #	Date Issued	Status
1	2022 July 20	Unpaid
2	2022 August 16	Unpaid
3	2022 September 01	Unpaid

Copies of these notices are included as **Attachment #3**.

### 5.0 FINAL STAFF ACTIONS PRIOR TO SEEKING COUNCIL AUTHORIZATION

Despite repeated attempts by City staff to encourage the property to be brought into compliance voluntarily, 6544 Imperial Street remains non-compliant with the Unsightly Premise Bylaw.

On 2022 August 25, City staff spoke with the property owner over the phone advising that unless the property was brought into compliance staff would request Council authorization to clean the site at the owner's expense.

On 2022 September 07, staff again attended the property. This site visit revealed the subject property remains non-compliant. Pictures taken on that date that illustrate the current state of the property and are included as **Attachment #4**.

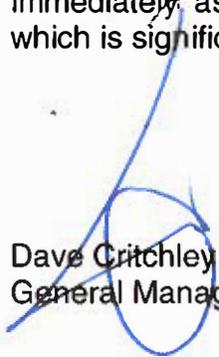
### 6.0 RECOMMENDATION

Council authorize City staff and/or agents to enter onto the property at 6544 Imperial Street to effect the removal and disposal of any overgrowth, debris or materials contributing to the unsightliness of the property at the expense of the property owners, under the provisions of the Burnaby Unsightly Premises Bylaw No. 5533.

The property owners will be invoiced for the cost of any work performed shortly after the cleanup is completed. If the charges remain unpaid on the 31<sup>st</sup> day of December of the year in which the expenses are incurred, the bylaw permits the cost to be added, and form part of, the taxes payable in respect of the real property, as taxes in arrears.

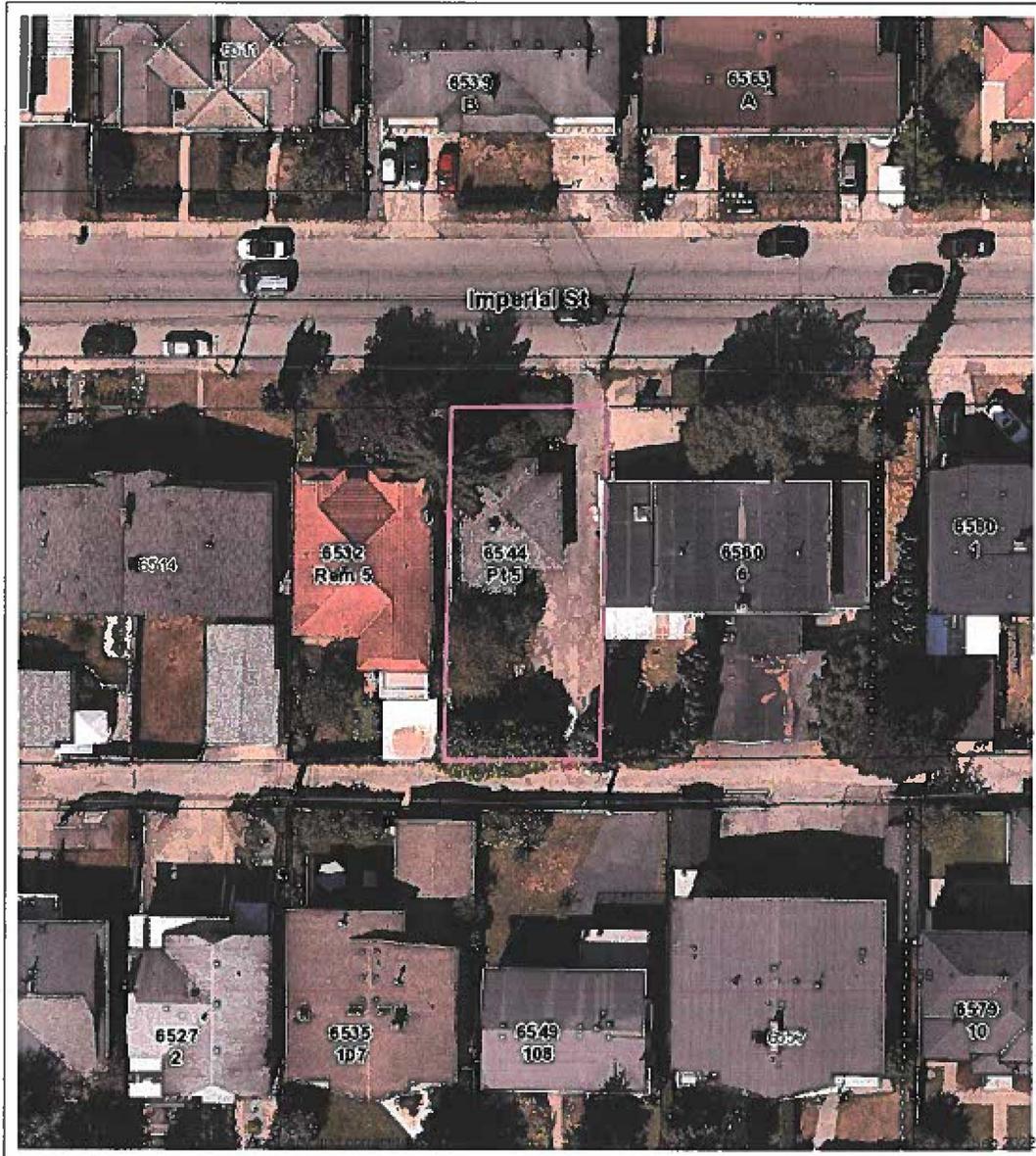
To: Chief Administrative Officer  
From: General Manager Community Safety  
Re: Unsightly Property at 6544 Imperial Street  
2022 October 03.....Page 4

Should Council adopt the recommendation, staff will begin the cleanup process immediately as the accumulation of discarded materials and open putrefied garbage which is significantly impacting adjacent properties.

  
Dave Critchley  
General Manager Community Safety

Attachments: 1) Aerial Photograph of 6544 Imperial Street  
2) Bylaw Services Correspondence  
3) Bylaw Violation Notices  
4) 2022 September 07 photographs of 6544 Imperial Street

Copied to: General Manager Engineering  
Acting Chief Financial Officer  
City Solicitor



**Attachment #1 - Aerial Photograph  
6544 IMPERIAL ST**

**Postal Code**

V5E 1M8

**Roll Number**

3100-6544-0000

**LTO PID**

012-169-854

**Lot Width, Depth, Area**

14.27 m, 32.19 m, 459.13 sqm

**Legal Description**

Lot 5 Block A District Lot 96 Plan NWP1349

**Zoning**

R5

**Neighbourhood**

Brantford

**Curbside Collection**

4A

**Block Watch**

N

**Assessment**

2022 Total Value: \$1 261,300

2021 Total Value \$1,003,800

**Owner(s)**

1134920 B C LTD

604-4980 KINGSWAY BURNABY BC V5H 4K7





Bylaw Services  
Community Safety Department

2022 May 17

FILE: BYL22-00805

1134920 B C LTD.  
604-4980 KINGSWAY  
BURNABY, BC V5H 4K7

**SUBJECT: UNSIGHTLY PREMISES - 6544 IMPERIAL STREET**

An inspection of 6544 Imperial Street conducted on 2022 May 13 revealed that the property was untidy or unsightly.

In order to bring the property into compliance with City Bylaws you are required to do the following:

- Cut the overgrown grass and weeds
- Remove garbage, debris, discarded construction materials, mattresses, household furniture, plastics, metals and other miscellaneous items contributing to the unsightly nature of the property.
- Remove all derelict vehicles from the property (A derelict vehicle is considered any vehicle that is uninsured for highway use and is inoperable).
- All operational uninsured vehicles that are not registered to the resident(s) of the dwelling must be removed from the property. You will be required to provide proof that the vehicles are owned by, and registered in the name(s) of, a resident(s) of the dwelling.

In order to bring the property into compliance, please remove these items or clean up the property on or before **2022 June 14 at 10:00am** when a re-inspection will be conducted.

Your voluntary cooperation in resolving this matter is appreciated. If you have any questions or would prefer an earlier inspection, please contact the undersigned at 604-293-6510.

A handwritten signature in black ink, appearing to read "Andy Dhaliwal".

Andy Dhaliwal  
Property Use Coordinator  
Phone: 604-293-6510  
Email: [Andy.Dhaliwal@burnaby.ca](mailto:Andy.Dhaliwal@burnaby.ca)

AD:an



Licence Office  
Community Safety Department

2022 June 14

FILE: BYL22-00805

1134920 BC LTD.  
604-4980 KINGSWAY  
BURNABY, BC V5H 4K7

**SUBJECT: UNRESOLVED UNSIGHTLY PREMISES - 6544 IMPERIAL STREET**

Despite previous correspondence advising you that the Burnaby Unsightly Premises Bylaw does not permit property owners or occupiers to allow real property to become or to remain untidy or unsightly, this matter remains unresolved. An inspection conducted on 2022 June 14 revealed that 6544 Imperial Street remains in violation of the Unsightly Premises Bylaw, which states:

3. *"Every owner or occupier of real property or the agent of such owner or occupier shall remove from the said real property any accumulation of filth, discarded materials, or rubbish of any kind, or any derelict vehicle or derelict vehicles, and in default of such removal the municipality by its workmen and others may enter upon the said real property and effect such removal at the expense of the person so defaulting and the charges for so doing, if unpaid on the 31<sup>st</sup> day of December in any year, shall be added to and form part of the taxes payable in respect of that real property as taxes in arrear".*
  
- 3A.** *Every owner or occupier of real property, or their agents, shall clear the property of brush, noxious weeds or other growths, and upon failure to do so the City of Burnaby, by its employees or other persons, at reasonable times and in a reasonable manner, may enter on the property and effect the clearing at the expense of the person who has failed to comply, and the expenses for so doing, if unpaid on the 31<sup>st</sup> day of December of the year in which the expenses are incurred, shall be added to and form part of the taxes payable in respect of that real property as taxes in arrear.*

CC: Property Use (PUC) - 43 PUC Letter A 2022 Unsightly Premises - Imperial Street 6544 - AD - 2022 June 14.doc

1134920 BC LTD.

Subject: Unresolved Unightly Premises at 6544 IMPERIAL STREET

2022 June 14.....Page 2

During the re-inspection the following was observed:

- Cut the overgrown grass and weeds
- Remove garbage, debris, discarded construction materials, mattresses, household furniture, plastics, metals and other miscellaneous items contributing to the unsightly nature of the property.
- Remove all derelict vehicles from the property (A derelict vehicle is considered any vehicle that is uninsured for highway use and is inoperable).
- All operational uninsured vehicles that are not registered to the resident(s) of the dwelling must be removed from the property. You will be required to provide proof that the vehicles are owned by, and registered in the name(s) of, a resident(s) of the dwelling.

A final inspection will be conducted on **2022 July 07 at 10:00am** to ensure the aforementioned items have been removed or cleaned up. Failure to bring the property into compliance will result in the Licence Office seeking Council authority to have City staff or other workers enter onto the property and undertake a clean-up at the expense of the property owner, or issue a Bylaw Violation Notice with a fine amount of \$500.00. Further Bylaw Violation Notices may be issued for continued non-compliance.

Your voluntary cooperation in resolving this matter is appreciated. If you have any questions or would prefer an earlier inspection, please contact the undersigned at 604-293-6510.



Andy Dhaliwal  
Property Use Coordinator

Phone: 604-293-6510

Email: [Andy.Dhaliwal@burnaby.ca](mailto:Andy.Dhaliwal@burnaby.ca)

AD:an

**COPY**

**Bylaw Violation Notice**

**BYLAW VIOLATION NOTICE #: L203721**

**PLU: 1149-Lic Violation**

**ISSUED TO: 1134920 BC LTD.**

**ISSUE DATE: July 20, 2022**

**ADDRESS: 604 - 4980 KINGSWAY BURNABY, BRITISH COLUMBIA V5H 4K7**

**BYLAW NAME: Burnaby Unsightly Premises Bylaw**

**SECTION: 2**

**DESCRIPTION OF CONTRAVENTION: L2073-PROPTY UNTIDY OR UNSIGHTLY**

**SUBSECTION AND DESCRIPTION:**

Allowing property to become or remain untidy or unsightly

**CONTRAVENTION DATE AND TIME: July 20, 2022 11:13 am**

**CONTRAVENTION LOCATION: 6544 IMPERIAL ST**

**ASSOCIATED TICKETS:**

**ISSUING OFFICER: 00502-NIJJAR**

**PAYMENT:**

<b>IF PAID ON OR BEFORE:</b>	<b>August 11, 2022</b>	<b>400.00</b>
<b>IF PAID AFTER:</b>	<b>August 11, 2022</b>	<b>500.00</b>

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**Option 1 - PAYMENT**

(If you pay this ticket you CANNOT dispute it)

Payment by credit card will be charged a 1.75% non-refundable fee for credit card merchant fee recovery. Bylaw Number: 13640

**Pay by Web:**

[www.burnaby.ca/paytickets](http://www.burnaby.ca/paytickets)

**Mailed or delivered to:**

City of Burnaby - Tax Office

Violation Payment

4949 Canada Way

Burnaby, BC V5G 1M2

\*Bylaw Violation Notice Number must appear on Cheque or Money Order

- Cheque or Money Order payable to City of Burnaby
- Do not send cash through the mail
- A dishonoured cheque is not payment. We charge an administration fee for dishonoured cheques
- Postmarks not accepted as date of payment

**Pay in Person:**

Cash, Cheque, Visa, Mastercard, American Express, Interac

Hours: Mon to Fri 8:00am to 4:45pm, Thurs 8:00am to 8:00pm. Closed on Holidays.

Letter drop boxes are located at both City Hall entrances for Cheque payments



### Bylaw Violation Notice

**BYLAW VIOLATION NOTICE #: L203751**

**PLU: 1149-Lic Violation**

**ISSUED TO: 1134920 BC LTD.**

**ISSUE DATE: August 16, 2022**

**ADDRESS: 604 - 4980 KINGSWAY BURNABY, BRITISH COLUMBIA V5H 4K7**

**BYLAW NAME: Burnaby Unsightly Premises Bylaw**

**SECTION: 2**

**DESCRIPTION OF CONTRAVENTION: L2073-PROPTY UNTIDY OR UNSIGHTLY**

**SUBSECTION AND DESCRIPTION:**

Allowing property to become or remain untidy or unsightly

**CONTRAVENTION DATE AND TIME: August 15, 2022 12:03 pm**

**CONTRAVENTION LOCATION: 6544 IMPERIAL ST**

**ASSOCIATED TICKETS:**

**ISSUING OFFICER: 00502-NIJJAR**

**PAYMENT:**

<b>IF PAID ON OR BEFORE:</b>	<b>September 07, 2022</b>	<b>400.00</b>
<b>IF PAID AFTER:</b>	<b>September 07, 2022</b>	<b>500.00</b>

**Option 1 - PAYMENT**

(If you pay this ticket you CANNOT dispute it)

Payment by credit card will be charged a 1.75% non-refundable fee for credit card merchant fee recovery. Bylaw Number: 13640

**Pay by Web:** [www.burnaby.ca/paytickets](http://www.burnaby.ca/paytickets)

**Mailed or delivered to:** City of Burnaby - Tax Office

Violation Payment

4949 Canada Way

Burnaby, BC V5G 1M2

\*Bylaw Violation Notice Number must appear on Cheque or Money Order

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**Pay in Person:** Cash, Cheque, Visa, Mastercard, American Express, Interac

Hours: Mon to Fri 8:00am to 4:45pm, Thurs 8:00am to 8:00pm. Closed on Holidays.

Letter drop boxes are located at both City Hall entrances for Cheque payments



**Bylaw Violation Notice**

**BYLAW VIOLATION NOTICE #: L203774**

**PLU: 1149-Lic Violation**

**ISSUED TO: 1134920 BC LTD.**

**ISSUE DATE: September 01, 2022**

**ADDRESS: 604 - 4980 KINGSWAY BURNABY, BRITISH COLUMBIA V5H 4K7**

**BYLAW NAME: BBy Unsightly Premises Bylaw**

**SECTION: 2**

**DESCRIPTION OF CONTRAVENTION: L2073-PROPTY UNTIDY OR UNSIGHTLY**

**CONTRAVENTION DATE AND TIME: August 31, 2022 11:38 am**

**CONTRAVENTION LOCATION: 6544 IMPERIAL ST**

**ASSOCIATED TICKETS:**

**ISSUING OFFICER: 00502-NIJJAR**

**PAYMENT:**

<b>IF PAID ON OR BEFORE:</b>	<b>September 23, 2022</b>	<b>400.00</b>
<b>IF PAID AFTER:</b>	<b>September 23, 2022</b>	<b>500.00</b>

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**Option 1 - PAYMENT**

**(If you pay this ticket you CANNOT dispute it)**

**Payment by credit card will be charged a 1.75% non-refundable fee for credit card merchant fee recovery. Bylaw Number: 13640**

**Pay by Web:**

[www.burnaby.ca/paytickets](http://www.burnaby.ca/paytickets)

**Mailed or delivered to:**

City of Burnaby - Tax Office  
Violation Payment  
4949 Canada Way  
Burnaby, BC V5G 1M2

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Cash, Cheque, Visa, Mastercard, American Express, Interac  
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Attachment #4 - 2022 September 07  
Photographs







