

HALIFAX

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

Appeals Standing Committee
December 8, 2016

TO: Chair and Members of Appeals Standing Committee

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

DATE: November 15, 2016

SUBJECT: Demolition Report – Case #282275, 58 Alps Road, Porters Lake

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 no previous dangerous or unsightly cases at the property.

This case is a result of a complaint received from Halifax Regional Fire and Emergency on October 4, 2016.

The Compliance Officer is bringing this case forward to the committee to request a Demolition Order for the deteriorated building located at 58 Alps Road, Porters Lake.

CHRONOLOGY OF CASE ACTIVITIES:

04-Oct-2016 The Compliance Officer conducted a site inspection at 58 Alps Road, Porters Lake, hereinafter referred to as "the property" (attached as Appendix A) and observed an abandoned industrial building. The Compliance Officer noted that dozens of framing members (joists) from all four walls of the building have been removed comprising its stability.

The Compliance Officer contacted both the recognized agent and the property owner and advised that the building is an allurement and poses a safety hazard. The property owner stated that they are currently out of province however would travel back to Nova Scotia to attend to the issue.

At the request of the property owner, the Compliance Officer emailed photos of the accessory structure.

05-Oct-2016 The Compliance Officer contacted the property owner by email in order to confirm receipt of the photographs. The property owner did not reply to the e-mail.

11-Oct-2016 The Compliance Officer attempted to contact the property owner by phone however, there was no answer and the Compliance Officer was unable to leave a message.

The Building Official submitted a structural integrity report (attached as Appendix B).

The overall comments regarding the accessory structure are, "the building is open to access from all sides and will be difficult to secure. The building is a safety hazard in its current condition and could collapse at any time."

12-Oct-2016 The Compliance Officer conducted a site inspection and noted the violations still exist.

14-Oct-2016 The Compliance Officer emailed the property owner to request an update on the plans to address the deteriorated building.

27-Oct-2016 The Compliance Officer conducted a site inspection and noted no change to the condition of the building.

28-Nov-2016 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 present an allurement 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 October 11, 2016
- Appendix C: Copy of the Notice to Appear dated November 28, 2016

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.

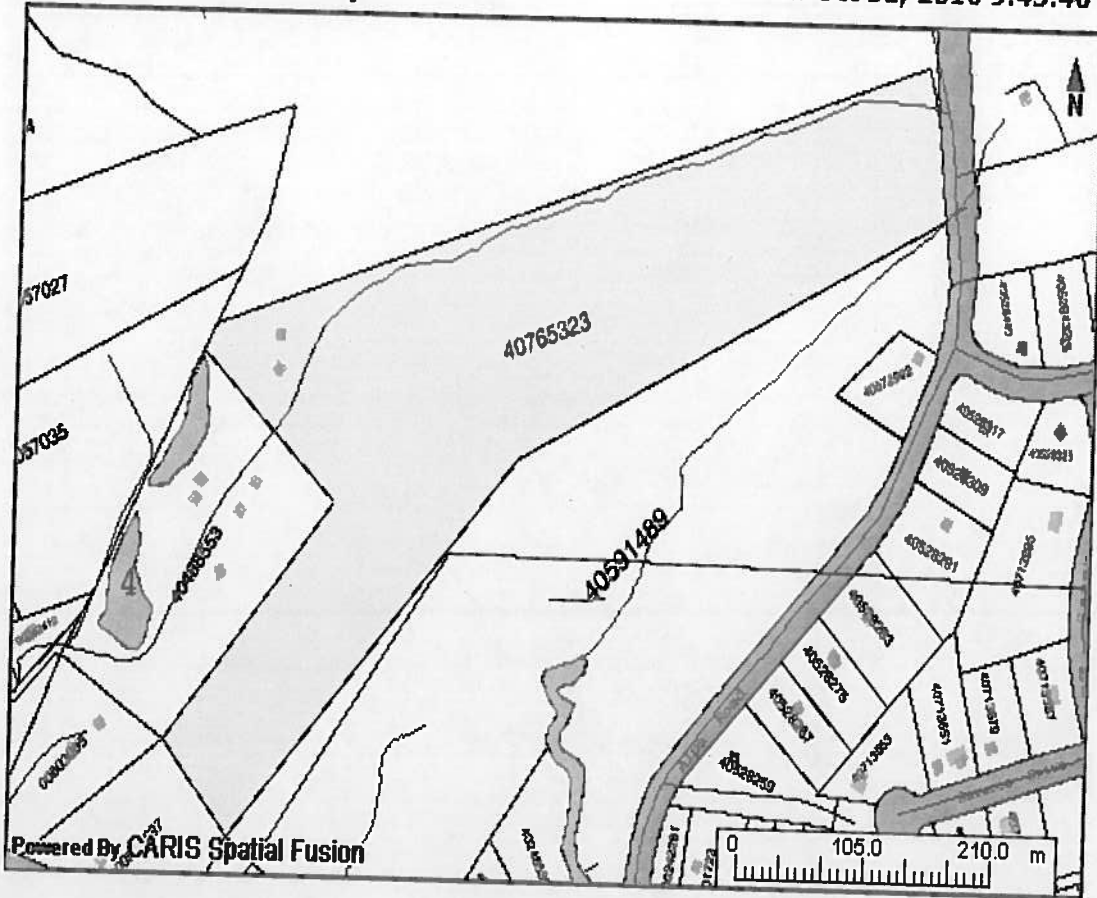
Report Prepared For: John Chant, Compliance Officer, By-law Standards, 902.579.5946

Report Approved By: ORIGINAL SIGNED
Jim Donovan, Manager, Buildings and Compliance, 902.476.8211



Property Online Map

Date: Oct 31, 2016 9:43:40 AM



PID: 40765323	Owner: 3056758 NOVA SCOTIA LIMITED	AAN: 08958165
County: HALIFAX COUNTY	Address: 58 ALPS ROAD	Value: \$36,300 (2016 RESIDENTIAL TAXABLE)
LR Status: LAND REGISTRATION	PORTERS LAKE	\$7,500 (2016 RESOURCE 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

This page and all contents are copyright © 1999-2003, Government of Nova Scotia, all rights reserved.

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:

Property Address	PID	Inspection Date
58 Alps Road, Porters Lake	40765323	October 11, 2016

Building Feature	Condition Relative to Habitability and Structural Integrity
Main Structure	<ul style="list-style-type: none"> • Combination wood frame with steel beams and columns. • The structure of the south facing wall has been compromised as the majority of the studs have been cut or are missing. • The remaining south wall has shifted off the foundation and is sitting on the ground. • There are no steels beams or columns on the south facing wall, making the whole building structurally unstable.
Foundation	<ul style="list-style-type: none"> • Concrete foundation wall with a concrete slab on grade.
Heating Appliances	<ul style="list-style-type: none"> • None
Chimney	<ul style="list-style-type: none"> • None
Roof	<ul style="list-style-type: none"> • Sheet metal in good condition

Public Safety Considerations
<ul style="list-style-type: none"> • The site shows signs of frequent use by off road vehicles as a gathering spot. The building is being used as fuel for fires being lit inside the building. • The building is open to access from all sides and will be difficult to secure. • The building is a safety hazard in its current condition and could collapse at any time.

Comments Regarding Repair or Demolition
<ul style="list-style-type: none"> • Repairing this structure would require a structural engineer to assess and approve the remaining structural elements.

Paul Guest	Original Signed	Original Signed
Building Official (please print)	Signature	Supervisor's Initials

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: 58 Alps Road, Porters Lake; Nova Scotia;
Case #282275;
Hereinafter referred to as the "Property"

-and-

IN THE MATTER OF: Deteriorated structures
Hereinafter referred to as the "Buildings"

TO: 3056758 NS Limited

WHEREAS you are the owner of the Property;

AND WHEREAS situated on the Property are the Buildings 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 December 8, 2016 in the Council Chambers, 3rd 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 28th of November, 2016

John Chant
Compliance Officer
579-5946

Original Signed

Scott Hill
Administrator
Halifax Regional Municipality