

DATE OF MEETING | March 1, 2018 |

AUTHORED BY | Karen Fry, Fire Chief & Director – Public Safety

**SUBJECT | NUISANCE PROPERTY – #204-311 Mt. Benson Street**

## **OVERVIEW**

### **Purpose of Report**

To obtain Council authorization to have #204-311 Mt. Benson Street declared a nuisance property. |

### **Recommendation**

That Council declare #204-311 Mt. Benson Street a nuisance pursuant to “Nuisance Abatement and Cost Recovery Bylaw 2003 No. 5645” and authorize Staff to record and charge for municipal service including police required to abate the nuisance.

## **BACKGROUND**

This property is a strata apartment building which is managed by Concise Strata Management of Nanaimo. The Owner of this residence resided in Unit #204. RCMP have stated that the Owner is the person responsible for the nuisance activity, such as but not limited to, yelling and screaming within the building and at pedestrians passing by, banging on neighbouring doors, damaging the apartment building and vehicles associated with the building. The nuisance disturbances resulting from the activities at this residence have significantly impacted other residents in the building and are unreasonable and a nuisance at law. Since May of 2017 there have been twenty (20) RCMP calls to this residence, thirteen (13) of which can be associated to nuisance activity. The RCMP and a Bylaw Officer have been in touch with the Owner and Concise Strata Management and advised the nuisance activity must be abated.

## **OPTIONS**

1. That Council declare #204-311 Mt. Benson Street a nuisance pursuant to “Nuisance Abatement and Cost Recovery Bylaw 2003 No. 5645” and authorize Staff to record and charge for municipal services including police required to abate the nuisance.
2. That Council provide alternate direction.

### **SUMMARY POINTS**

- There have been thirteen (13) police calls for service, which may be considered to have an element or elements of a nuisance as defined by the City of Nanaimo bylaw, to the address since May of 2017.
- The property is occupied by an individual that displays behaviours associated with drug and mental health issues.
- RCMP and Bylaw have tried to deal with the matter.
- The nuisance activity continues.

**Submitted by:**

Karen Fry  
Fire Chief & Director, Public Safety |

**Concurrence by:**

Victor Mema  
Deputy Chief Administrative Officer |

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