

DANGEROUS & UNSIGHTLY PREMISES
MINUTES

July 16, 2009

PRESENT: Councillor Dawn Sloane, Chair
Councillor Gloria McCluskey, Vice Chair
Councillor Brad Johns
Councillor Lorelei Nicoll

REGRETS: Councillor Robert Harvey
Councillor Stephen Adams
Councillor Sue Uteck
Councillor Barry Dalrymple

STAFF: Mr. Jeff Rogers, Regional Coordinator By-Law Enforcement
Mr. Stephan Jedynek, Solicitor, Legal Services
Ms. Erin Dobson, Regional Coordinator, Support Services
Ms. Danielle Banks, Methods & Procedures Analyst
Mr. Robert Coolen, By-Law Enforcement Officer
Mr. Scott Hill, By-Law Enforcement Officer
Mr. Rob Ryan, By-Law Enforcement Officer
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, 3rd Floor, City Hall, 1841 Argyle Street, Halifax.

2. APPROVAL OF MINUTES - June 18, 2009

MOVED by Councillor Johns, seconded by Councillor McCluskey, that the minutes of June 18, 2009, as presented, be approved. MOTION PUT AND PASSED.

3. APPROVAL OF THE AGENDA, ADDITIONS AND DELETIONS

Deletions:

Item 4.1.1 1674 Henry Street
Item 5.1 48 Antares Court

MOVED BY Councillor Johns, seconded by Councillor Nicoll, that the Order of Business, as amended, be approved. MOTION PUT AND PASSED.

4. CONSIDERATION OF ADJOURNED BUSINESS

4.1 APPEALS - DANGEROUS OR UNSIGHTLY

4.1.1 1674 Henry Street, Halifax, Case 111994

This item was deleted from the agenda during the Approval of the Order of Business.

4.2 DEMOLITIONS - DANGEROUS OR UNSIGHTLY

4.2.1 2621 St. Margarets Bay Road, Timberlea, Case 101806

- A report dated July 8, 2009 was before the Committee.

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

MOVED BY Councillor Johns, seconded by Councillor McCluskey, that the Dangerous and Unsightly Premises Committee issue an Order requiring the demolition of the deteriorated and dilapidated building and the removal of all demolition debris and the backfilling of any foundation or crawl space, leaving the property in a neat and tidy fashion within thirty (30) days after the Order is posted in a conspicuous place upon the property or personally served upon the owner/occupant. Otherwise, the Municipality will exercise its rights as set forth under Part XV of the Halifax Regional Municipality Charter. MOTION PUT AND PASSED.

5. APPEALS - DANGEROUS OR UNSIGHTLY

5.1 6034 Williams Street, Halifax Case 101373

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

In response to a query by Councillor McCluskey, Mr. Berkman advised that the window fascias and walls paint is peeling.

Ms. Elizabeth Yorke, advised that she is acting on behalf of the estate, which was owned by her late mother, but is now under litigation with other members of the family. There is a hold currently on expenditures on the estate. She advised the Committee that she lives in Toronto and is managing the estate from there. She acknowledged that once the estate is settled, work needs to be done on the home, including the exterior. She advised that if she gets the house repairs will be done bringing it up to a high standard. She advised that her sister has refused funds for repairs. Ms. Yorke requested an extension of six months to enable her to report back on the status of the litigation.

In response to a query by Councillor McCluskey, Ms. Yorke advised the Committee that the house was left to her but her sister is requesting fifty percent. She added that she hopes the matter will be settled by the end of the year.

Councillor Johns advised that if the recommendation is approved, the appellant has sixty days to comply with the order.

Ms. Yorke advised in response to a query by Councillor Sloane that the taxes and the bills are up to date.

Mr. Mr. Stephan Jedynek, Solicitor, advised that in such a case, the estate is liable as much as any other property owner.

In response to a question by Councillor Johns, staff advised that if some areas were scraped down and painted to make the property look better, it could be done, although it may be cost prohibitive.

MOVED BY Councillor Johns, seconded by Councillor McCluskey, that the Dangerous and Unsightly Premises Committee refuse the appeal and uphold the Order to Remedy Dangerous or Unsightly Conditions issued on June 3, 2009. MOTION PUT AND PASSED.

5.2 48 Antares Court, Westphal, Case 111238

This item was deleted from the agenda during the Approval of the Order of Business.

6. DEMOLITIONS - DANGEROUS OR UNSIGHTLY

6.1 Anderson Court, Hammonds Plains, Case 100582

A report dated July 8, 2009 was before the Committee

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

Mr. Clarence Anderson, the property owner, addressed the Committee advising that he owned the building for twelve to fifteen years. He advised he is has gone through some personal issues and is currently moving to another house. He noted that he has been trying to get a roof on the building but the people who were going to do the work have had some issues.

In response to a question by Councillor McCluskey, Mr. Anderson advised that there are four pigs in the building. He lives two miles away but goes to the barn every morning. He advised that he has been denied road access to the barn. He stated that he can get someone in to fix the roof in a months time. He stated that his family does not want him to build a road to the building. He advised that once the four pigs are gone, he does not plan to raise more.

MOVED BY Councillor Johns, seconded by Councillor McCluskey that Case 100582 be adjourned to September 17, 2009 meeting. MOTION PUT AND PASSED.

7. APPEALS - DERELICT BUILDINGS - D300 - NONE

8. DEMOLITIONS - DERELICT BUILDINGS - D300

8.1 2001 Lawrencetown Road, Lawrencetown, Case 95501

A report dated July 8, 2009 was before the Committee.

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

In response to a query by Councillor McCluskey, Mr. Hill advised that the building was never lived in, it was used as office space.

Mr. George Bellfontaine, property owner, addressed the Committee advising that the building was originally built with six apartment units, but it was determined that the water was bad and it was never used as an apartment building. The building was used as office space. He stated that he went to get a permit to renovate the building but could not obtain one. He advised that he plans to take the building down. He noted that three youth went into the building and destroyed it.

In response to a question by Councillor McCluskey, Mr. Bellfontaine advised that it would take three to four days to tear down and he could have it torn down in a couple of months. He noted he is waiting for financing in order to build a concrete plant.

MOVED BY Councillor McCluskey, seconded by Councillor Nicoll that Case 95501 be adjourned to September 17, 2009 meeting.

In response to a safety concern raised by Councillor Johns, Mr. Bellfontaine advised that he will board up the downstairs windows.

MOTION PUT AND PASSED.

8.2 120 Pinecrest Drive, Dartmouth, Case 101052

A report dated July 8, 2009 was before the Committee.

Mr. Rogers advised the Committee that there is no clear ownership on this property and the company who had previous ownership is now defunct.

MOVED BY Councillor McCluskey, seconded by Councillor Nicoll, that the Dangerous and Unsightly Premises Committee issue an Order requiring the demolition of the derelict building and the removal of all demolition debris and the backfilling of any foundation or crawl space, leaving the property in a neat and tidy fashion within thirty (30) days after the Order is posted in a conspicuous place upon the property or personally served upon the owner/occupant. Otherwise, the Municipality will exercise its rights as set forth under Part XV of the Halifax Regional Municipality Charter. MOTION PUT AND PASSED.

9. ADDITIONS - NONE

10. NEXT SCHEDULED MEETING - Thursday, August 20, 2009

The next meeting of the Dangerous or Unsightly Premises Committee is scheduled for 10:00 a.m. on Thursday, August 20th in Council Chambers, 3rd Floor, City Hall, 1841 Argyle Street, Halifax.

11. ADJOURNMENT

The meeting was adjourned at 11:10 a.m.

Melody Campbell
Legislative Assistant