



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

**ITEM 12.1.1**  
**Appeals Standing Committee**  
**December 14, 2017**

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

**SUBMITTED BY:** ORIGINAL SIGNED  
\_\_\_\_\_  
Kelly Denty, Acting Director, Planning & Development

**DATE:** November 29, 2017

**SUBJECT:** Demolition Report – Case #300322, 21 Conrod Road, Grand Desert

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#### **ORIGIN**

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

#### **LEGISLATIVE AUTHORITY**

Sections 355, 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 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 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:**

This case is a result of a service request received on September 18, 2017. The complainant advised an outside wall had fallen and the roof was not structurally sound.

The Compliance Officer attended the property on September 18, 2017 and noted open access to the building. A phone call was made to the property owner to advise of the safety issue and that an Immediate Order to board up the building was being posted at the property.

On September 19, 2017, HRM contractors attended the property and boarded up the building.

The property owner has not applied for a demolition or building permit to date. The building remains boarded up and there has been no change to the condition of the building.

The Compliance Officer is bringing this case forward to the committee to request a Demolition Order for the deteriorated house located at 21 Conrod Road, Grand Desert.

**CHRONOLOGY OF CASE ACTIVITIES:**

18-Sep-2017 The Compliance Officer conducted a site inspection at 21 Conrod Road, Grand Desert, hereinafter referred to as “the property” (attached as Appendix B) and noted the structure had open access points due to windows and walls being open and not secured.

The Compliance Officer left a voicemail for the property owner advising of the safety concerns and advised the building needed to be boarded up.

19-Sep-2017 The Compliance Officer conducted a site inspection and the violations remained. An Immediate Order to Remedy was posted to the property and the open access was remedied by HRM Contractors.

22-Sep-2017 The Compliance Officer conducted a site inspection and noted the building was secure. The Compliance Officer posted a 30-day Notice of Violation (attached as Appendix C) stating the requirement to bring the building to a habitable standard or demolish.

The Compliance Officer left a voicemail for the property owner stating that the building was secure however remained in a state of decay. The Compliance Officer posted a notice at the property and an additional copy will be sent via registered mail.

23-Oct-2017 The Compliance Officer conducted a site inspection and noted the building was secure. There was no change to the condition of the building. There was a note left at the property stating that the individual wished to remove items from the building before it was demolished.

25-Oct-2017 The Compliance Officer tried to contact the property owner and left a voicemail message requesting a call back.

The Compliance Officer received a phone call from a female advising it was not the property owner’s phone number.

30-Oct-2017 The Building Official submitted a structural integrity report for the property (attached as Appendix D).

The overall comments regarding the structure is that the “The roof and exterior wall on the east side of the building show signs of structural failure and imminent collapse. The building is a safety hazard in its current condition and could collapse at any time. The

proximity of the building to the community centre and park makes it a high risk for curious citizens.”

20-Nov-2017 The Compliance Officer conducted a site inspection and noted the violation remained.

27-Nov-2017 The Compliance Officer posted a Notice to Appear (attached as Appendix E) at the property. An additional copy of was sent via registered mail.

### **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 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 Legislative Authority – Halifax Regional Municipality Charter
- Appendix B: Copy of the Nova Scotia Property Records Map
- Appendix C: Copy of the Notice of Violation dated September 22, 2017
- Appendix D: Copy of the Building Official’s Report dated October 30, 2017
- Appendix E: Copy of the Notice to Appear dated November 27, 2017

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A copy of this report can be obtained online at Halifax.ca or by contacting the Office of the Municipal Clerk at 902-490-4210.

Report Prepared For: Carrie Butler, Compliance Officer, By-law Standards, 902.476.1080

ORIGINAL SIGNED

Report Approved By: \_\_\_\_\_  
Penny J. Henneberry, Manager, Buildings and Compliance, 902.579.0250

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## Appendix A

### Halifax Regional Municipality Charter (“HRM Charter) Subsection 355, 356 and 3(q)

HRM Charter, subsection 355 (1) (2) as follows:

- 355 (1) The Council may, by policy, delegate some or all of its authority pursuant to this Part, except the authority to order demolition, to the Administrator.
- (2) The Council may, by policy, delegate its authority pursuant to this Part, or such of its authority as is not delegated to the Administrator, to a community council or to a standing committee, for all or part of the Municipality.

HRM Charter, subsections 356(1)(3), as follows:

- 356 (1) Where a property is dangerous or unsightly, the Council may order the owner to remedy the condition by removal, demolition or repair, specifying in the order what is required to be done.
- (3) Where it is proposed to order demolition, before the order is made not less than seven days notice must be given to the owner specifying the date, time and place of the meeting at which the order will be considered and that the owner will be given the opportunity to appear and be heard before any order is made.

HRM Charter, subsection 3(q) as follows:

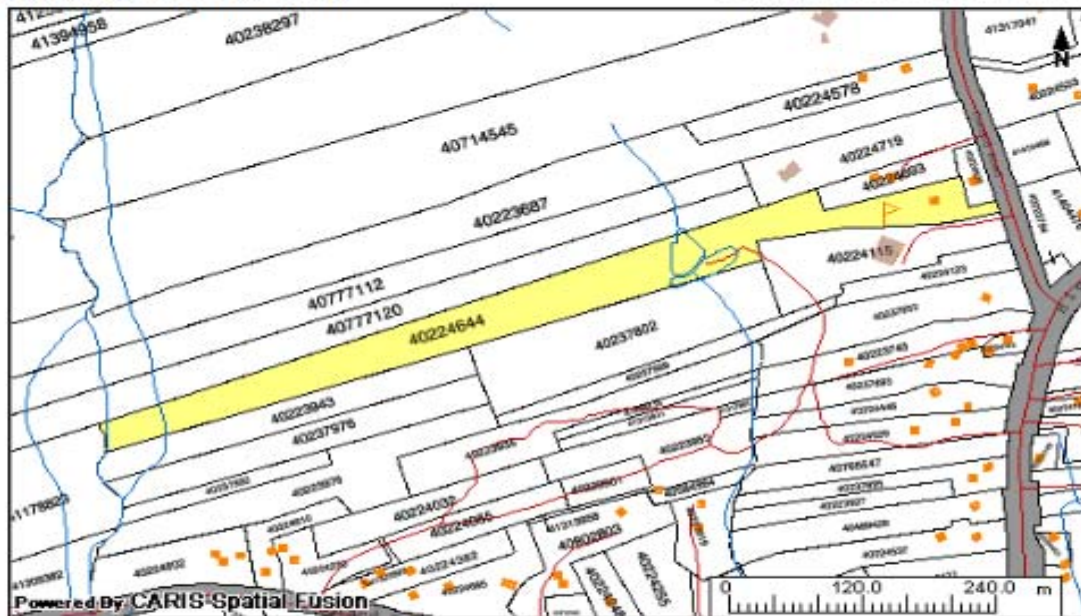
- (q) “dangerous or unsightly” means partly demolished, decayed, deteriorated or in a state of disrepair so as to be dangerous, unsightly or unhealthy, and includes property containing
- (i) ashes, junk, cleanings of yards or other rubbish or refuse or a derelict vehicle, vessel, item of equipment or machinery, or bodies of these or parts thereof,
  - (ii) an accumulation of wood shavings, paper, sawdust, dry and inflammable grass or weeds or other combustible material,
  - (iia) an accumulation or collection of materials or refuse that is stockpiled, hidden or stored away and is dangerous, unsightly, unhealthy or offensive to a person, or
  - (iii) any other thing that is dangerous, unsightly, unhealthy or offensive to a person, and includes property or a building or structure with or without structural deficiencies
  - (iv) that is in a ruinous or dilapidated condition,
  - (v) the condition of which seriously depreciates the value of land or buildings in the vicinity,
  - (vi) that is in such a state of non-repair as to be no longer suitable for human habitation or business purposes,
  - (vii) that is an allurement to children who may play there to their danger,
  - (viii) constituting a hazard to the health or safety of the public,
  - (ix) that is unsightly in relation to neighbouring properties because the exterior finish of the building or structure or the landscaping is not maintained,
  - (x) that is a fire hazard to itself or to surrounding lands or buildings,
  - (xi) that has been excavated or had fill placed on it in a manner that results in a hazard, or
  - (xii) that is in a poor state of hygiene or cleanliness;

## Appendix B



### Property Online Map

Date: Nov 16, 2017 9:06:28 AM



PID: 40224644

County: HALIFAX COUNTY

LR Status: NOT LAND  
REGISTRATION

Owner: GORDON ERIC RICHARDS AAN: 04828925

Address: 21 CONROD ROAD  
GRAND DESERT

Value: \$91,900 (2017 RESIDENTIAL  
TAXABLE)  
\$4,000 (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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# HALIFAX

# Municipal Compliance

## Notice of Violation

Notice Served Upon: Name \_\_\_\_\_  
or address 21 Cooper Rd

This is to advise that you are in violation of the following municipal and/or provincial legislation:

- |  |   |
|--|---|
| <input type="checkbox"/> HRM By-law A-300 Animals  | <input type="checkbox"/> HRM By-law S-300 Streets           |
| <input type="checkbox"/> HRM By-law C-300 Civic Addressing   | <input type="checkbox"/> HRM By-law S-600 Solid Waste       |
| <input type="checkbox"/> HRM By-law C-501 Vending  | <input type="checkbox"/> HRM By-law S-801 Temporary Signs   |
| <input checked="" type="checkbox"/> HRM Charter, Part XV Respecting Dangerous or Unightly Premises | <input type="checkbox"/> HRM By-law S-1000 Sidewalk Cafes   |
| <input type="checkbox"/> HRM By-law N-300 Nuisances  | <input type="checkbox"/> HRM By-law T-1000 Taxi & Limousine |
|  | <input type="checkbox"/> Other: _____                       |

Details of violation(s):

Demolition building in an advised state of disrepair  
\_\_\_\_\_  
\_\_\_\_\_

Violation(s) to be rectified as per the following:

Bring building upto habitable standards or have demolished and debris cleared as to leave the property in a safe and tidy condition.  
\_\_\_\_\_  
\_\_\_\_\_

Notice of Re-inspection:

A re-inspection will be performed on Oct 23, 2017 to confirm the above noted violations have been rectified. If you have any queries regarding this matter, please contact the issuing Officer prior to the re-inspection date.

C. Butler  
Issuing Officer

22-09-2017  
Date (dd/mm/yy)

(902)476-1880  
Issuing Officer Phone Number

11:50 am  
Time (hh/mm)

Original Signed  
Issuing Officer Signature

300322  
Case Number

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> |
| 21 Conrod Road, Grand Desert | 40224644   | October 30, 2017       |

| <b>Building Feature</b>                               | <b>Condition Relative to Habitability and Structural Integrity</b>  |
|---|---|
| <b>Structure</b><br>(wood frame, masonry, steel, etc) | <ul style="list-style-type: none"> <li>The building is 2 stories with a 1 storey section to the South;</li> <li>It consists of wood frame construction in varying stages of decay.</li> <li>The easterly exterior walls are deflecting outward and structurally failing due to rot and loading from the structure above.</li> <li>The roof and exterior wall on the east side of the building show signs of structural failure and imminent collapse.</li> <li>The building is open to wildlife and the elements.</li> <li>Lack of maintenance to this vacant building has caused the building envelope to deteriorate to the extent of allowing the ingress of climatic elements and the extensive deterioration of the superstructure and interior finishes.</li> </ul> |
| <b>Foundation</b><br>(concrete, masonry, etc.)        | <ul style="list-style-type: none"> <li>The structural condition of the concrete block foundation could not be determined as it is only visible at one location on the North-East corner.</li> </ul>   |
| <b>Heating Services</b><br>(wood, oil, electric, etc) | <ul style="list-style-type: none"> <li>Heat source is undetermined.</li> </ul>  |
| <b>Chimney</b><br>(steel, masonry, etc.)              | <ul style="list-style-type: none"> <li>A Metal chimney is visible and is missing the cap.</li> <li>Overall condition cannot be determined.</li> </ul>   |
| <b>Roof</b><br>(asphalt, steel, etc.)                 | <ul style="list-style-type: none"> <li>Asphalt roofing material is in extremely poor condition and in areas non-existent.</li> <li>Deflection of the roof indicates signs of imminent structural failure on the east side of the building.</li> </ul>   |
| <b>Services</b><br>(water, sewer, etc.)               | <ul style="list-style-type: none"> <li>Electrical services are disconnected.</li> <li>Water/sewer could not be determined.</li> </ul>   |

| <b>Public Safety Considerations</b>   |
|---|
| <ul style="list-style-type: none"> <li>The building is a safety hazard in its current condition and could collapse at any time.</li> <li>The proximity of the building to the community centre and park makes it a high risk for curious citizens.</li> </ul> |

| <b>Comments Regarding Repair or Demolition</b>  |
|---|
| <ul style="list-style-type: none"> <li>Observations of this structure were made from the exterior, no entry was gained.</li> <li>The Structure is beyond a state of reasonable repair.</li> </ul> |

|                                  |                        |                        |
|----------------------------------|------------------------|------------------------|
| Paul Guest                       | <b>Original Signed</b> | <b>Original Signed</b> |
| Building Official (please print) | Signature              | Supervisor's Initials  |

**Appendix E**

**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:** 21 Conrod Road, Grand Desert; Nova Scotia;  
Case #300322;  
Hereinafter referred to as the "Property"

**-and-**

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

**TO:** Gordon Eric Richards

**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 13:00pm on December 14, 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 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 27<sup>th</sup> of November, 2017

Carrie Butler  
Compliance Officer  
476-1080

**Original Signed**

Scott Hill  
Administrator  
Halifax Regional Municipality