

DANGEROUS & UNSIGHTLY PREMISES

MINUTES

May 19, 2005

PRESENT: Councillor Harvey, Chair
Councillor McInroy
Councillor Wile
Councillor Johns
Councillor Smith

ABSENT: Deputy Mayor Goucher
Councillor McCluskey
Councillor Sloane
Councillor Snow

STAFF: Ms. Tanya Phillips, Manager, By-Law Services
Ms. Andrea Falconer, Regional Coordinator, By-Law
Enforcement
Mr. Andre Noel, Acting Regional Coordinator, Support Services,
Community Projects, Environmental Management
Services
Mr. Keith Cahoon, By-Law Enforcement Officer
Mr. Robert Coolen, By-Law Enforcement Officer
Ms. Julia Horncastle, Legislative Assistant
Ms. Chris Newson, Legislative Assistant

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1. CALL TO ORDER

The meeting was called to order at 10:06 a.m.

2. APPROVAL OF MINUTES - April 21, 2005

MOVED by Councillor Wile, seconded by Councillor McInroy that the minutes of April 21, 2005 be approved as circulated. MOTION PUT AND PASSED UNANIMOUSLY.

3. APPROVAL OF THE AGENDA, ADDITIONS AND DELETIONS

Addition: 4.1 Lands of Nelson Julian, Barbara Julian, Dolene LaPointe and David LaPointe, 48 Churchill Drive, Dartmouth (*Deferred from September 16, 2004*)

Deletion: 5.1 Lands of Joseph C. Arab, 87 Rose Street, Dartmouth

The Committee **approved the agenda as amended.**

4. CONSIDERATION OF DEFERRED BUSINESS

4.1 Lands of Nelson Julian, Barbara Julian, Dolene LaPointe and David LaPointe, 48 Churchill Drive, Dartmouth

Mr. Cameron Brown, By-Law Enforcement Officer, presented the information.

The Appellant was not in attendance.

MOVED BY Councillor Johns, seconded by Councillor Wile that the Dangerous and Unsightly Premises Committee refuse the appeal and uphold the Order to Remedy Dangerous or Unsightly Conditions issued on July 22, 2004. MOTION PUT AND PASSED UNANIMOUSLY.

5. APPEALS

5.1 Lands of Joseph C. Arab, 87 Rose Street, Dartmouth

Deleted during approval of the agenda. Property is in compliance.

5.2 Lands of Ross Edward Hallett, 1460 Edward Street, Halifax

- An Appeal Report dated May 12, 2005 was before the Committee.

Mr. Robert Coolen, By-Law Enforcement Officer, presented a video of the property taken on May 18, 2005.

Councillor Johns advised he had received some photos via e-mail. He circulated the photos to the Committee at this time.

Mr. Hallett, Appellant, commented that the primary reason for his appeal is that the order was posted a few days after the snow disappeared. He further advised that following the fire he removed items from the property. Mr. Hallett added the fire was a traumatic event for his entire family and it has been difficult. He further advised that clean-up of the property was in the control of the Insurance Company and a phone call to the Insurance Company or himself would have been in order. Mr. Hallett advised the Insurance Company felt the property was in compliance.

Mr. Hallett circulated pictures he had taken of the property from the sidewalk. He further advised the demolition company cannot move forward without first obtaining feedback from the Insurance Company. The Insurance representative has been off sick for two or three weeks. There is ongoing, continuous clean-up at the property. Mr. Hallett added he put up a fence as requested by the Planning and Development Department. He further advised that he was told he could not store the BBQ or gas containers inside.

Councillor McInroy, responding to comments raised by Mr. Hallett, indicated that even if an Insurance Agent is off sick for two or three weeks, someone would pick up the files. He also expressed concern with the alleged telephone tag between the Insurance Adjuster and the Demolition Company adding that there has been no contact since April 27th. He further advised that Mr. Hallett's photos should have been sent to staff. Mr. Hallett responded that he did speak to staff but that he was away on business for one week as well.

MOVED BY Councillor McInroy, seconded by Councillor Johns that the Dangerous and Unsightly Premises Committee refuse the appeal and uphold the Order to Remedy Dangerous or Unsightly Conditions issued on April 5, 2005. MOTION PUT AND PASSED.

5.3 Lands of Therese Dube Harvey, Lot 8, Highway 207, Seaforth

- An Appeal Report dated May 12, 2005 was before the Committee.

Mr. Robert Coolen, By-Law Enforcement Officer, presented a video of the property.

Ms. Harvey, Appellant, commented that she had the storage trailer moved to the property last

year but has not been able to get the gravel distributed in time to secure the structure. She added that she has confirmation from HRM that she can have the trailer at this site. There are two different descriptions of the property and she is unsure if she can move the trailer until the description of the property is settled. She further commented that due to health issues and financial limitations she has been unable to do the required labour intensive work involved to secure the storage trailer, spread the gravel and place the trailer on blocks. Ms. Harvey requested a one month extension to finish the work on the property. She cannot secure the building with doors and windows until the structure is put on blocks and level which means the gravel has to be spread first.

Councillor McInroy inquired, given Ms. Harvey's health and financial concerns, if she would be able to complete the work in one month. Ms. Harvey responded that she could.

Ms. Tanya Phillips, Manager, By-Law Enforcement, responded to Councillor Johns explaining that if the work is not done in thirty days, what is open and exposed will have to be secured. HRM will only deal with that issue. The cost to secure the structure will be billed back to Ms. Harvey. HRM's issue is not the location of the trailer, only the un-secure aspect of the structure. The appellant could remove the tarps and nail closed (using plywood) the two openings on the trailer. The trailer must be secured using a substance that would not permit easy access therefore, replacing the torn tarp is not an option. She confirmed that chipboard would suffice.

MOVED BY Councillor McInroy, seconded by Councillor Smith that the Dangerous and Unsightly Premises Committee refuse the appeal and uphold the Order to Remedy Dangerous or Unsightly Conditions issued on April 8, 2005.

Ms. Phillips, in response to Councillor Wile, explained that the posted order has already expired. Staff will speak to the Appellant on whether she can do this work in a few days, otherwise HRM will do the work and bill Ms. Harvey.

MOTION PUT AND PASSED UNANIMOUSLY.

5.4 Lands of John & Sharon Wilson, 20 Fraser Drive, Waverley

- An Appeal Report dated May 12, 2005 was before the Committee.

Mr. Keith Cahoon, By-Law Enforcement Officer, presented the video.

Mr. Wilson, Appellant, was not present nor was there a Representative present on Mr. Wilson's behalf.

Ms. Tanya Phillips responded to Councillor Smith that the tarp does not constitute a remedy.

The cube truck has to be repaired or removed.

MOVED BY Councillor McInroy, seconded by Councillor Wile that the Dangerous and Unsightly Premises Committee refuse the appeal and uphold the Order to Remedy Dangerous or Unsightly Conditions issued on April 5, 2005.

Ms. Phillips confirmed for Councillor Johns that the order has expired. Staff will speak to the owner and if the work is able to be done in a couple of days staff will work with the owner. If it will be another month, HRM will go in and do the work and bill the owner.

MOTION PUT AND PASSED UNANIMOUSLY.

5.5 Lands of Steven Lucas and Joanne Karmas, 3595 Connaught Avenue

- An Appeal Report dated May 12, 2005 was before the Committee.

The Appellant, nor Representative for the Appellant, was not in attendance.

MOVED BY Councillor McInroy, seconded by Councillor Johns that the Dangerous and Unsightly Premises Committee refuse the appeal and uphold the Order to Remedy Dangerous or Unsightly Conditions issued on April 22, 2005. MOTION PUT AND PASSED UNANIMOUSLY.

6. **DEMOLITIONS** - None

7. **NEXT SCHEDULED MEETING**

The next meeting is scheduled for Thursday, June 16, 2005 at 10:00 a.m. in Council Chambers, City Hall.

Councillor Johns inquired what could be done to put more emphasis on the Committee members to attend the meetings. The meeting time and location was changed to try and address the issue of achieving quorum and still only five (5) out of nine (9) members are in attendance. Councillor Harvey suggested a message be sent to those who are absent indicating that their attendance is required at these meetings.

8. **ADJOURNMENT**

The meeting adjourned at 11:02 a.m.

Chris Newson

Legislative Assistant