

DANGEROUS & UNSIGHTLY PREMISES  
MINUTES

November 18, 2010

PRESENT:

Councillor Dawn Sloane, Chair  
Councillor Sue Uteck  
Councillor Barry Dalrymple  
Councillor Lorelei Nicoll  
Councillor Robert Harvey  
Councillor Darren Fisher  
Councillor Stephen Adams

REGRETS:

Councillor Gloria McCluskey  
Councillor Barry Dalrymple  
Councillor Brad Johns

STAFF:

Ms. Angela Jones-Rieksts, Solicitor, Legal Services  
Mr. Jeff Rogers, Regional Coordinator By-Law Enforcement  
Ms. Tanya Phillips, Manager, By-Law Services  
Ms. Erin Dobson, Regional Coordinator, Support Services  
Ms. Danielle Banks, Methods & Procedures Analyst  
Mr. Robert Ryan, Officer, By-Law Enforcement  
Ms. Theresa Hickey, Officer, By-Law Enforcement  
Mr. Alonzo MacDonald, Officer, By-law Enforcement  
Ms. Melody Campbell, Legislative Assistant

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**1. CALL TO ORDER**

The meeting was called to order at 10:05 a.m. in Council Chambers, City Hall.

**2. APPROVAL OF MINUTES - September 16, 2010**

**MOVED by Councillor Harvey, seconded by Councillor Fisher, that the minutes of September 16, 2010, as presented, be approved. MOTION PUT AND PASSED.**

**3. APPROVAL OF THE AGENDA, ADDITIONS AND DELETIONS**

DELETIONS:

- 5.2 Case 146789 - 2254 Cow Bay Road, Cow Bay
- 5.3 Case 147055 - 2254 Cow Bay Road, Cow Bay
- 5.4 Case 147052 - 2254 Cow Bay Road, Cow Bay

**MOVED by Councillor Harvey, seconded by Councillor Fisher, that the Order of Business, as amended, be approved. MOTION PUT AND PASSED.**

**4. CONSIDERATION OF ADJOURNED BUSINESS - NONE**

**5. APPEALS - DANGEROUS AND UNSIGHTLY**

**5.1 Case 138203 - Shore Drive, Bedford**

- A staff report dated November 10, 2010 was before the Committee.

Mr. Robert Ryan, By-law Enforcement Officer, provided the report and pictures to the Committee.

**Mr. Boutlier**, on behalf of the estate, addressed the Committee. He advised that the debris that was shown in the presented pictures had blown on shore from the harbour. He added that there was an environmental study completed on the property and no environmental issues were found. He stated that in order for the pictures that were shown to the Committee to be taken, a person would have to have been on the property. He stated that there is no reason for any person to be on the property adding that this is a commercial property not park land.

**MOVED by Councillor Adams, seconded by Councillor Fisher, that the Dangerous & Unsightly Premises Committee refuse the appeal and uphold the Order to Remedy Dangerous or Unsightly Conditions issued on October 13, 2010. MOTION PUT AND PASSED.**

**5.2 Case 146789 - 2254 Cow Bay Road, Cow Bay**

This item was deleted from the agenda during the approval of the order of business.

**5.3 Case 147055 - 2254 Cow Bay Road, Cow Bay**

This item was deleted from the agenda during the approval of the order of business.

**5.4 Case 147052 - 2254 Cow Bay Road, Cow Bay**

This item was deleted from the agenda during the approval of the order of business.

**6. DEMOLITIONS - DANGEROUS AND UNSIGHTLY**

**6.1 Case 133107 - 34 Hatchet Lake, Hatchet Lake**

- A staff report dated November 10, 2010 was before the Committee.

Mr. Robert Ryan, By-law Enforcement Officer, presented the report and pictures to the Committee.

**Mr. Derek Housell** addressed the Committee advising that, as a contractor, the intention is to demolish all of the buildings upon receipt of a permit. He stated that one tenant was permitted to stay beyond his move out date. However, at this point the tenant is refusing to leave. He advised the Committee that he anticipated having the demolition done within ninety days and asked that the Committee grant an extension to permit ninety days to complete the work.

In response to a question by Councillor Nicoll, Mr. Housell advised that his plan is to build seven 1100-1200 foot square cottages on the property.

**MOVED by Councillor Harvey, seconded by Councillor Nicoll, that Case 133107 be adjourned until January 2011.**

The Committee discussed timelines if the Order to Remedy was upheld.

**MOTION DEFEATED.**

**MOVED by Councillor Uteck, seconded by Councillor Adams, that the Dangerous & Unsightly Premises Committee pass the following resolution:**

**The Committee finds the property to be dangerous or unsightly as per section 3(q) of the Charter as per section 356 of the Charter, Orders demolition of the Building, including be not limited to, the removal of all demolition debris, backfilling of any foundation or crawl space and disconnecting any and all utility connections to the standard set by each respective utility service provider, so as**

**to leave the Property in a neat, tidy, environmentally compliant and safe condition within thirty (30) days after the Order is posted in a conspicuous place upon the property or personally served upon the owner. Otherwise, the Municipality will exercise its rights as set forth under Part XV of the Charter. MOTION PUT AND PASSED.**

## **6.2 Case 135184 - 2 Silvers Lane, Eastern Passage**

- A staff report dated November 10, 2010 was before the Committee.

Ms. Theresa Hickey, By-law Enforcement Officer, presented the report and pictures to the Committee.

**MOVED by Councillor Uteck, seconded by Councillor Fisher, that the Dangerous & Unightly Premises Committee pass the following resolution:**

**The Committee finds the property to be dangerous or unsightly as per section 3(q) of the Charter as per section 356 of the Charter, Orders demolition of the Building, including be not limited to, the removal of all demolition debris, backfilling of any foundation or crawl space and disconnecting any and all utility connections to the standard set by each respective utility service provider, so as to leave the Property in a neat, tidy, environmentally compliant and safe condition within thirty (30) days after the Order is posted in a conspicuous place upon the property or personally served upon the owner. Otherwise, the Municipality will exercise its rights as set forth under Part XV of the Charter. MOTION PUT AND PASSED.**

## **6.3 Case 138261 - 25 Melody Drive, Halifax**

- A staff report dated November 10, 2010 was before the Committee.

Mr. Robert Ryan, By-law Enforcement Officer, presented the report and pictures to the Committee.

**Mr. Hatfield**, 43 Melody Drive, advised that he owns the building on 25 Melody Drive and had anticipated that the property was going to be purchased by a heritage society. He added that there were issues clarifying the building as a heritage building. He stated that he did not paint as he believed that the building was not worth much. He stated that he went to the City to get a permit for demolition; however, he did not realize the costs associated. He stated that health issues hindered progress and he did not have the funds to do anything further to the building.

In response to a question by Councillor Adams, Mr. Hatfield advised that he has owned the property for 86 years. He advised that the house was last inhabited in 1993.

**MOVED by Councillor Uteck, seconded by Councillor Nicoll, that the Dangerous & Unsightly Premises Committee pass the following resolution:**

**The Committee finds the property to be dangerous or unsightly as per section 3(q) of the Charter as per section 356 of the Charter, Orders demolition of the Building, including be not limited to, the removal of all demolition debris, backfilling of any foundation or crawl space and disconnecting any and all utility connections to the standard set by each respective utility service provider, so as to leave the Property in a neat, tidy, environmentally compliant and safe condition within thirty (30) days after the Order is posted in a conspicuous place upon the property or personally served upon the owner. Otherwise, the Municipality will exercise it rights as set forth under Part XV of the Charter. MOTION PUT AND PASSED.**

#### **6.4 Case 138254 - Highway 357, Meaghers Grant**

- A staff report dated November 10, 2010 was before the Committee.

Mr. Robert Ryan, By-law Enforcement Officer, presented the report and pictures to the Committee.

**MOVED by Councillor Nicoll, seconded by Councillor Harvey, that the Dangerous & Unsightly Premises Committee pass the following resolution:**

**The Committee finds the property to be dangerous or unsightly as per section 3(q) of the Charter as per section 356 of the Charter, Orders demolition of the Building, including be not limited to, the removal of all demolition debris, backfilling of any foundation or crawl space and disconnecting any and all utility connections to the standard set by each respective utility service provider, so as to leave the Property in a neat, tidy, environmentally compliant and safe condition within thirty (30) days after the Order is posted in a conspicuous place upon the property or personally served upon the owner. Otherwise, the Municipality will exercise it rights as set forth under Part XV of the Charter. MOTION PUT AND PASSED.**

#### **6.5 Case 137033 – 144 Pockwock Road, Hammonds Plains**

- A staff report dated November 10, 2010 was before the Committee.

Mr. Alonzo MacDonald, By-law Enforcement Officer, presented the report and pictures to the Committee.

**MOVED by Councillor Adams, seconded by Councillor Harvey, that the Dangerous & Unsightly Premises Committee pass the following resolution:**

**The Committee finds the property to be dangerous or unsightly as per section**

**3(q) of the Charter as per section 356 of the Charter, Orders demolition of the Building, including be not limited to, the removal of all demolition debris, backfilling of any foundation or crawl space and disconnecting any and all utility connections to the standard set by each respective utility service provider, so as to leave the Property in a neat, tidy, environmentally compliant and safe condition within thirty (30) days after the Order is posted in a conspicuous place upon the property or personally served upon the owner. Otherwise, the Municipality will exercise its rights as set forth under Part XV of the Charter. MOTION PUT AND PASSED.**

- 7. APPEALS - DERELICT BUILDINGS - D300 - NONE**
- 8. DEMOLITIONS - DERELICT BUILDINGS - D300 - NONE**
- 9. ADDITIONS - NONE**
- 10. NEXT SCHEDULED MEETING - Thursday, January 20, 2011**
- 11. ADJOURNMENT**

The meeting was adjourned at 11:02 a.m.

Melody Campbell  
Legislative Assistant