

DANGEROUS & UNSIGHTLY PREMISES
MINUTES
February 16, 2006

PRESENT:

Councillor Harry McInroy
Councillor Gloria McCluskey
Councillor Mary Wile
Councillor Brad Johns
Councillor Robert Harvey, Chair
Councillor Len Goucher

ABSENT:

Councillor Krista Snow (regrets)
Councillor Jim Smith
Councillor Dawn Sloane, Vice Chair

STAFF:

Ms. Tanya Phillips, Manager, By-Law Services
Ms. Donna Keats, Solicitor, Legal Services
Mr. André Noël, By-Law Enforcement Officer
Mr. Theresa Hickey, By-Law Enforcement Officer
Mr. Cameron Brown, By-Law Enforcement Officer
Mr. Jason Bell, Methods and Procedures Analyst, Community
Projects
Ms. Jennifer Weagle, Legislative Assistant

TABLE OF CONTENTS

1.	CALL TO ORDER	3
2.	APPROVAL OF MINUTES - January 19, 2006	3
3.	APPROVAL OF THE AGENDA, ADDITIONS AND DELETIONS	3
4.	CONSIDERATION OF DEFERRED BUSINESS	3
4.1	APPEALS - none	3
4.2	DEMOLITIONS - none	3
5.	APPEALS	3
5.1	Lands of Kenneth Joseph Wells, 145 Cow Bay Road, Eastern Passage	3
5.2	Lands of Sean Richardson, 269 Pleasant Street, Dartmouth	3
6.	DEMOLITIONS	3
6.1	Lands of William R. Bennett, RR#2, Musquodoboit Harbour	4
6.2	Lands of Jeanette Baker, Lower West Jeddore Road, West Jeddore ..	5
7.	ADDITIONS	5
7.1	July and August 2006 Meeting Dates	5
8.	NEXT SCHEDULED MEETING - March 23, 2006	6
9.	ADJOURNMENT	6

1. CALL TO ORDER

The meeting was called to order at 10:04 a.m. in Council Chambers, 3rd Floor, City Hall, 1841 Argyle Street, Halifax.

2. APPROVAL OF MINUTES

MOVED BY Councillor McCluskey, seconded by Councillor Goucher, that the minutes of January 19, 2006 be approved as circulated. MOTION PUT AND PASSED UNANIMOUSLY.

3. APPROVAL OF THE AGENDA, ADDITIONS AND DELETIONS

Deletion: Item 5.1 Lands of Kenneth Joseph Wells, 145 Cow Bay Road, Eastern Passage

Addition: Item 7.1 July & August 2006 meeting dates

MOVED BY Councillor McInroy, seconded by Councillor Goucher, that the agenda be approved, as amended. MOTION PUT AND PASSED UNANIMOUSLY.

4. CONSIDERATION OF DEFERRED BUSINESS - none

4.1 APPEALS - none

4.2 DEMOLITIONS - none

5. APPEALS

5.1 Lands of Kenneth Joseph Wells, 145 Cow Bay Road, Eastern Passage

This item was deleted during the approval of the agenda. See item 3.

5.2 Lands of Sean Richardson, 269 Pleasant Street, Dartmouth

C An Appeal Report on the above noted property, dated February 7, 2006, was before the Committee.

Neither the Appellant, nor a representative of the Appellant, were in attendance.

MOVED BY Councillor Goucher, seconded by Councillor McCluskey, that the appeal be denied. MOTION PUT AND PASSED UNANIMOUSLY.

6. DEMOLITIONS

6.1 Lands of William R. Bennett, RR#2, Musquodoboit Harbour

- C A Demolition Report for the above noted property, dated February 8, 2006, was before the Committee.

Ms. Theresa Hickey, By-Law Enforcement Officer, with the aid of a video, presented the report, noting that the staff recommendation is for the demolition of a deteriorated accessory structure on the property.

Responding to questions of the Committee, Ms. Hickey clarified the following:

- C One wall of the structure is considerably bowed.
- C The structure is not within a close proximity to any other buildings or houses.
- C There are orders against the property requiring the removal of an accumulation of debris and derelict vehicles on the property, which the property owners have made progress with. These orders are not part of the demolition recommendation before the Committee today.
- C She believes that the structure is in danger of collapse.

The Chair brought to the attention of the Committee the Structural Integrity portion of the Building Official's Report.

Councillor Johns joined the meeting at 10:10 a.m.

Mrs. Marilyn Bennett, wife of William R. Bennett and co-owner of the property addressed the Committee. Mrs. Bennett advised that Mr. Bennett has been working on remedying the issues noted in the orders against the property. She clarified that the structure was built by their neighbour, who is now deceased, on the Bennett's property. The structure, which Ms. Bennett confirmed has been in the same state for the past year and a half, was used as a salt shed and much of the debris came from the neighbour's business materials. Mrs. Bennett advised that she has made calls to have the piles of tires removed from the property. She further advised that Mr. Bennett wishes to save the roof from the structure to construct a vehicle shelter and he had planned to demolish the structure in the spring. Mrs. Bennett clarified, at the request of the Committee, that this structure was not involved in the fire call from which the initial complaint regarding this property initiated.

At the request of Councillor McCluskey, Mrs. Bennett clarified that the structure is located across the road from the Bennett's home and the view of the structure from the road is obstructed by trees.

Councillor Goucher noted that the initial complaint regarding this property came from HRM Fire Services and the RCMP, and the Committee should take their concerns seriously. He further noted that HRM could potentially face liability issues in the event that someone is

injured on the property. Councillor McInroy concurred with Councillor Goucher's comments.

MOVED BY Councillor McInroy, seconded by Councillor Goucher, that the Dangerous and Unsightly Premises Committee issue an Order requiring the demolition of a deteriorated accessory structure and the removal of all demolition debris and backfilling any foundation or crawl space, leaving the property in a neat and tidy fashion within thirty (30) days after service upon the owner/occupant. Otherwise, the Municipality will exercise its rights as set forth under Part XV of the *Act Respecting Municipal Government*. MOTION PUT AND PASSED UNANIMOUSLY.

6.2 Lands of Jeanette Baker, Lower West Jeddore Road, West Jeddore

C A Demolition Report for the above noted property, dated February 7, 2006, was before the Committee.

Mr. Cameron Brown, By-Law Enforcement Officer, with the aid of a video, presented the report noting that the staff recommendation is for the demolition of a dilapidated and structurally unsound house on the property.

Mr. Cameron advised the Committee of the following:

- C Neighbours informed Mr. Cameron that the house has been vacant for the past twenty years.
- C There is open access to the crawl space under the house.
- C The deck has rotted and fallen away from the house.
- C The floors inside the house have collapsed.
- C There are two neighbouring properties, one of which is occupied and one is vacant.
- C The property owner, Jeanette Baker, is deceased and the son of the property owner has had discussions with Mr. Cameron's supervisor regarding this case.

MOVED BY Councillor McCluskey, seconded by Councillor Goucher, that the Dangerous and Unsightly Premises Committee issue an Order requiring the demolition of the dilapidated and structurally unsound building and the removal of all demolition debris and backfilling any foundation or crawl space, leaving the property in a neat and tidy fashion within thirty (30) days after service upon the owner/occupant. Otherwise, the Municipality will exercise its rights as set forth under Part XV of the *Act Respecting Municipal Government*. MOTION PUT AND PASSED UNANIMOUSLY.

At the request of Councillor McCluskey, Ms. Phillips advised that she will research whether there is procedure in place for notifying HRM's tax department of buildings that are ordered demolished, in order to maintain the accuracy of the tax roll.

7. ADDITIONS

7.1 July & August 2006 meeting dates

- C A memorandum from the Legislative Assistant dated February 10, 2006 was before the Committee.

MOVED BY Councillor McCluskey, seconded by Councillor Johns, that July and August 2006 meeting dates be scheduled for July 6, 2006 and August 10, 2006.

The Legislative Assistant will send appointments to Committee members for these meeting dates.

8. NEXT SCHEDULED MEETING

The next meeting of the Dangerous & Unsightly Premises Committee is scheduled for Thursday, March 23, 2006, at 10:00 a.m. in Council Chambers.

9. ADJOURNMENT

The meeting was adjourned at 10:25 a.m.

Jennifer Weagle
Legislative Assistant