

DANGEROUS & UNSIGHTLY PREMISES
MINUTES

January 29, 2009

- PRESENT: Councillor Dawn Sloane, Chair
Councillor Gloria McCluskey, Vice Chair
Councillor Lorelei Nicholls
Councillor Barry Dalrymple
Councillor Sue Uteck
- REGRETS: Councillor Stephen D. Adams
Councillor Robert Harvey
Councillor Brad Johns
Councillor Andrew Younger
- STAFF: Mr. Jeff Rogers, Regional Coordinator By-Law Enforcement
Ms. Erin Dobson, Regional Coordinator, Support Services
Ms. Danielle Banks, Methods & Procedures Analyst
Ms. Roxanne MacLaurin, Solicitor, Legal Services
Mr. Cameron Brown, By-law Enforcement Officer
Mr. Steve Berkman, By-Law Enforcement Officer
Mr. Rob Coolen, , By-Law Enforcement Officer
Ms. Melody Campbell, Legislative Assistant

TABLE OF CONTENTS

1.	CALL TO ORDER	3
2.	APPROVAL OF MINUTES - December 8, 2008	3
3.	APPROVAL OF THE AGENDA, ADDITIONS AND DELETIONS	3
4.	CONSIDERATION OF DEFERRED BUSINESS	3
5.	APPEALS - DANGEROUS & UNSIGHTLY	
5.1	79 Pleasant Street, Dartmouth	3
5.2	79 Pleasant Street, Dartmouth	4
6.	DEMOLITIONS - DANGEROUS & UNSIGHTLY	
6.1	Devils Hill Road, Fergusons Cove	5
6.2	426 Caldwell Road	5
7.	APPEALS - DERELICT BUILDINGS - D300	5
8.	DEMOLITIONS - DERELICT BUILDINGS - D300	5
9.	ADDITIONS	5
10.	NEXT SCHEDULED MEETING	5
11.	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 - December 8, 2008

MOVED by Councillor McCluskey, seconded by Councillor Nicoll, that the minutes of December 8, 2008 be approved. MOTION PUT AND PASSED.

3. APPROVAL OF THE AGENDA, ADDITIONS AND DELETIONS

Deletion:

Item 6.2 - 426 Caldwell Road, Dartmouth, Case #90544 was deleted from the agenda.

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

4. CONSIDERATION OF DEFERRED BUSINESS - None

5. APPEALS - DANGEROUS AND UNSIGHTLY

5.1 79 Pleasant Street, Dartmouth, Case #101983

- A report dated January 14, 2009 was before the Committee.

Ms. Theresa Hickey, By-law Enforcement Officer provided an update and pictures of the property to the Committee.

Mr. Rogers, Regional Coordinator, By-law Enforcement, advised that staff continue to go back to this property and it has been an ongoing site for by-law enforcement. One of the main questions is, if this area and its belongings is tarped, is it still in an acceptable condition.

Mr. Stanley, the property owner, of 79 Stanley Street addressed the Committee. He advised the Committee of the following:

- he has cooperated with HRM staff
- he refutes the allegations
- this case arises from overzealous management
- he is a senior in his eighties, is not as healthy as in his younger years, has limited income and has to make fiscal choices
- he has not received insurance monies from fire and storm damages, noting they are still in dispute
- he has to restore with his own funds, and he restores with his current cash flow
- he should be commended not condemned for saving and reusing

- this would not have been an issue, only a wind storm blew the tarp off and debris blew in the storm

Councillor McCluskey advised that she has received many calls from neighbours complaining about the condition of this property. Neighbours are concerned with the amount of debris on and coming from the property. They have also had concerns of their property values depreciating due to the condition of this site. Councillor McCluskey advised that it seems as if there is more collected in the yard over the years. Mr. Stanley advised that he has not collected more, he has removed a couch and a lawnmower and everything is secure. He advised he was not aware that neighbours had any issues.

In response to a query by Councillor Dalrymple, Mr. Stanley advised that there are goods stored under the deck as well.

MOVED BY Councillor McCluskey, seconded by Councillor Uteck, that the Dangerous and Unsightly Premises Committee refuse the appeal and uphold the Order to Remedy Dangerous or Unsightly Conditions issued on December 23, 2008. MOTION PUT AND PASSED.

5.2 79 Pleasant Street, Dartmouth, Case #102005

- A report dated January 14, 2009 was before the Committee.

Ms. Theresa Hickey, By-law Enforcement Officer provided an update and pictures of the property to the Committee.

It was noted that a grey jeep wagnoneer was under the debris.

Mr. Stanley, the property owner, of 79 Stanley Street addressed the Committee. He advised the Committee of the following:

- it is a \$45,000 jeep originally
- he plans to rebuild the vehicle in the spring
- it is a running vehicle
- it is stored under a tarp, so it will not be interfered with
- everything has been made neat and tidy
- the vehicle was bought in 1991 and was last driven four years ago
- the vehicle is not licenced or safety inspected, but is not derelict
- he advised that the edicts were issued quickly after the storm

Councillor Uteck advised that she has concerns regarding the safety of the vehicle, as it has not run in four years. She raised the concern of the neighbours in the area, noting they are living next door with these tarps on this property.

MOVED BY Councillor McCluskey, seconded by Councillor Uteck, that the Dangerous and Unsightly Premises Committee refuse the appeal and uphold the Order to Remedy Dangerous or Unsightly Conditions issued on December 23, 2008.

In response to a query by Councillor Dalrymple, Ms. MacLaurin, Legal Services, advised that staff have the authorization to take pictures underneath the tarpaulin.

MOTION PUT AND PASSED.

6. DEMOLITIONS - DANGEROUS AND UNSIGHTLY

6.1 Devils Hill Road, Fergusons Cove, Case #89992

- A report dated January 14, 2009 was before the Committee.

Mr. Cameron Brown, By-law Enforcement Officer provided an update and pictures of the property to the Committee. Mr. Brown advised that Mr. Mark Lynch is the sole contact at this point.

Mr. Mark Lynch, Purcells Cove Road, owner of the building, advised the Committee that the house was built approximately ninety years ago by his father. He advised that he has been dealing with this issue for the past four to five years, and has made significant progress in the past couple of months. He advised that his plan is to tear down and rebuild, if it is not possible to restore the building. The property is in his and his mother's care, and they are concerned that if they tear down the building, they will lose the grandfather clause currently in place. He stated that he has reached an agreement with Mr. Doucet, the next step is working on an agreement with Mr. Vanderswagg. Mr. Lynch advised that he is still working with lawyers to have the issue settled and requested more time to have the issue resolved.

MOVED BY Councillor Uteck, seconded by Councillor Nicholl, that Devils Hill Road, Case #89992 be adjourned to the Dangerous or Unsightly Premises Committee's February 19, 2009 meeting. MOTION PUT AND PASSED.

6.2 436 Caldwell Road, Dartmouth, Case #90544

This item was deleted from the agenda.

7. APPEALS - DERELICT BUILDINGS - D300 - NONE

8. DEMOLITIONS - DERELICTS BUILDINGS - D300 - NONE

9. ADDITIONS - NONE

10. NEXT SCHEDULED MEETING

The next meeting of the Dangerous or Unsightly Premises Committee is scheduled for 10:00 a.m. on Thursday, February 19th in Council Chambers, 3rd Floor, City Hall, 1841 Argyle Street, Halifax.

11. ADJOURNMENT

The meeting was adjourned at 10:50 a.m.

Melody Campbell
Legislative Assistant