



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

ITEM 12.2.1
Appeals Standing Committee
May 4, 2017
REVISED

TO: Chair and Members of Appeals Standing Committee

SUBMITTED BY: **ORIGINAL SIGNED**

Bob Bjerke, Chief Planner and Director, Planning & Development

DATE: April 24, 2017

SUBJECT: **Demolition Report – Case #289063 and 288922, 1507 & 1509 Sackville Drive**

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 accessory structure and main 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 sixty (60) 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 are two properties located adjacent to one another and owned by the same property owner. There is a deteriorated accessory structure located at 1507 Sackville Drive and a partially collapsed main building located at 1509 Sackville Drive. This report will be addressing the request for Demolition Orders for the two buildings located at these properties.

The two cases are a result of a service request received on March 8, 2017. The complainant advised of an abandoned house with no windows or doors.

The two cases are being brought forward to the committee by the Compliance Officer to request Demolition Orders for the deteriorated buildings located at 1507 and 1509 Sackville Drive.

CHRONOLOGY OF CASE ACTIVITIES:

08-Mar-2017 The Compliance Officer conducted a site inspection at 1507 and 1509 Sackville Drive, Lower Sackville, hereinafter referred to as “the properties” (attached as Appendix A and B). The properties have a partial driveway and had to be accessed from the neighbouring property.

The Compliance Officer noted an accessory structure with a collapsed roof located on the property at civic 1507. The Compliance Officer also noted a round house with a roof that was collapsing inward and a main floor that had collapsed into the basement located at civic 1509.

The Compliance Officer left a message for the property owner requesting a call back.

09-Mar-2017 The Compliance Officer spoke with the property owner. The property owner advised they had not been to the properties for a number of years. The Compliance Officer updated the property owner on the state of the buildings and that the cases would be proceeding to the Appeals Standing Committee meeting to request Demolition Orders for the accessory structure and main building.

10-Mar-2017 The Compliance Officer conducted a site inspection and noted no change to the condition of the buildings.

13-Mar-2017 The Building Official submitted a structural integrity report for the accessory structure located at 1507 Sackville Drive (attached as Appendix C).

The overall comments regarding the accessory structure are, “lack of maintenance has allowed climatic elements to penetrate the building’s envelope contributing to the collapse of the roof and the immanent failure of the rest of the superstructure. This structure is beyond the state of repair”.

The Building Official submitted a structural integrity report for the main building located at 1509 Sackville Drive (attached as Appendix D).

The overall comments regarding the structure are, “The eastern exterior wall, floor system and roof have already collapsed and the remainder of the building shows signs of immanent failure. This structure is beyond the state of repair”.

21-Mar-2017 The Compliance officer spoke to the property owner and advised of the Appeals Standing Committee meeting date of April 6, 2017. The property owner advised that he is responsible for taking his brother to appointments for cancer treatment and may not be able to make that date in question.

- 03-Apr-2017 The Adjudication Clerk spoke to the property owner who requested to move the date of the demolition cases to the May 4, 2017 meeting. The property owner advised that they were unable to attend or have a representative attend on their behalf.
- 24-Apr-2017 The Compliance Officer hand delivered the two Notices to Appear to the property owner (attached as Appendix E and F).

FINANCIAL IMPLICATIONS

There are no financial implications if the owner complies with the Orders. 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 properties suggest 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 buildings pose 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 Nova Scotia Property Records Map
Appendix C: Copy of the Building Official's report for the accessory structure dated March 13, 2017
Appendix D: Copy of the Building Official's report for the main building dated March 13, 2017
Appendix E: Copy of the Notice to Appear dated April 24, 2017
Appendix F: Copy of the Notice to Appear dated April 24, 2017

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.

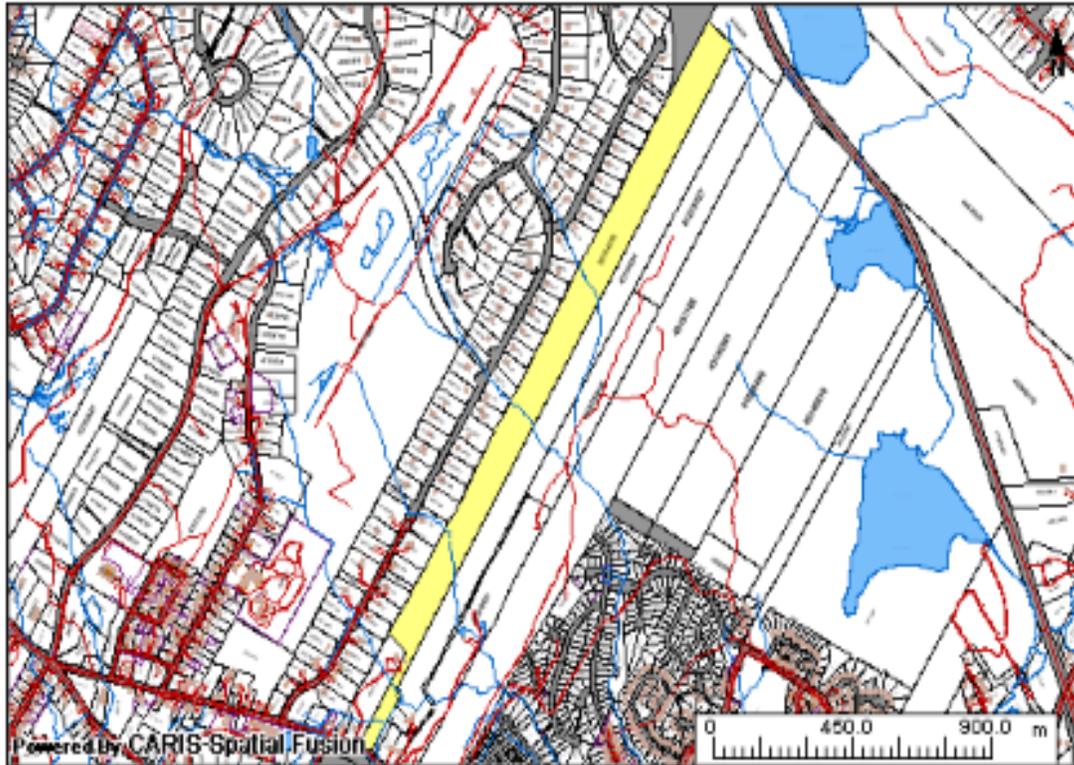
Report Prepared For: Theresa Hickey, Compliance Officer, By-law Standards, 902.476.1364

Report Approved By: ORIGINAL SIGNED

Tanya Phillips, Manager, Bylaw Standards, 902.476.6438

Property Online Map

Date: Apr 18, 2017 1:22:26 PM



PID:	00474676	Owner:	ALLEN CHARLES WHITE	AAN:	01539825
County:	HALIFAX COUNTY	Address:	1507 SACKVILLE DRIVE	Value:	\$63,300 (2017 RESIDENTIAL TAXABLE)
LR Status:	NOT LAND REGISTRATION		MIDDLE SACKVILLE		\$69,900 (2017 RESOURCE FOREST)

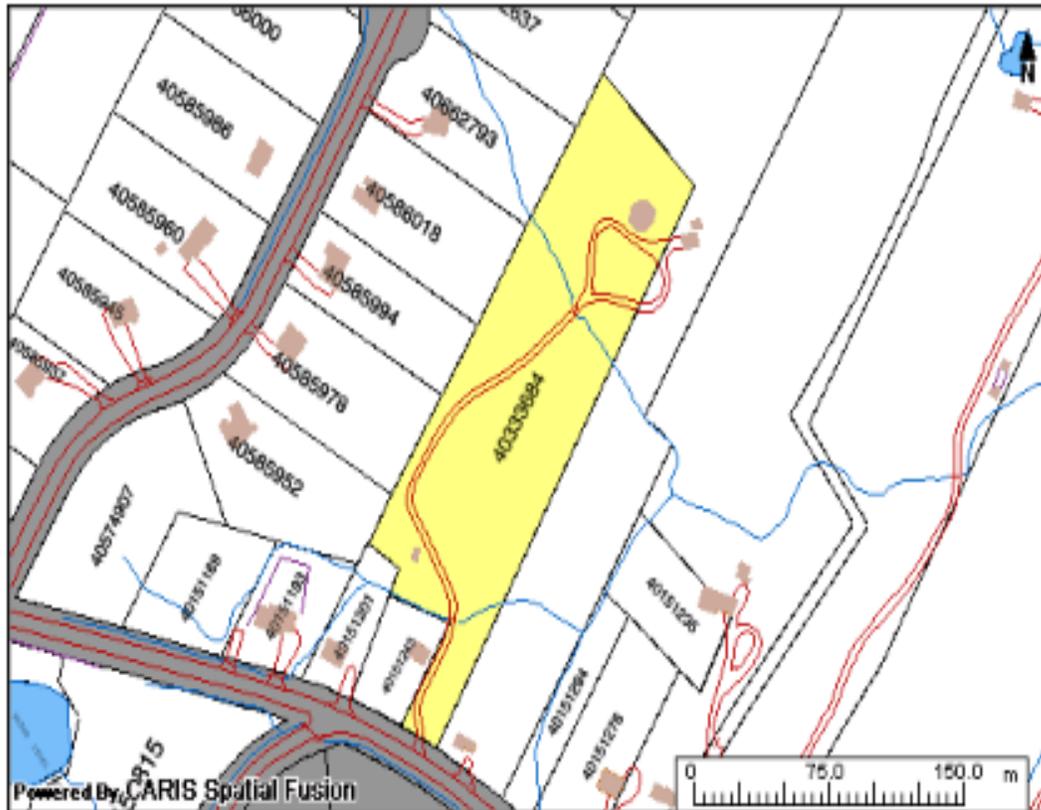
The Provincial mapping is a graphical representation of property boundaries which approximate the size, configuration and location of parcels. Care has been taken to ensure the best possible quality, however, this map is not a land survey and is not intended to be used for legal descriptions or to calculate 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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Property Online Map

Date: Apr 18, 2017 1:23:35 PM



PID:	40333684	Owner:	ALLAN CHARLES WHITE	AAN:	01538578
County:	HALIFAX COUNTY	Address:	1509 SACKVILLE DRIVE	Value:	\$71,500 (2017 RESIDENTIAL TAXABLE)
LR Status:	NOT LAND REGISTRATION		MIDDLE SACKVILLE		\$44,300 (2017 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

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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:

Property Address 1507 Sackville Drive, Middle Sackville	PID 00476476	Inspection Date March 13, 2017
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Building Feature	Condition Relative to Habitability and Structural Integrity
Main Structure	<ul style="list-style-type: none"> The two accessory buildings are a 1 storey wood frame construction with no protection from the elements and in varying stages of decay. The roof has collapsed on the larger building to the South East and the rest of the building is collapsing in on itself. The small building to the North East could collapse at any time.
Foundation	<ul style="list-style-type: none"> none
Heating Appliances	<ul style="list-style-type: none"> none
Chimney	<ul style="list-style-type: none"> none
Roof	<ul style="list-style-type: none"> The roof has completely structurally failed and collapsed on the larger accessory building and the smaller building could collapse at any time.
Building Services	<ul style="list-style-type: none"> none

Public Safety Considerations
<ul style="list-style-type: none"> Entrance to the buildings needs to be secured immediately as it could collapse at any time.

Comments Regarding Repair or Demolition
<ul style="list-style-type: none"> Observations of this structure were made from the exterior; due to safety concerns no entry was gained. Lack of maintenance has allowed climatic elements to penetrate the buildings envelope contributing to the collapse of the roof and the immanent failure of the rest of the superstructure. This structure is beyond the state of repair.

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

Form Jan 2015



Building Official's Report

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 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:

Property Address	PID	Inspection Date
1509 Sackville Drive, Middle Sackville	40333684	March 13, 2017

Building Feature	Condition Relative to Habitability and Structural Integrity
Main Structure	<ul style="list-style-type: none"> The single unit dwelling is a 2 storey wood frame construction in varying stages of decay. The roof and exterior wall has collapsed on the east side and the building is open to passer-by's, wildlife and the elements in multiple locations around the structure. The exterior walls of the structure are decayed and structurally unstable.
Foundation	<ul style="list-style-type: none"> Poured concrete footing on the west side and masonry block on the remaining sides. Masonry block is covered by plywood and the condition or stability could not be determined.
Heating Appliances	<ul style="list-style-type: none"> Oil heat source is undetermined.
Chimney	<ul style="list-style-type: none"> Two masonry chimneys through the centre of the structure are not structurally sound due to the lateral pressures being exerted on them from the structure falling down around them.
Roof	<ul style="list-style-type: none"> Asphalt roofing material is beyond its serviceable life and in areas non-existent. The roof has collapsed on the east side of the building.
Building Services	<ul style="list-style-type: none"> Electrical services are disconnected. Water/sewer could not be determined

Public Safety Considerations
<ul style="list-style-type: none"> Entrance to the building needs to be secured immediately as it could collapse at any time. The eastern exterior wall, floor system and roof have already collapsed and the remainder of the building shows signs of imminent failure.

Comments Regarding Repair or Demolition
<ul style="list-style-type: none"> Observations of this structure were made from the exterior. Due to safety concerns, no entry was gained. Lack of maintenance has allowed climatic elements to penetrate the buildings envelope contributing to the collapse of the roof and the imminent failure of the remainder of the superstructure. This structure is beyond the state of repair.

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: 1507 Sackville Drive, Lower Sackville; Nova Scotia;
Case #289063;
Hereinafter referred to as the "Property"

-and-

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

TO: Allen Charles White

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 May 4, 2017 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 Building, 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 24th of April 2017

Theresa Hickey
Compliance Officer
476-1364

Original Signed

Scott Hill
Administrator
Halifax Regional Municipality

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: 1509 Sackville Drive, Lower Sackville; Nova Scotia;
Case #288922;
Hereinafter referred to as the "Property"

-and-

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