

**DANGEROUS & UNSIGHTLY COMMITTEE  
AGENDA  
Wednesday, August 22, 2018 9:00 A.M.**

Page

1. CALL TO ORDER
2. APPROVAL OF AGENDA
3. APPROVAL OF MINUTES OF MARCH 28, 2018 MEETING AS CIRCULATED
4. OLD BUSINESS:
5. NEW BUSINESS:
  - 5.1 HEARING: REQUEST FOR DEMOLITION ORDER: 1233 Italy Cross Rd, Crousetown  
PID 60370244 .....2-8
  - 5.2 HEARING: REQUEST FOR DEMOLITION ORDER: 489 Mines 2 Road, Hebbs Cross  
PID#60293446..... 9-15
  - 5.3 QUOTE RECOMMENDATION: 8 Oakes Road, Branch LaHave PID#6060329034  
..... 16-26
6. ADDED ITEMS:
7. IN CAMERA:
8. ADJOURNMENT AND NEXT MEETING DATE - TBA

**MUNICIPALITY OF THE DISTRICT OF LUNENBURG**  
**Timothy Oakes, 1233 Italy Cross Rd, Crousetown, PID 60370244**  
**August 22, 2018, 9:00am**  
**HEARING AGENDA – Dangerous and Unsightly Properties**

**1. CALL TO ORDER –**

**2. OPENING REMARKS BY Chairperson**

- a. Introduction of Council Members (if public in attendance)
- b. Introduction of Staff (if public in attendance)
- c. Review of Agenda and **Rules of Conduct** (see below)

**3. REPORTS AND PRESENTATIONS BY ADMINISTRATOR/BUILDING STAFF (10 minutes)**

- a. Review of Site Inspections and Notification Process
- b. Recommendation from Administrator

(After presentation and any clarification given to Council, Staff shall sit in the gallery)

**4. WRITTEN AND/OR ORAL PRESENTATION (10 minutes)**

- a. Review of Written Submissions by CAO/Clerk
- b. Presentation by the Appellant if in attendance (Verbal)

**5. COMMITTEE MEMBERS AND APPELLANT DISCUSSION (10 minutes)**

- a. Clarification only, if Required

(After clarification given to Council, Appellant shall sit in the gallery)

**6. ADMINISTRATOR CLOSING REMARKS (5 minutes)**

- a. Administrator Provides Final Comments/Clarification

**7. REVIEW OF APPROVAL PROCESS**

Dangerous and Unsightly Property Committee may make a decision upon the closing of the hearing. Once the Committee has made its decision, staff will proceed with any actions recommended.

Committee Options:

- a. Uphold Administrator decision
- b. Overturn Administrator decision
- c. Give an Extension
- d. Defer Decision

**6. CLOSING OF THE PUBLIC HEARING**

- a. No further debate or discussion

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**Rules of Conduct** - Persons who wish to speak at the Hearing are asked to note the following:

- a. State their name and address
- b. Direct all statements and questions to the Chairperson
- c. Try to limit presentations to 10 minutes



MEETING: D&UPC  
DATE: August 22, 2018  
ITEM NO: 5.1  
APPROVED BY: J Merrill

MUNICIPALITY OF THE DISTRICT OF LUNENBURG

*REQUEST FOR DECISION/DIRECTION*

**REPORT TO:** Dangerous & Unsightly Property Committee  
**SUBMITTED BY:** Kyle Whynot  
**DATE:** August 8, 2018  
**FILE No.** NC180036  
**RE:** **Demolition Order**  
Dangerous premise – Timothy Oakes  
Property – 1233 Italy Cross Road, Crousetown, NS  
PID #60370244 Assessment # 03599922  
**ORIGIN:** Dangerous Property Complaint

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**RECOMMENDATION**

Staff recommends that the Dangerous & Unsightly Property Committee issue an Order to demolish and clean up the old shed located on this property. The old shed is in a state of non-repair as to not be suitable for farm use. The proposed Demolition Order should say:

**IT IS HERBY ORDERED that you are to, within 30 days of service of this Order, remedy the dangerous condition, namely;**

**ACTION “To remedy the dangerous condition the old shed must be demolished, and the demolition debris totally removed from the property. If you fail to comply with the requirements of this Order, the Administrator may enter upon the property without warrant or other legal process and carry out work specified in the Order as per section 348(3) of the Municipal Government Act and/or lay charges as per section 348(3) of Municipal Government Act.”**

**BACKGROUND**

We received a complaint on May 11, 2018 in reference to the above-noted property. An initial inspection was carried out on May 25, 2018 which concluded that the property is considered dangerous under the terms of the *Municipal Government Act* (the “Act”). The foundation appears to be sinking, causing the building to lean towards the house. The building itself is in a state of disrepair. There are roof shingles missing and holes in the roof of the building. As per Policy MDL-07, a letter dated June 8, 2018 was sent to the property owners advising of the dangerous condition of the property and the remedy required to return the property to a safe condition.

On August 1, 2018, a follow up inspection was conducted which found that demolition of the shed had commenced, however the structure of the building remains standing. No demolition permit has been applied for to date.

Staff will be inspecting the site prior to the Dangerous & Unsightly Property Committee meeting and will present updated photos.

**DISCUSSION**

- The Property Valuation Services Corporation (PVSC) records show the property as being assessed at \$105,100.00
- The lot area is 202,989.6 sq ft (4.66 acres)
- Property taxes are paid to date.

**ALTERNATIVES**

- 1) Grant additional time to facilitate demolition and clean up.
- 2) Repair the building to 2015 Nova Scotia Building Code standards and/or Engineered design.
- 3) Deem not to be dangerous or unsightly and close the file.

**CONCLUSION**

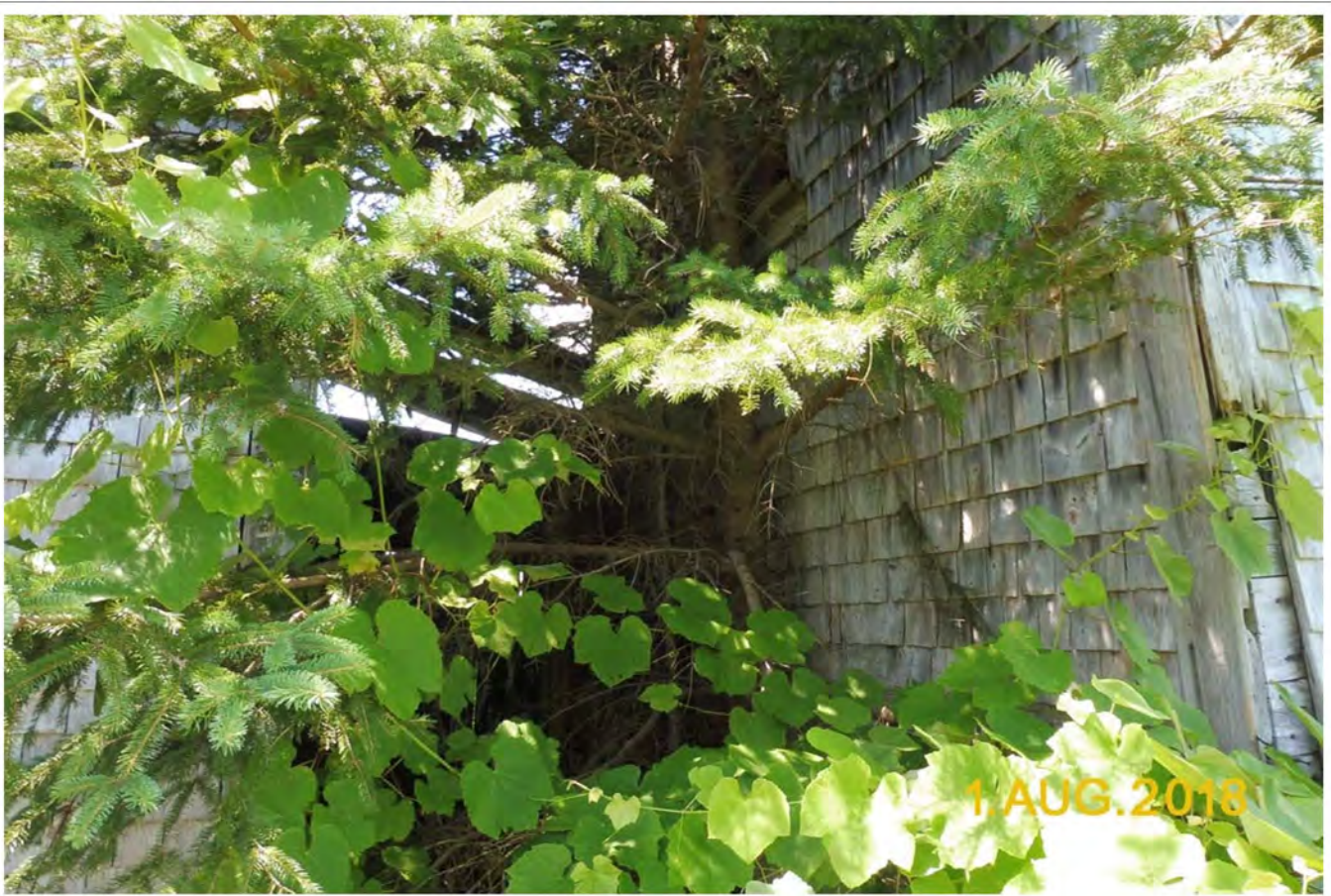
It is my opinion that the property is dangerous as per the Act.

**ATTACHMENTS**

- Photos from last inspection

Report Prepared By: Kyle Whynot	Date: August 8, 2018
Report Approved By: 	Date: Aug 14/18
Reviewed By CAO: _____	Date: _____









**MUNICIPALITY OF THE DISTRICT OF LUNENBURG**  
**Dean Hatt, 489 Mines 2 Rd, Hebbs Cross, PID 60293446**  
**August 22, 2018, 9:00am**  
**HEARING AGENDA – Dangerous and Unsightly Properties**

**1. CALL TO ORDER –**

**2. OPENING REMARKS BY Chairperson**

- a. Introduction of Council Members (if public in attendance)
- b. Introduction of Staff (if public in attendance)
- c. Review of Agenda and Rules of Conduct (see below)

**3. REPORTS AND PRESENTATIONS BY ADMINISTRATOR/BUILDING STAFF (10 minutes)**

- a. Review of Site Inspections and Notification Process
- b. Recommendation from Administrator  
(After presentation and any clarification given to Council, Staff shall sit in the gallery)

**4. WRITTEN AND/OR ORAL PRESENTATION (10 minutes)**

- a. Review of Written Submissions by CAO/Clerk
- b. Presentation by the Appellant if in attendance (Verbal)

**5. COMMITTEE MEMBERS AND APPELLANT DISCUSSION (10 minutes)**

- a. Clarification only, if Required  
(After clarification given to Council, Appellant shall sit in the gallery)

**6. ADMINISTRATOR CLOSING REMARKS (5 minutes)**

- a. Administrator Provides Final Comments/Clarification

**7. REVIEW OF APPROVAL PROCESS**

Dangerous and Unsightly Property Committee may make a decision upon the closing of the hearing. Once the Committee has made its decision, staff will proceed with any actions recommended.

Committee Options:

- a. Uphold Administrator decision
- b. Overturn Administrator decision
- c. Give an Extension
- d. Defer Decision

**6. CLOSING OF THE PUBLIC HEARING**

- a. No further debate or discussion

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**Rules of Conduct** - Persons who wish to speak at the Hearing are asked to note the following:

- a. State their name and address
- b. Direct all statements and questions to the Chairperson
- c. Try to limit presentations to 10 minutes



MEETING: D&UPC  
DATE: August 22, 2018  
ITEM NO: 5.2  
APPROVED BY: J Merrill

MUNICIPALITY OF THE DISTRICT OF LUNENBURG

*REQUEST FOR DECISION/DIRECTION*

**REPORT TO:** Dangerous & Unsightly Property Committee  
**SUBMITTED BY:** Kyle Whynot  
**DATE:** August 8, 2018  
**FILE No.** NC180045  
**RE:** **Demolition Order**  
Dangerous premise – Dean Hatt  
Property – 489 Mines 2 Road, Hebbs Cross, NS  
PID #60293446 Assessment # 04926102  
**ORIGIN:** Dangerous Property Complaint

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**RECOMMENDATION**

Staff recommends that the Dangerous & Unsightly Property Committee issue an Order to demolish and clean up the old barn located on this property. The old barn is in a state of non-repair as to not be suitable for farm use. The proposed Demolition Order should say:

**IT IS HERBY ORDERED that you are to, within 30 days of service of this Order, remedy the dangerous condition, namely;**

**ACTION “To remedy the dangerous condition the old barn must be demolished, and the demolition debris totally removed from the property. If you fail to comply with the requirements of this Order, the Administrator may enter upon the property without warrant or other legal process and carry out work specified in the Order as per section 348(3) of the Municipal Government Act and/or lay charges as per section 348(3) of Municipal Government Act.”**

**BACKGROUND**

We received a complaint on May 8, 2018 in reference to the above-noted property. An initial inspection was carried out on May 24, 2018 which concluded that the property is considered unsightly and dangerous under the terms of the *Municipal Government Act* (the “Act”). The foundation is collapsing outward from under the building and pushing the exterior wall above outward. This area of the foundation is open to entry. The remainder of exterior walls of the barn are caving inwards and outwards in various locations. As per Policy MDL-07, a letter dated June

8, 2018 was sent to the property owners advising of the unsightly and dangerous condition of the property and the remedy required to return the property to a sightly and safe condition.

On July 6, 2016 the property owner requested a 2 month extension for the unsightly portion of the property. The extension was granted, and a letter was sent dated July 11, 2018.

The Property owner applied for a demolition permit to demolish the barn. The demolition permit was issued on July 11, 2018.

On July 16, 2018, a follow up inspection was conducted which found no change in the condition of the Dangerous portion of the property.

Staff will be inspecting the site prior to the Dangerous & Unsightly Property Committee meeting and will present updated photos.

## **DISCUSSION**

- The Property Valuation Services Corporation (PVSC) records show the property as being assessed at \$47,100.00
- The lot area is 217,800 sq ft (5.0 acres)
- Property taxes are owing \$267.70 as part of 2017 and 2018 property taxes.

## **ALTERNATIVES**

- 1) Grant additional time to facilitate demolition and clean up.
- 2) Repair the building to 2015 Nova Scotia Building Code standards and/or Engineered design.
- 3) Deem not to be dangerous or unsightly and close the file.

## **CONCLUSION**

It is my opinion that the property is dangerous as per the Act.

## **ATTACHMENTS**

- Photos from last inspection

Report Prepared By: Kyle Whynot

Date: August 8, 2018

Report Approved By: \_\_\_\_\_



Date

Aug. 14/18

Reviewed By CAO: \_\_\_\_\_

Date \_\_\_\_\_









MUNICIPALITY OF THE DISTRICT OF LUNENBURG

*REQUEST FOR DECISION/DIRECTION*

**REPORT TO:** Dangerous & Unsightly Property Committee

**SUBMITTED BY:** Rebecca Zolkower

**DATE:** August 22, 2018

**File No.** NC180005

**RE:** **Quote Recommendation**

Dangerous premise – Laurie, Althea & Michael Wentzell & Shirley Elderkin

Property – 8 Oakes Road, Branch LaHave

PID # 60329034 Assessment # 04868358

**ORIGIN:** Unsightly Property Complaint

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**RECOMMENDATION**

Staff recommends:

**That the Committee recommend to Council that the quote from Mike Sheridan Trucking be accepted for the rectification of the unsafe conditions of the Wentzell/Elderkin property at 8 Oakes Road, PID 60329034; that is \$6 530.00 + \$979.50 HST, for a total of \$7 509.50.**

**BACKGROUND**

We received a complaint on January 24, 2018 in reference to the above-noted property. An initial inspection was carried out on February 2, 2018 which concluded that the property is considered both unsightly and dangerous under the terms of the *Municipal Government Act* (the “Act”). As per Policy MDL-07, a letter dated February 6, 2018 was sent to the property owners advising of the dangerous and unsightly condition of the property and the remedy required to return the property to a slightly and safe condition.

On March 13, 2018, a follow up inspection was conducted which found no change in the condition of the dangerous condition of the property. As a result of this inspection, the file was referred to the Committee for consideration of the issuance of a Demolition Order. The Demolition Order was

issued on April 3, 2018 providing the property owner 30 days to remedy the unsafe condition of the property. That Order read:

**IT IS HEREBY ORDERED that you are to, within thirty (30) days of the service of this Order, remedy the dangerous/unsightly condition of the property; namely:**

**ACTION “To remedy the dangerous condition, the house must be demolished and the demolition debris totally removed from the property. If you fail to comply with the requirements of this Order, the Administrator may enter upon the property without warrant or other legal process and carry out the work specified in this Order as per section 348(3) of the Municipal Government Act and/or lay charges as per section 348(3) of the Municipal Government Act”**

- **The demolition is subject to confirmation that all parties and/or necessary third parties have had an opportunity to complete any investigations or inspections**

On March 27, 2018 it was confirmed with the Office of the Fire Marshall that they have concluded their investigation and they had relinquished the scene (property) October 2017. On March 19, 2018 a copy of the letter informing the property owner about the request was sent to the lawyer for the property owners. Neither the lawyer or insurance company made any written or verbal submission to the Committee for the consideration of the Demolition Order.

On May 11, 2018 a follow up inspection was conducted on the property which found that, although the house had been demolished, the site was left in a dangerous condition. The floor system was left in place which is not structurally sound. There is also broken glass and some demolition debris left on site. The unsightly file has been closed.

Staff will be inspecting the site prior to the Dangerous & Unsightly Property Committee meeting and will present updated photos.

#### **DISCUSSION**

- The Property Valuation Services Corporation (PVSC) records show the land as being assessed at \$59 100 in 2018.
- The lot area is 26 909 sq ft
- Property taxes are: paid

#### **QUOTES**

1. Gerhardt Property Improvement  
\$12 924.00 + \$1 938.60 HST = \$14 862.60
2. Mike Sheridan Trucking

\$6 530.00 + \$979.50 HST = \$7 509.50

**ALTERNATIVES**


- a) Do nothing and close file.
- b) Grant additional time.

**CONCLUSION**

It is my opinion that the property is *dangerous*.

**ATTACHMENTS**

- Quotes
- Photos from last inspection

Report Prepared By: _____ Rebecca Zolkower _____	Date: _____ August 14, 2018 _____
Report Approved By: _____  _____	Date: _____ Aug. 15/18 _____
Reviewed By CAO: _____	Date: _____











Municipality of the District of Lunenburg  
RFQ 2018-01-303  
Dangerous & Unsightly Property Clean-up

June 25, 2018  
8 Oakes Road, Branch LaHave NS  
PID 60329034 AA 04868358

**Please submit a quotation for the following:**

**Scope of Work:**

The Scope of Work shall include the following:

- Clean up of property as specified:
  - House must be demolished, and all demolition debris completely removed from the property.
  - Household debris, construction debris, assorted metal, debris from brunt house, must be cleaned up and completely removed from the property.
- Questions regarding the Scope of Work may be addressed to Rebecca Zolkower, Building Official [Rebecca.Zolkower@modl.ca](mailto:Rebecca.Zolkower@modl.ca)
- Debris to be tipped at an approved landfill *\*CONTRACTOR MUST SUPPLY RECEIPTS FOR SAME*
- Contractor must call Rebecca Zolkower, Building Official at 902-541-1325 to meet on site to complete Hazard Assessment before start of work.

**Item Description(s):**

LABOUR & EQUIPMENT: \$ <sup>wt</sup> 6324.00

TRUCKING: \$ 2,600.00

DISPOSAL FEES\*: \$ 4,000.00

SUB-TOTAL: \$ 12,924.00

HST: \$ 1,938.60

TOTAL: \$ 14,862.60

Expected Start Date: August 6 / 2018

Expected Completion Date: Aug 17 / 2018

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**The supplier agrees to comply with all the Terms and Conditions.**

Contractor Quoting (print clearly):

Name of Company: Gerhardt Property Improvement

Civic Address: 120 Schmaes Crossing Road

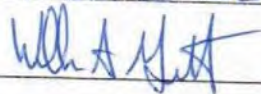
City /Province/ Postal Code: Lunenburg, NS B0J 2C0

Telephone: 902-634-3354 Fax: 902-634-3683

Email Address: cheryl@gerhardts.ca

HST #: 88881 1411

Name of Representative: William Gerhardt

Signature of Representative: 

Date: July 10, 2018

**Submit with Quotation:**

- WCB Clearance Letter
- Letter of Good Standing
- Proof of Insurance

**Attachments:**

- Property Photographs
- Property Location Map

NOTE: THIS IS NOT AUTHORITY TO PROCEED WITH THE WORK DESCRIBED.

Quotation Due Date: 2:00 p.m. local time **Tuesday, July 10, 2018** - emailed to: [Jennifer.Harrietha@modl.ca](mailto:Jennifer.Harrietha@modl.ca)





Municipality of the District of Lunenburg  
 RFQ 2018-01-303  
 Dangerous & Unsightly Property Clean-up

June 25, 2018  
 8 Oakes Road, Branch LaHave NS  
 PID 60329034 AA 04868358

Please submit a quotation for the following:

**Scope of Work:**

The Scope of Work shall include the following:

- Clean up of property as specified:
  - House must be demolished, and all demolition debris completely removed from the property.
  - Household debris, construction debris, assorted metal, debris from burnt house, must be cleaned up and completely removed from the property.
- Questions regarding the Scope of Work may be addressed to Rebecca Zolkower, Building Official [Rebecca.Zolkower@modl.ca](mailto:Rebecca.Zolkower@modl.ca)
- Debris to be tipped at an approved landfill \*CONTRACTOR MUST SUPPLY RECEIPTS FOR SAME
- Contractor must call Rebecca Zolkower, Building Official at 902-541-1325 to meet on site to complete Hazard Assessment before start of work.

**Item Description(s):**

LABOUR & EQUIPMENT: \$ 2,280.<sup>00</sup>

TRUCKING: \$ 1,800.<sup>00</sup>

DISPOSAL FEES\*: \$ 2,450.<sup>00</sup>

SUB-TOTAL: \$ 6,530.<sup>00</sup>

HST: \$ 979.<sup>50</sup>

TOTAL: \$ 7,509.<sup>50</sup>

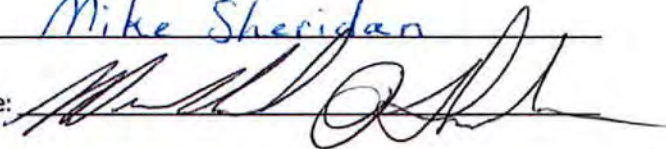
Expected Start Date: July 16, 2018

Expected Completion Date: July 20, 2018

Price Includes back filling foundation  
 mowing and clean up of all buildings  
 and debris.

**The supplier agrees to comply with all the Terms and Conditions.**

Contractor Quoting (print clearly):

Name of Company: Mike Sheridan Trucking  
Civic Address: 2145 Upper Branch Road, Midville Branch  
City /Province/ Postal Code: Lunenburg City, NS, B4V 4S8  
Telephone: 902-543-2818 Fax: same  
Email Address: monabolivar@eastlink.ca  
HST #: 826369373  
Name of Representative: Mike Sheridan  
Signature of Representative:   
Date: July 10/18

**Submit with Quotation:**

- WCB Clearance Letter
- Letter of Good Standing
- Proof of Insurance

**Attachments:**

- Property Photographs
- Property Location Map

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NOTE: THIS IS NOT AUTHORITY TO PROCEED WITH THE WORK DESCRIBED.

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