

**DANGEROUS & UNSIGHTLY COMMITTEE
AGENDA
Monday, October 22, 2018 9:00 A.M.**

Page

1. CALL TO ORDER
2. APPROVAL OF AGENDA
3. APPROVAL OF MINUTES OF AUGUST 22, 2018 MEETING AS CIRCULATED
4. OLD BUSINESS:
5. NEW BUSINESS:
 - 5.1 APPEAL HEARING: 1009 Cornwall Road, Lower New Cornwall, PID#60216843.....2-11
 - 5.2 QUOTE RECOMMENDATION: 940 New Cumberland Rd, Lake Centre, PID#6034284712-22
 - 5.3 QUOTE RECOMMENDATION: 14 Demond Cr, Auburndale, PID#6032676.....23-33
 - 5.4 APPEAL HEARING: 2171 Highway 208, Hemford PID#60266350.....34-41
6. ADDED ITEMS:
7. IN CAMERA:
8. ADJOURNMENT AND NEXT MEETING DATE - TBA

MUNICIPALITY OF THE DISTRICT OF LUNENBURG
(Mark & Deborah Ekins, 1009 Cornwall Rd Lower New Cornwall, PID#60216843)
Monday, October 22, 2018
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

=====
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: October 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: October 11, 2018
FILE No. NC180054
RE: **Appeal Hearing**
Unsightly premise – Mark & Deborah Ekins
Property – 1009 Cornwall Road, Lower New Cornwall, NS
PID # 60216843 Assessment # 04261704
ORIGIN: Unsightly Property Complaint

RECOMMENDATION

Staff recommends that the Order dated August 14, 2018 be upheld. That Order reads:

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

ACTION “To remedy the unsightly condition the tires, construction debris, scrap metal, derelict vehicle, and loader must be removed from the property.”

BACKGROUND

The Municipality received a complaint on June 7, 2018 in reference to the above-noted property. An initial inspection was carried out on June 19, 2018 which concluded that the property is considered unsightly under the terms of the *Municipal Government Act* (the “Act”). As per Policy MDL-07, a letter dated July 6, 2018 was sent to the property owners advising of the unsightly condition of the property and the action required to remedy the conditions of the property.

On August 14, 2018, a follow up inspection was conducted with an RCMP escort which found minimal change to the unsightly condition of the property. At that time an Order to remedy the unsightly conditions was posted on the property. The property owners are appealing the Administrator’s order.

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 \$162,600.00
- The lot area is 1,971,090 sq ft (45.25 acres)
- Property taxes are paid to current October 2018 tax invoice.

ALTERNATIVES


- 1) Grant additional time to clean up.
- 2) Deem not to be unsightly and close the file.

CONCLUSION

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

ATTACHMENTS

- Photos from last inspection

Report Prepared By: Kyle Whynot	Date: October 11, 2018
Report Approved By: 	Date <u>Oct 15/18</u>
Reviewed By CAO: _____	Date _____

















MEETING: D&UPC
DATE: October 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: October 12, 2018
FILE No. NC180021
RE: **Quote Recommendation**
Unsightly premise – Rene Bernier & Tamara Downs
Property – 940 New Cumberland Road, Lake Centre, NS
PID # 60342847 Assessment # 01604112
ORIGIN: Unsightly Property Complaint

RECOMMENDATION

Staff recommends:

That the Committee recommend to Council that the lowest quote from Good Mooring Ltd. be accepted for the clean up of the property located at 940 New Cumberland Road, Lake Centre, PID 60342847; that is \$2810.00 + \$421.50 HST, for a total of \$3231.50.

BACKGROUND

The Municipality received an unsightly property complaint on April 12, 2018 in reference to the above-noted property. An initial inspection was carried out on April 17, 2018 which concluded that the property is considered unsightly under the terms of the *Municipal Government Act* (the “Act”). The property contains a house with several broken windows, a deck in a state of non-repair, and junk and garbage around the property. As per Policy MDL-07, a letter dated April 25, 2018 was sent to the property owners advising of the unsightly condition of the property and the action required to remedy the conditions of the property.

On June 5, 2018, a follow up inspection was conducted which found no change to the unsightly condition of the property. A 30 day order dated June 20, 2018 was posted on the property and a copy sent to the property owners. That Order reads:

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

ACTION “board up/secure the windows and remove the deck and junk/garbage from the property.”

A follow up inspection of the property was conducted on July 18, 2018 which found no change to the unsightly condition of the property. The matter was then sent for tenders.

On August 1, 2018 email correspondence from Grant Thornton Limited was received indicating that the above noted property owners had surrendered their interests in the property to a financial institution in 2013. As of October 12, 2018, Rene Bernier and Tamara Downs are the listed property owners with the Province of Nova Scotia Land Registry. The address listed on Property Valuation Services Corporation is that of Grant Thornton Ltd, bankruptcy trustee. The mortgager listed has not, as of yet, taken ownership of the property. The bankruptcy appears to be prior to 2013 based on our records. Both the bank and bankruptcy trustee have been copied.

Staff will be inspecting the property prior to the Dangerous & Unsightly Committee and will provide updated photos.

DISCUSSION

- The Property Valuation Services Corporation (PVSC) records show the property as being assessed at \$124,600.00
- The lot area is 32,757.1sq ft (0.7520 acres)
- Property taxes owing are \$11,023.14. Property is currently up for tax sale for a second time.

QUOTES

- 1) Good Mooring Ltd.
\$2810.00 + \$421.50 HST = \$3231.50
- 2) Marinus Verhagen
\$3500.00 + \$525.00 HST = \$4025.00

ALTERNATIVES

- 1) Grant additional time to clean up.
- 2) Deem not to be unsightly and close the file.

CONCLUSION

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

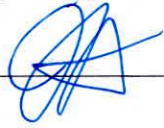
ATTACHMENTS

- Photos from last inspection
- Quotes

Report Prepared By: Kyle Whynot

Date: October 12, 2018

Report Approved By: _____



Date

oct. 15/18

Reviewed By CAO: _____

Date _____











Please submit a quotation for the following:

Scope of Work:

The Scope of Work shall include the following:

- Clean up of property as specified:
 - . Removal of deck **DO NOT BREAK GROUND**,
 - . Board up broken windows,
 - . Remove assorted junk/household debris.
- Questions regarding the Scope of Work may be addressed to Kyle Whynot, Building Official Kyle.Whynot@modl.ca
- Debris to be tipped at an approved landfill **CONTRACTOR MUST SUPPLY RECEIPTS FOR SAME*
- Contractor must call Kyle Whynot, Building Official at 902-541-1325 to meet on site to complete Hazard Assessment before start of work.

Item Description(s):

LABOUR & EQUIPMENT: \$ 1,800.00

TRUCKING: \$ 800.00

DISPOSAL FEES*: \$ 900.00

SUB-TOTAL: \$ 3,500.00

HST: \$ 525.00

TOTAL: \$ 4,025.00

Expected Start Date: 7 days of notification of award

Expected Completion Date: 2 days to complete

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

Contractor Quoting (print clearly):

Name of Company: Verhagen Demolition Limited
Civic Address: 6408 Highway #4
City /Province/ Postal Code: Linacy Nova Scotia B2H5C4
Telephone: 902 752 6411 Fax: 902 928 0990
Email Address: marinus.verhagen@eastlink.ca

HST #: HST 859970170 RT

Name of Representative: Marinus Verhagen

Signature of Representative: Marinus Verhagen

Date: September 25, 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, September 25, 2018** - emailed to: Jennifer.Harrietha@modl.ca



Municipality of the District of Lunenburg
RFQ 2018-01-309
Dangerous & Unsightly Property Clean-up

August 30, 2018
940 New Cumberland Rd, Lake Centre
PID 60342847 AA 01604112

Please submit a quotation for the following:

Scope of Work:

The Scope of Work shall include the following:

- Clean up of property as specified:
 - Removal of deck **DO NOT BREAK GROUND**,
 - Board up broken windows,
 - Remove assorted junk/household debris.
- Questions regarding the Scope of Work may be addressed to Kyle Whynot, Building Official Kyle.Whnot@modl.ca
- Debris to be tipped at an approved landfill *CONTRACTOR MUST SUPPLY RECEIPTS FOR SAME
- Contractor must call Kyle Whynot, Building Official at 902-541-1325 to meet on site to complete Hazard Assessment before start of work.

Item Description(s):

LABOUR & EQUIPMENT: \$ 1800.00

TRUCKING: \$ 850.00

DISPOSAL FEES*: \$ 160.00

SUB-TOTAL: \$ 2810.00

HST: \$ 421.50

TOTAL: \$ 3231.50

Expected Start Date: OCT 4, 2018

Expected Completion Date: OCT 5, 2018

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

Contractor Quoting (print clearly):

Name of Company: GOOD MOORING LTD

Civic Address: 6114 ST MARGARET'S BAY RD


City /Province/ Postal Code: HD OF ST MARGARET'S BAY, N.S. B3Z 2C4

Telephone: 902-412-7307 Fax: _____

Email Address: GOODMOORINGLTD@GMAIL.COM

HST #: 802867192

Name of Representative: STEVEN MARRIOTT

Signature of Representative: 

Date: SEPT 25, 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, September 25, 2018** - emailed to: Jennifer.Harrietha@modl.ca



MEETING: D&UPC
DATE: October 22, 2018
ITEM NO: 5.3
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: October 12, 2018
FILE No. NC180024
RE: **Quote Recommendation**
Unsightly premise – Craig Chymist & Dawn Zinck
Property – 14 Demond Crescent, Auburndale, NS
PID # 60326769 Assessment # 05138388
ORIGIN: Unsightly Property Complaint

RECOMMENDATION

Staff recommends:

That the Committee recommend to Council that the lowest quote from Good Mooring Ltd. be accepted for the clean up of the property located at 14 Demond Crescent, Auburndale, PID 60326769; that is \$1940.00 + \$291.00 HST, for a total of \$2231.00.

BACKGROUND

The Municipality received an unsightly property complaint on April 24, 2018 in reference to the above-noted property. An initial inspection was carried out on April 25, 2018 which concluded that the property is considered unsightly under the terms of the *Municipal Government Act* (the “Act”). As per Policy MDL-07, a letter dated May 9, 2018 was sent to the property owners advising of the unsightly condition of the property and the action required to remedy the conditions of the property.

On June 21, 2018, a follow up inspection was conducted which found no change to the unsightly condition of the property. A 30 day order dated July 10, 2018 was posted on the property and a copy sent to the property owners. That Order reads:

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

ACTION “the storage building must be repaired to NBC 2015 standards or demolished, and the demolition debris removed from the property. The construction debris, metal and plastic must be removed from the property”

A follow up inspection of the property was conducted on August 8, 2018 which found no change to the unsightly condition of the property. The matter was then sent for tenders.

Staff will be inspecting the property prior to the Dangerous & Unsightly Committee and will provide updated photos.

DISCUSSION

- The Property Valuation Services Corporation (PVSC) records show the property as being assessed at \$61,100.00
- The lot area is 27,860.9sq ft (0.6396 acres)
- Property taxes are 791.75 (2 years owing).

QUOTES

1) Good Mooring Ltd.

\$1940.00 + \$291.00 HST = \$2231.00

2) Marinus Verhagen

\$3200.00 + \$480.00 HST = \$3680.00

ALTERNATIVES

- 1) Grant additional time to clean up.
- 2) Deem not to be unsightly and close the file.

CONCLUSION

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

ATTACHMENTS

- Photos from last inspection
- Quotes

Report Prepared By: Kyle Whynot

Date: October 12, 2018

Report Approved By: _____



Date Oct. 15/18

Reviewed By CAO: _____

Date _____











Municipality of the District of Lunenburg
 RFQ 2018-01-307
 Dangerous & Unsightly Property Clean-up

August 30, 2018
 14 Demond Cr, Auburndale
 PID 60326469 AA 05138388

Please submit a quotation for the following:

Scope of Work:

The Scope of Work shall include the following:

- Clean up of property as specified:
 - Removal of old storage building, construction debris, metal and plastic.
- Questions regarding the Scope of Work may be addressed to Kyle Whynot, Building Official Kyle.Whnot@modl.ca
- Debris to be tipped at an approved landfill **CONTRACTOR MUST SUPPLY RECEIPTS FOR SAME*
- Contractor must call Kyle Whynot, Building Official at 902-541-1325 to meet on site to complete Hazard Assessment before start of work.

Item Description(s):

LABOUR & EQUIPMENT: \$ 1200.00

TRUCKING: \$ 600.00

DISPOSAL FEES*: \$ ESTIMATED 140.00

SUB-TOTAL: \$ 1940.00

HST: \$ 291.00

TOTAL: \$ \$ 2231.00

Expected Start Date: 7 DAYS AFTER ACCEPTANCE ≈ OCT 2, 2018

Expected Completion Date: OCT 3, 2018 (1 DAY CLEANUP)

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

Contractor Quoting (print clearly):

Name of Company: GOOD MOORING LTD

Civic Address: 6114 ST MARGARET'S BAY ROAD


City /Province/ Postal Code: HD OF ST MARGARET'S BAY, N.S. B3Z 2C4

Telephone: 902-412-7307 Fax: _____

Email Address: GOODMOORINGLTD@GMAIL.COM

HST #: 802867192

Name of Representative: STEVEN MARRIOTT

Signature of Representative: 

Date: SEPT 12, 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, September 25, 2018** - emailed to: Jennifer.Harrietha@modl.ca



Please submit a quotation for the following:

Scope of Work:

The Scope of Work shall include the following:

- Clean up of property as specified:
 - Removal of old storage building, construction debris, metal and plastic.
- Questions regarding the Scope of Work may be addressed to Kyle Whynot, Building Official Kyle.Whnot@modl.ca
- Debris to be tipped at an approved landfill **CONTRACTOR MUST SUPPLY RECEIPTS FOR SAME*
- Contractor must call Kyle Whynot, Building Official at 902-541-1325 to meet on site to complete Hazard Assessment before start of work.

Item Description(s):

LABOUR & EQUIPMENT: \$ 1,350.00

TRUCKING: \$ 850.00

DISPOSAL FEES*: \$ 1,000.00

SUB-TOTAL: \$ 3,200.00

HST: \$ 480.00

TOTAL: \$ 3,680.00

Expected Start Date: 7 days of notification of award.

Expected Completion Date: 2 days to complete.

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

Contractor Quoting (print clearly):

Name of Company: Verhagen Demolition Limited.

Civic Address: 6408 Highway #4

City /Province/ Postal Code: Linacy, N.S. B2H 5C4

Telephone: 902 752 6411 Fax: 902 928 0990

Email Address: marinus.verhagen@eastlink.ca

HST #: HST 859970170 RT

Name of Representative: Marinus Verhagen

Signature of Representative: *Marinus Verhagen*

Date: September 25, 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, September 25, 2018** - emailed to: Jennifer.Harrietha@modl.ca

MUNICIPALITY OF THE DISTRICT OF LUNENBURG
(Denise Kirby & Chris Buckley, 2171 Highway 208, Hemford, PID#60266350)
Monday, October 22, 2018
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

=====
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: October 22, 2018
ITEM NO: 5.4
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: October 11, 2018
FILE No. NC170077
RE: **Appeal Hearing**
Unsightly premise – Denise Kirby & Chris Buckley
Property – 2171 Highway 208, Hemford, NS
PID # 60266350 Assessment # 00215783
ORIGIN: Dangerous Property Complaint

RECOMMENDATION

Staff recommends that the Order dated October 2, 2018 be upheld. That Order reads:

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

ACTION “The junk, garbage and demolition debris must be cleaned up and removed from the property.”

BACKGROUND

The Municipality received a dangerous property complaint on September 7, 2017 in reference to the above-noted property. An initial inspection was carried out on September 14, 2017 which concluded that the property is considered dangerous under the terms of the *Municipal Government Act* (the “Act”). The property contained an old house and two small storage buildings all of which were in a state of non-repair and an open well was found on the property. As per Policy MDL-07, a letter dated October 13, 2017 was sent to the property owners advising of the dangerous condition of the property and the action required to remedy the conditions of the property.

On November 8, 2017, a follow up inspection was conducted which found minimal change to the unsightly condition of the property. The open well had been properly covered. The property remained dangerous and the matter was to be referred to the Dangerous and Unsightly Properties Committee with recommendation to issue a demolition order, however the dangerous conditions were remedied prior to the scheduled meeting.

A follow up inspection of the property was conducted on February 2, 2018 which found that the buildings were demolished and burned. Debris remained on the property from the buildings. The property was then considered unsightly and the matter was deferred until spring.

A follow up inspection was conducted on September 25, 2018 and found no change to the clean up efforts on the property. The property remains unsightly. An order to remedy the unsightly conditions was posted on the property and a letter sent to the property owners on October 2, 2018. The property owners have appealed the Administrator's order.

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 \$9,400.00
- The lot area is 43,054.7sq ft (0.9884 acres)
- Property taxes are paid to current October 2018 tax invoice.

ALTERNATIVES


- 1) Grant additional time to clean up.
- 2) Deem not to be unsightly and close the file.

CONCLUSION

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

ATTACHMENTS

- Photos from last inspection

Report Prepared By: Kyle Whynot	Date: October 11, 2018
Report Approved By: 	Date <u>Oct 15/18</u>
Reviewed By CAO: _____	Date _____









