

**TO:** ACTING CITY MANAGER **DATE:** 2021 Jun 17

**FROM:** DIRECTOR - PUBLIC SAFETY AND **FILE:** BYL19-00554  
COMMUNITY SERVICES

**SUBJECT: UNSIGHTLY PROPERTY AT 4449 GEORGIA STREET**

**PURPOSE:** To obtain Council authority for City Staff and/or agents to enter onto the property at 4449 Georgia Street in order to bring the property into compliance with the Burnaby Unsightly Premises Bylaw, No. 5533.

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**RECOMMENDATION:**

1. **THAT** Council authorize City staff and/or agents to enter the property at 4449 Georgia 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.

**REPORT**

**1.0 INTRODUCTION**

In May 2019, the Licence Office received a public complaint concerning unsightly conditions at 4449 Georgia Street. The property is zoned Residential District (R5) and is improved with a single family dwelling. In 2016 and 2017 similar complaints had been received however were subsequently resolved when the property was brought into voluntary compliance.

**2.0 POLICY SECTION**

**Goal**

- A Safe Community
  - Crime prevention and reduction – Ensure citizens and businesses feel safe in our community
- A Healthy Community
  - Healthy environment – Enhance our environmental health, resilience and sustainability

**3.0 BACKGROUND**

On 2019 May 02, the Licence Office received a complaint alleging unsightly conditions at 4449 Georgia Street. As a result of the complaint, ten (10) inspections have been

To: Acting City Manager  
From: Director - Public Safety and Community Services  
Re: Unsightly Premises at 4449 Georgia Street  
2021 June 17..... Page 2

undertaken by staff between 2019 May 06 and 2021 June 11. These inspections have confirmed the property remains unsightly due to overgrown vegetation, particularly blackberry bushes and weeds, some of which are growing on the house itself. Recent photographs of the property are included as Attachment 1.

Subsequent to May 2019, the Licence Office has received seven (7) additional complaints concerning the unsightly condition of the property. In total since 2016, there have been ten (10) complaints received from four (4) different individuals.

Upon receiving the most recent complaint, all attempts by staff to encourage the property owner to bring the property into compliance voluntarily, have proven unsuccessful. Correspondence was sent to the property owner on 2019 May 07 and on 2019 August 20 (Attachment 2). As a result of the continued non-compliance, Bylaw Violation Notices were issued to the property owner on 2019 September 05, 2019 October 02, 2019 December 05, and on 2020 May 13 (Attachment 3). To date, none of the notices have been paid and there is currently \$2000 outstanding.

Staff have attempted to make onsite contact with the property owner on multiple occasions without success. However, during two separate telephone conversations, the owner claimed to staff that the unsightly conditions would be addressed promptly. Specific follow up inspections after these phone conversations found the property remained non-compliant.

#### **4.0 RECOMMENDATION**

That Council authorize the municipality by its workmen or others, to enter onto the property at 4449 Georgia 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 to form part of, the taxes payable in respect of the real property, as taxes in arrears.

Dave Critchley  
DIRECTOR - PUBLIC SAFETY AND COMMUNITY SERVICES

Copied to: Director Engineering  
City Solicitor

Attachments: 1 - June 2021 photographs of 4449 Georgia Street  
2 - Correspondence to Property Owner  
3 - Bylaw Violation Notices Issued to Property Owner

## Attachment 1





## Attachment 1 (Continued)





## Attachment 1 (Continued)





## Attachment 1 (Continued)



## Attachment 2



Licence Office  
Public Safety and Community Services Department

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2019 May 07

FILE: BYL19-00554

Redacted as per FOIPPA Section  
22

**SUBJECT: UNSIGHTLY PREMISES AT 4449 GEORGIA STREET**

An inspection of 4449 Georgia Street conducted on 2019 May 06 revealed that the property was untidy or unsightly.

In order to bring your property in compliance with the Burnaby Unsightly Premises Bylaw, please remove or remedy the following;

- Overgrown grass, weeds, dandelions & blackberry bushes;
- Discarded items including, but not limited to, an appliance and a kitchen chair.

In order to bring the property into compliance please remove these items or clean up the property on or before **2019 May 23** 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 604-294-7989.

A handwritten signature in blue ink, appearing to read "Robert Grimm".

Robert Grimm  
Property Use Coordinator  
Phone: 604-294-7989  
Email: [Robert.Grimm@burnaby.ca](mailto:Robert.Grimm@burnaby.ca)

RG:hb



## Attachment 2 (Continued)



Licence Office  
Public Safety and Community Services Department

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2019 August 20

FILE: BYL19-00554

Redacted as per FOIPPA Section  
22

### **SUBJECT: UNRESOLVED UNSIGHTLY PREMISES - 4449 GEORGIA 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 2019 August 20, revealed that 4449 Georgia 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.*

During the re-inspection the following was observed:

- Discarded items including, but not limited to, a mini-fridge, kitchen chair and rotting panelling
- Overgrown grass, weeds & blackberry bush and vines growing across walkways



## Attachment 2 (Continued)

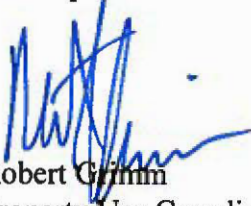
Redacted as per FOIPPA  
Section 22

*Subject: Unresolved Unsightly Premises  
4449 Georgia Street*

*2019 August 20.....Page 2*

A final inspection will be conducted on **2019 September 04** 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 604-294-7989.



Robert Grimm  
Property Use Coordinator  
Phone: 604-294-7989  
Email: [Robert.Grimm@burnaby.ca](mailto:Robert.Grimm@burnaby.ca)

RG:nm



## Attachment #3

### Bylaw Violation Notice

**BYLAW VIOLATION NOTICE #: L200990**

PLU: 1149-Lic Violation

ISSUED TO: Redacted as per FOIPPA Section 22

ISSUE DATE: September 05, 2019

ADDRESS: Redacted as per FOIPPA Section 22

BYLAW NAME: BBY UNSIGHTLY PREMISES BYLAW

SECTION: 2

DESCRIPTION OF CONTRAVENTION: L2073-PROPTY UNTIDY OR UNSIGHTLY

CONTRAVENTION DATE AND TIME: September 4, 2019 12:05 pm

CONTRAVENTION LOCATION: 4449 GEORGIA ST

ASSOCIATED TICKETS:

ISSUING OFFICER: 00521-GRIMM

#### **PAYMENT:**

IF PAID ON OR BEFORE: **September 27, 2019** **400.00**

IF PAID AFTER: **September 27, 2019** **500.00**

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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

Due to the COVID-19 pandemic in-person visits to City Hall are suspended until further notice.

To pay by cash or debit please make an appointment by calling 604-294-7934.



## Attachment 3 (Continued)



# COPY

### Bylaw Violation Notice

**BYLAW VIOLATION NOTICE #: L201018**

**PLU: 1149-Lic Violation**

**ISSUED TO:** Redacted as per FOIPPA Section 22

**ISSUE DATE: October 02, 2019**

**ADDRESS:** Redacted as per FOIPPA Section 22

**BYLAW NAME: BBY UNSIGHTLY PREMISES BYLAW**

**SECTION: 2**

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

**CONTRAVENTION DATE AND TIME: October 1, 2019 11:20 am**

**CONTRAVENTION LOCATION: 4449 GEORGIA ST**

**ASSOCIATED TICKETS:**

**ISSUING OFFICER: 00521-GRIMM**

**PAYMENT:**

<b>IF PAID ON OR BEFORE:</b>	<b>October 24, 2019</b>	<b>400.00</b>
<b>IF PAID AFTER:</b>	<b>October 24, 2019</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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- Cheque or Money Order payable to City of Burnaby
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- 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

- Monday to Friday 8:00am to 4:45pm, Thursday 8:00am to 8:00pm
- After hours and statutory holidays - put cheques in City Hall mail slot

## Attachment 3 (Continued)



### Bylaw Violation Notice

**BYLAW VIOLATION NOTICE #: L201055**

**PLU: 1149-Lic Violation**

**ISSUED TO:** Redacted as per FOIPPA Section 22

**ISSUE DATE:** December 05, 2019

**ADDRESS:** Redacted as per FOIPPA Section 22

**BYLAW NAME:** BBY UNSIGHTLY PREMISES BYLAW

**SECTION:** 2

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

**CONTRAVENTION DATE AND TIME:** December 4, 2019 12:15 pm

**CONTRAVENTION LOCATION:** 4449 GEORGIA ST

**ASSOCIATED TICKETS:**

**ISSUING OFFICER:** 00521-GRIMM

**PAYMENT:**

<b>IF PAID ON OR BEFORE:</b>	<b>December 27, 2019</b>	<b>400.00</b>
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<b>IF PAID AFTER:</b>	<b>December 27, 2019</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)

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Violation Payment

4949 Canada Way

Burnaby, BC V5G 1M2

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## Attachment 3 (Continued)



# COPY

### Bylaw Violation Notice

**BYLAW VIOLATION NOTICE #: L201096**

PLU: 1149-Lic Violation

**ISSUED TO:** Redacted as per FOIPPA Section 22

**ISSUE DATE:** May 13, 2020

**ADDRESS:** Redacted as per FOIPPA Section 22

**BYLAW NAME:** BBY UNSIGHTLY PREMISES BYLAW

**SECTION:** 2

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

**CONTRAVENTION DATE AND TIME:** May 12, 2020 9:45 am

**CONTRAVENTION LOCATION:** 4449 GEORGIA ST

**ASSOCIATED TICKETS:**

**ISSUING OFFICER:** 00521-GRIMM

**PAYMENT:**

IF PAID ON OR BEFORE:	June 04, 2020	400.00
IF PAID AFTER:	June 04, 2020	500.00

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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)

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