

DANGEROUS & UNSIGHTLY PREMISES
MINUTES
November 25, 2004

PRESENT: Councillor Dawn Sloane, Acting Chair
Councillor Harry McInroy
Councillor Mary Wile
Councillor Gloria McCluskey
Councillor Jim Smith

REGRETS: Deputy Mayor Len Goucher
Councillor Brad Johns
Councillor Robert Harvey
Councillor Krista Snow

STAFF: Ms. Angels Jones-Rieksts, Municipal Solicitor
Ms. Julia Horncastle, Legislative Assistant

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1. CALL TO ORDER

The meeting was called to order at 6:00 p.m.

2. APPROVAL OF MINUTES - October 21, 2004

MOVED by Councillor McCluskey, seconded by Councillor Wile, that the minutes of October 21, 2004 be approved. MOTION PUT AND PASSED UNANIMOUSLY.

3. APPROVAL OF THE AGENDA, ADDITIONS AND DELETIONS

Councillor McCluskey requested former MT&T building, Woodland Avenue, Dartmouth, be added to the agenda.

MOVED by Councillor McCluskey, seconded by Councillor Smith, that the Order of Business, as amended, be approved. MOTION PUT AND PASSED UNANIMOUSLY.

4. CONSIDERATION OF DEFERRED BUSINESS

4.1 Lands of Timothy Brian McInnis, 47 Pioneer Avenue, Halifax, NS

C A report prepared for Mr. Andre Noel, Regional Coordinator By-Law Enforcement, Community Projects, EMS, dated September 8, 2004, on the above noted, was before the committee.

The appellant was not present, the appeal was denied.

4.2 Lands of Patrick David Wiggin and Jocelyn Mae Ryan-Wiggin, 2590 Robie Street, Halifax

The committee was advised the property was in compliance.

4.3 Lands of Daniel F. Mauger, 1 Wallingham Street, Dartmouth

The committee was advised the property was in compliance.

4.4 Lands of Mae Oderkirk and Glenn Oderkirk, 239 Church Street, Wellington, NS - Demolition

C A report prepared for Mr. Andre Noel, Regional Coordinator By-Law Enforcement, Community Projects, EMS, dated August 3, 2004, on the above noted, was before the

committee.

- C Minutes from the August 19 and September 16, 2004 meeting were before the committee.

Mr. Keith Cahoon, By-Law Officer, with the aid of a video, presented the staff report advising the property was an old tavern and at the present time there are rotting shingles and the metal cladding is falling off.

MOVED by Councillor McInroy, seconded by Councillor McCluskey, that the Committee issue an Order requiring the demolition of a dilapidated and structurally unsound vacant building, 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. Otherwise, the Municipality will exercise its rights as set for th under Part XV of the Municipal Government Act.

In response to Councillor Smith, the committee was advised the building inspector had advised that it poses a possible fire hazard and recommended demolition. The committee was advised the owner is aware of the application for demolition coming before the committee and did not have any objections.

MOTION PUT AND PASSED UNANIMOUSLY.

4.5 Lands of Walter Lacey, Lot #6, Caribou Road, Middle Musquodoboit, NS - Demolition

- C A report prepared for Mr. Andre Noel, Regional Coordinator By-Law Enforcement, Community Projects, EMS, dated November 19, 2004, on the above noted, was before the committee.

Mr. Keith Cahoon, By-Law Enforcement Officer, with the aid of a video, presented the staff report advising the property in question is a partially demolished trailer. The roof and three walls have collapsed and the building inspector is recommending it should be demolished as it is beyond repair.

The property owner advised it is his intention to tear the building down but had not received the order until recently.

MOVED by Councillor McInroy, seconded by Councillor Smith, that the Committee issue an Order requiring the demolition of a dilapidated and structurally unsound mobile home, the removal of all demolition debris, and the backfilling of any crawl space or foundation, 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.**

4.6 Lands of Micheline Elise Fautley and Michael James O'Neill, 2350 Maynard Street, Halifax

This item will be addressed at the December 16, 2004 meeting.

5. APPEALS

5.1 Lands of Joseph G. Arab, 251 Pleasant Street, Dartmouth

The committee was advised the property was in compliance.

5.2 Lands of Raymond G. Beazley, Catherine A. Beazley, Kenneth W. Mosher and Ruth R. Mosher, 822 Cow Bay Road, Eastern Passage, NS

C A report prepared for Mr. Andre Noel, Regional Coordinator By-Law Enforcement, Community Projects, EMS, dated November 15, 2004, on the above noted, was before the committee.

Ms. Tamar Dorey, By-Law Enforcement Officer, with the aid of a video, presented the report noting there is garbage being dumped on the property as well as a pile of shingles, glass, other litter and debris.

Mr. Kenneth Mosher and Mr. Raymond Beazley advised they did not own the property in question. They advised the debris is in the road right of way.

MOVED by Councillor McCluskey, seconded by Councillor McInroy, that the item be deferred to the December meeting to confirm ownership of the property in question.

Councillor Smith noted that if the property belonged to Mr. Mosher and Mr. Beazley then it would be their responsibility to clean up regardless of who dumped the debris on the property.

MOTION PUT AND PASSED UNANIMOUSLY.

5.3 Lands of John George Tufts, 38 Jackson Road, Dartmouth, NS

C A report prepared for Mr. Andre Noel, Regional Coordinator By-Law Enforcement,

Community Projects, EMS, dated November 10, 2004, on the above noted, was before the committee.

Mr. Wayne Chapdelaine, Inspector, Halifax Regional Fire and Emergency, presented the staff report advising the initial complaint had been received from the tenants. There was mold through the apartment through the paint. Both front and rear steps are in disrepair. He noted the building was reinspected after thirty days and no work had been done. He advised he has received correspondence from the family physician advising of health concerns as a result of living conditions in the building.

MOVED by Councillor Smith, seconded by Councillor McCluskey, that the committee uphold an Order requiring the owner to conform to the minimum standards prescribed in the Halifax Regional Municipality HRM By-Law M-100 which requires the owner of ensure that the interior side of every exterior wall is free from dampness; the exterior stairs, porches, landings and balconies are repaired to be free of holes, cracks, and other defects which may constitute accident hazards; by ordering existing stair treads or risers that show excessive wear or are broken, warped or loose and any supporting structural members that are decayed or deteriorated repaired or replaced.

In response to Councillor McCluskey, the committee was advised the tenants are moving as soon as they find new housing.

In response to Councillor Smith, the committee was advised that work has to be done as long as people are living in the building and, once the current tenants move out, no more tenants can move in until the work is complete.

In response to Councillor Wile, the committee was advised that if no one is living in the building there is no minimum standard to be met but if there are tenants then it has to be done. Once the present tenants move out, the problem has to be fixed before another tenant can move in.

MOTION PUT AND PASSED UNANIMOUSLY.

5.4 Lands of Douglas Joseph Flemming and Anne C. Flemming, 58 Mitchell Road, Brookside, NS

C A report prepared for Mr. Andre Noel, Regional Coordinator By-Law Enforcement, Community Projects, EMS, dated November 16, 2004, on the above noted, was before the committee.

Mr. David Henry, By-Law Enforcement Officer, with the aid of a video, presented the staff report advising all issues, except a derelict vehicle, have been addressed.

Mr. Flemming advised he would like to keep the vehicle.

MOVED by Councillor McInroy, seconded by Councillor Smith, that the issue be deferred to the January meeting during which time the applicant shall enclose the vehicle so that it is not visible to the public and neighbouring properties. Further, the property be reinspected after thirty (30) days to check on the progress of the work. MOTION PUT AND PASSED.

6. DEMOLITIONS

6.1 Lands of Bashir Sarkese Toulany and Alissar Emille Toulany, 2316 Gottingen Street, Halifax

C A report prepared for Mr. Gary McCurdy, Manager, Fire Services, dated October 14, 2004, on the above noted, was before the committee.

Mr. Glen Martin, Fire Prevention Officer, outlined the staff report noting the owner had supplied an engineers report which indicated the building is in need of repair or demolition.

Mr. Toulany advised he is willing to work with the committee. He said he would like to fix the property but needs time to do this. He stated he would not like to have to demolish the building as he feels it can be remedied. He noted he has secured the building, and is monitoring the property and keeping it tidy.

Councillor McInroy indicated the engineer has concerns and does not feel the building is safe and there is no quick way to fix it.

In response to Councillor Wile, the committee was advised there is no insurance on the building but it is secure.

Councillor Smith suggested the safest option was to have the building demolished.

MOVED by Councillor Wile, seconded by Councillor McCluskey, that the item be deferred to the January meeting to provide time for a structural analysis to see if it would be economically viable to be restored. MOTION PUT AND PASSED.

6.2 Lands of Reginald L. Greener, 139 Highway 277, Lantz

C A report prepared for Mr. Andre Noel, Regional Coordinator By-Law Enforcement,

Community Projects, EMS, dated November 15, 2004, on the above noted, was before the committee.

Mr. Keith Cahoon, By-Law Enforcement Officer, with the aid of a video, presented the staff report.

MOVED by Councillor McInroy, seconded by Councillor McCluskey, that the committee issue an Order requiring the demolition of an accessory structure and the removal of all demolition debris, 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 for th under Part XV of the Act Respecting Municipal Government. MOTION PUT AND PASSED UNANIMOUSLY.

6.3 Lands of Frederick Myers, 9355 Highway 7, Head of Jeddore, NS

C A report prepared for Mr. Andre Noel, Regional Coordinator By-Law Enforcement, Community Projects, EMS, dated November 15, 2004, on the above noted, was before the committee.

Mr. Rob Coolen, By-Law Enforcement Officer, with the aid of a video, presented the staff report advising the building inspector verifies the property cannot be repaired and is not suitable to live in. He noted the building does not pose a hazard at this time.

MOVED by Councillor McInroy, seconded by Councillor McCluskey, that the committee issue an Order requiring the demolition of a structure and the removal of all demolition debris, 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.

6.4 Lands of Darin Gary Steeves and Christa Anne Steeves, 6265 Yukon Street, Halifax

C A report prepared for Mr. Andre Noel, Regional Coordinator By-Law Enforcement, Community Projects, EMS, dated November 16, 2004, on the above noted, was before the committee.

Mr. Rob Coolen, By-Law Enforcement Officer, with the aid of a video, presented the staff report.

Mr. Steeves stated he is in agreement with the demolition order but was requesting sixty days

in which to complete the demolition.

MOVED by Councillor McCluskey, seconded by Councillor Wile, that the committee issue an Order requiring the demolition of an accessory structure and the removal of all demolition debris, leaving the property in a neat and tidy fashion within sixty (60) 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.

6.5 Lands of John H. Brownell, 4427 Highway 2, Wellington, NS

C A report prepared for Mr. Andre Noel, Regional Coordinator By-Law Enforcement, Community Projects, EMS, dated October 11, 2004, on the above noted, was before the committee.

Mr. Cameron Brown, By-Law Enforcement Officer, with the aid of a video, presented the report advising a section of the building has collapsed since the recent snow storm and there is an urgency in taking remedial action.

MOVED by Councillor McInroy, seconded by Councillor Smith, that the committee issue an Order requiring the demolition of a dilapidated and structurally compromised building, the removal of all demolition debris and the backfilling of any crawl space or foundation, 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.

6.6 Lands of Rosella Shaddock, 149 Brookside Road, Brookside, NS

The committee was advised the property was in compliance.

7. ADDED ITEMS

7.1 Councillor McCluskey - Former MT&T Building, Woodland Avenue, Dartmouth

Councillor McCluskey requested staff provide a report at the next meeting providing the name of the property owner, work that had been ordered as well as staff request Community Response address the issue of graffiti on the building.

8. NEXT SCHEDULED MEETING

The next meeting is scheduled for Thursday, December 16, 2004.

9. ADJOURNMENT

The meeting was adjourned at 7:50 p.m.

Julia Horncastle
Legislative Assistant