

DANGEROUS & UNSIGHTLY PREMISES
MINUTES

December 17, 2009

PRESENT:

Councillor Dawn Sloane, Chair
Councillor Gloria McCluskey, Vice Chair
Councillor Sue Uteck
Councillor Darren Fisher
Deputy Mayor Brad Johns
Councillor Barry Dalrymple
Councillor Robert Harvey
Councillor Lorelei Nicoll

REGRETS:

Councillor Stephen Adams

STAFF:

Mr. Jeff Rogers, Regional Coordinator By-Law Enforcement
Mr. Stephan Jedynek, Municipal Solicitor
Ms. Danielle Banks, Methods & Procedures Analyst
Mr. Steve Berkman, Officer, By-Law Enforcement
Ms. Melody Campbell, Legislative Assistant

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1. CALL TO ORDER

The Chair called the meeting to order at 9:32 a.m. in the Media Room, City Hall.

2. APPROVAL OF MINUTES - October 15, 2009, November 19, 2009 & November 24, 2009

Councillor Nicoll noted amendments to the minutes of October 15, 2009 and November 24, 2009.

MOVED BY Councillor McCluskey, seconded by Deputy Mayor Johns, that the minutes of October 15, 2009, as amended, November 19, 2009, as presented, and November 24, 2009, as amended, be approved. MOTION PUT AND PASSED.

3. APPOINTMENT OF CHAIR AND VICE CHAIR

Election of Chair

MOVED BY Deputy Mayor Johns, seconded by Councillor Uteck that Councillor Sloane be nominated as Chair of the Dangerous and Unsightly Premises Committee for the 2010 term.

It was called three times for any further nominations, with none being heard:

MOTION PUT AND PASSED.

Councillor Sloane accepted the nomination and the appointment of Chair of the Committee.

Election of Vice Chair

MOVED BY Deputy Mayor Johns, seconded by Councillor Fisher that Councillor McCluskey be nominated as Vice Chair of the Dangerous & Unsightly Premises Committee for the 2010 term.

It was called three times for any further nominations, with none being heard:

MOTION PUT AND PASSED.

Councillor McCluskey accepted the nomination and the appointment of Vice Chair of the Committee.

APPROVAL OF 2010 MEETING SCHEDULE

MOVED BY Councillor Harvey, seconded by Councillor Deputy Mayor Johns, that the Dangerous & Unsightly Premises Committee 2010 schedule be approved. MOTION PUT AND PASSED.

4. APPROVAL OF THE AGENDA, ADDITIONS AND DELETIONS

MOVED BY Councillor Fisher, seconded by Deputy Mayor Johns, that the Order of Business, as presented, be approved. MOTION PUT AND PASSED.

5. CONSIDERATION OF ADJOURNED BUSINESS - NONE

6. APPEALS - DANGEROUS OR UNSIGHTLY

6.1 1460 Edward Street, Halifax, 2350 Creighton Street, Halifax, Case 91124

- A report dated December 6, 2009 was before the Committee.

Mr. Steve Berkman, Officer, By-law Services, provided an update and pictures of the property to the Committee.

Following the presentation, the noted clarification was provided to the Committee:

- there were originally two Orders, one Order has been rectified, the shed has had siding installed on four sides
- when considering dangerous or unsightly issues, a community standard is applied with the community supplying the standard
- standards can change from one community to another
- progress has been made on the property

Mr. Ross Hallett, property owner, addressed the Committee making the following points:

- he wants to have the order cancelled
- there is a neighbouring property in poor condition for over five years, pictures were distributed to the Committee
- he has had the siding replaced on the shed
- the rot on the shed was caused by debris from the neighbour's yard resting against his building
- there is only one complainant and he noted that this person has been upset with Mr. Hallett since a tree fell on his property around the time of Hurricane Juan
- many of the bags contain compost
- the metal is lattice
- there is a pallet compost
- he has new tarps that he will use
- he is requesting consistency in regard to standards
- he plans to repaint the tables and use them when he gets a house

Councillor Uteck advised that she has been working with the appellant and would consider adjourning the case for one month. She stated that she will not deal with the tarp issue. She added that the Committee is in the business of compliance, not in being heavy handed.

Mr. Rogers advised the Committee that staff have been working on this property for a number of months.

MOVED BY Councillor Uteck, seconded by Deputy Mayor Johns, that the Dangerous & Unsightly Premises Committee refuse the appeal and uphold the Order to Remedy Dangerous or Unsightly Conditions issued on October 26, 2009.

Councillor Dalrymple advised that he would not want to live beside such a property. He added that the tarping is a separate issue.

In response to a question by Deputy Mayor Johns, Mr. Rogers advised that tarps could not be used on anything exposed, and if the existing tarp is torn it would have to be replaced. Mr. Rogers added that the property is to be brought up to minimum standard.

Councillor Harvey noted that the staff report contains three pages of case history. He added that this consumes HRM resources and tax payer dollars.

MOTION PUT AND PASSED.

7. **DEMOLITIONS - DANGEROUS OR UNSIGHTLY - NONE**
8. **APPEALS - DERELICT BUILDINGS - D300 - NONE**
9. **DEMOLITIONS - DERELICT BUILDINGS - D300**
10. **ADDITIONS - NONE**
11. **NEXT SCHEDULED MEETING - Thursday, January 21, 2010**
12. **ADJOURNMENT**

The meeting was adjourned at 9:56 p.m.

Melody Campbell
Legislative Assistant