

P.O. Box 1749  
Halifax, Nova Scotia  
B3J 3A5 Canada

**Appeals Standing Committee**  
**April 6, 2017**

**TO:** Chair and Members of Appeals Standing Committee

**SUBMITTED BY:** **ORIGINAL SIGNED**  
\_\_\_\_\_  
Bob Bjerke, Chief Planner and Director, Planning & Development

**DATE:** March 22, 2017

**SUBJECT:** **Demolition Report – Case #287484, 80 Bell St, East Preston**

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### **ORIGIN**

Staff, pursuant to the *Halifax Regional Municipality Charter* (the “Charter”).

### **LEGISLATIVE AUTHORITY**

Sections 356 and 3(q) of the *Halifax Regional Municipality Charter*, S.N.S., 2008 C.39.

### **RECOMMENDATION**

It is recommended that the Committee pass the following resolution:

The Committee finds the property to be dangerous or unsightly as per section 3(q) of the Charter and as per section 356 of the Charter, **orders demolition** of the building, including but 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 (15) of the Charter.

**BACKGROUND:**

There have been three previous dangerous or unsightly cases at the property; all three cases have been closed as owner compliance.

This case is a result of a service request received on February 1, 2017. The complainant advised the property is in a state of disrepair.

The Compliance Officer is bringing this case forward to the committee to request a Demolition Order for the deteriorated building located at 80 Bell Street, East Preston.

**CHRONOLOGY OF CASE ACTIVITIES:**

02-Feb-2017 The Compliance Officer conducted a site inspection at 80 Bell Street, East Preston, hereinafter referred to as “the property” (attached as Appendix A) and noted an accumulation of debris as well as a deteriorated mobile home.

The debris violations are being managed by the Compliance Officer under a separate case file.

The Compliance Officer attempted to contact the property owner at several phone numbers listed on file. The Compliance Officer was unable to leave a message as the numbers were not in service.

17-Feb-2017 The Building Official submitted a structural integrity report for the mobile home (attached as Appendix B).

The overall comments regarding the mobile home are that the dwelling is in a state of advanced disrepair and would require a total rebuild to meet minimum code requirements set out by the Building Code. The property owner would also require a professional Engineer design meeting Z-240 manufactured homes standards.

21-Feb-2017 The property owner contacted the Compliance Officer and requested to meet on site.

22-Feb-2017 The Compliance Officer met the property owner on site and discussed the issues with the property. The property owner advised they had been rebuilding the mobile home however the roof has inwardly collapsed and the exterior walls are falling down. The Compliance Officer and property owner discussed the option to demolish the structure.

06-Mar-2017 The Compliance Officer spoke to the property owner who advised they had started demolishing the building.

22-Mar-2017 The Compliance Officer conducted a site inspection and noted the exterior sheeting has been removed. The Compliance Officer advised the property owner that a Demolition Permit is required to undertake the work.

29-Mar-2017 The Compliance Officer posted a Notice to Appear (attached as Appendix C) at the property.

**FINANCIAL IMPLICATIONS**

There are no financial implications if the owner complies with the Order. If the Municipality is required to complete the work, the costs will form a debt against the property which may be collected in the same manner as taxes pursuant to the Halifax Regional Municipality Charter, S.N.S., 2008, C.39.

**ALTERNATIVES**

The state of the property suggests no viable alternative to the recommendation by Staff.

**RISK CONSIDERATIONS**

The risk consideration rates moderate. The building presents an allurements and due to the advanced state of deterioration, the building poses a safety risk to individuals if they were to enter.

**ENVIRONMENTAL IMPLICATIONS**

Avoids unsafe living conditions which aligns with Sustainability Principle #4 of the Corporate Sustainability Filter.

**ATTACHMENTS**

- Appendix A: Copy of the Nova Scotia Property Records Map
- Appendix B: Copy of the Building Official's report dated February 9, 2017
- Appendix C: Copy of the Notice to Appear dated March 29, 2017

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A copy of this report can be obtained by contacting the Office of the Municipal Clerk at 902.490.4210, or Fax 902.490.4208.

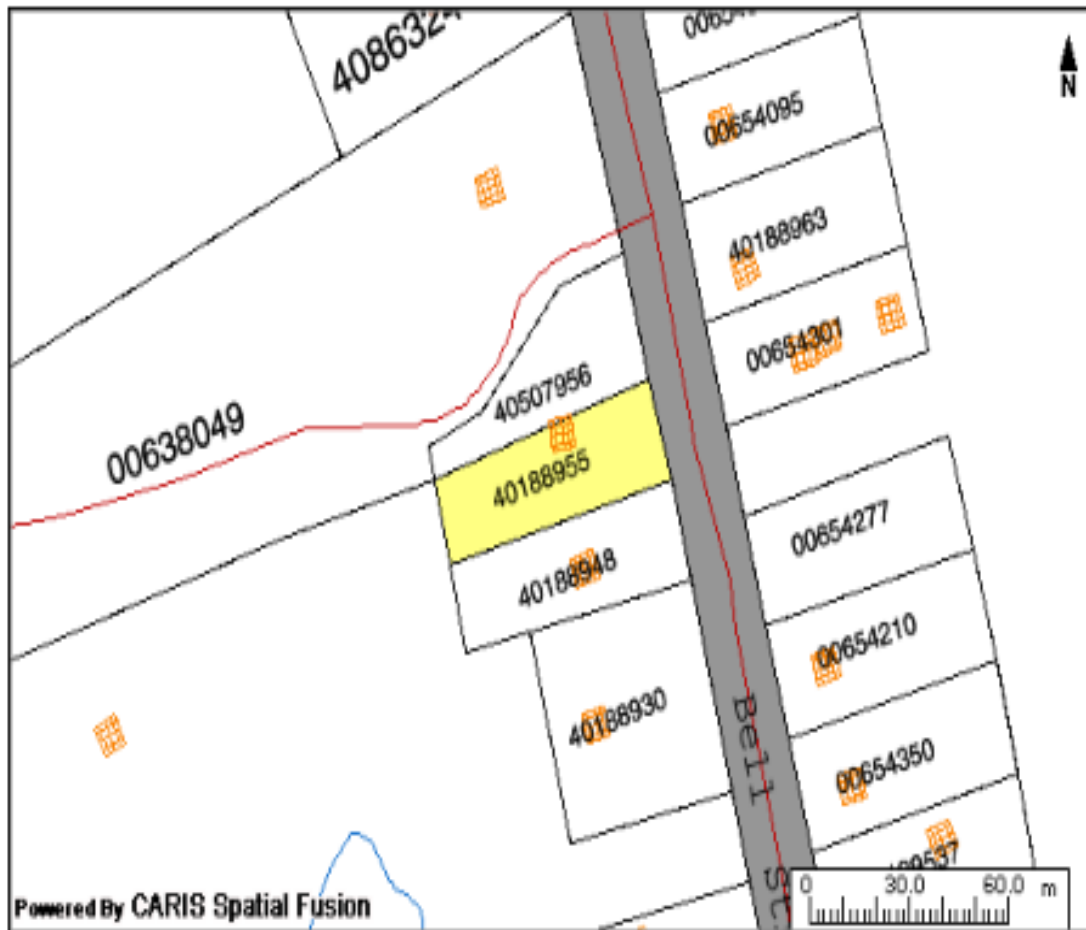
Report Prepared For: Steven Berkman, Compliance Officer, By-law Standards, 902.476.1482

ORIGINAL SIGNED

Report Approved By: \_\_\_\_\_  
Tanya Phillips, Manager, By-law Standards, 902.476.6438

## Property Online Map

Date: Feb 16, 2017 2:43:30 PM



PID: 40188955      Owner: ROSEMOND HAROLD      AAN: 07641834  
County: HALIFAX COUNTY      Address: 80 BELL STREET      Value: \$31,300 (2017 RESIDENTIAL  
LR Status: NOT LAND REGISTRATION      EAST PRESTON      TAXABLE)

The Provincial mapping is a graphical representation of property boundaries which approximate the size, configuration and location of parcels. Care has been taken to ensure the best possible quality, however, this map is not a land survey and is not intended to be used for legal descriptions or to calculate exact dimensions or area. The Provincial mapping is not conclusive as to the location, boundaries or extent of a parcel [*Land Registration Act* subsection 21(2)]. THIS IS NOT AN OFFICIAL RECORD.

### Property Online version 2.0

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**Appendix B**



**Building Official's Report**

Planning and Development  
 PO Box 1749  
 Halifax, NS B3J 3A5

Pursuant to Part XV of the Halifax Regional Municipality Charter  
 As requested by the By-Law Compliance Officer, an inspection of the property located at:

<b>Property Address</b>	<b>PID</b>	<b>Inspection Date</b>
80 Bell road	40188955	Feb. 9/17

Building Feature	Condition Relative to Habitability and Structural Integrity
Main Structure	Mobile Home, walls are damaged or missing in several locations with doors and windows missing leaving the interior open to all weather conditions. The roof has been damaged and half or more is missing. This dwelling is inhabitable.
Foundation	This mobile is on blocks which require replacement or reinstatement. There is no skirting which is open to the elements.
Heating Appliances	None.
Chimney	None
Roof	The roof is compromised and half has been removed allowing weather inside.
Building Services	There are no services connected to dwelling.

Public Safety Considerations
This dwelling is left open to the public and is recommended to be protected from entry.

Comments Regarding Repair or Demolition
This dwelling is in a state of advanced disrepair and would require a total rebuild to meet min code requirements set out by building Code and require a professional Engineer design meeting Z-240 manufactured homes standards.

Troy Mansfield	<b>Original Signed</b>	<b>Original Signed</b>
Building Official (please print)	Signature	Supervisor's Initials

Form Jan 2016

# HALIFAX

## NOTICE TO APPEAR

**IN THE MATTER OF:** Section 356 of the Halifax Regional Municipality Charter, S.N.S., 2008, C.39  
Hereinafter referred to as the "Charter"

-and-

**IN THE MATTER OF:** 80 Bell Street, East Preston; Nova Scotia;  
Case #287484;  
Hereinafter referred to as the "Property"

-and-

**IN THE MATTER OF:** Deteriorated structure  
Hereinafter referred to as the "Building"

**TO:** Rosemond Harold

**WHEREAS** you are the owner of the Property;

**AND WHEREAS** situated on the Property is the Building identified as dangerous or unsightly as per section 3(q) of the Charter;

**TAKE NOTICE** that you are hereby requested to appear before the Appeals Standing Committee ("Committee") at 10:00am on April 6, 2017 in the Council Chambers, 3<sup>rd</sup> Floor, City Hall, 1841 Argyle Street, Halifax, Nova Scotia;

At which time the Committee will consider the following application:

**APPLICATION by Staff for an Order pursuant to section 356 of the Charter, to require demolition of the Buildings, removal of all demolition debris, backfilling of any basement or crawl space and the disconnection of any and all utility connections to the standard set by the service provider within thirty (30) days of the date of the Order.**

**SECTION 356(3) OF THE CHARTER** provides the opportunity for the owner of the Property to appear and be heard by the Committee;

**DATED** at Halifax, Nova Scotia this 29<sup>th</sup> of March, 2017

Steven Berkman  
Compliance Officer  
476-1482

**Original Signed**

Tanya Phillips  
Administrator  
Halifax Regional Municipality