

Staff Report for Decision

DATE OF MEETING OCTOBER 15, 2018

AUTHORED BY DAVID LABERGE, MANAGER OF COMMUNITY SAFETY

SUBJECT NUISANCE PROPERTY ABATEMENT - 3796 VICTORIA AVENUE

OVERVIEW

Purpose of Report

To inform Council of ongoing activities at 3796 Victoria Avenue which substantially and unreasonably interfere with other persons' use and enjoyment of property, and require repeated calls for police services to abate nuisances.

Recommendation

That Council declare 3796 Victoria Avenue a "Nuisance" pursuant to "Nuisance Abatement and Cost Recovery Bylaw 2003 No. 4645", and to authorize Staff to record and charge for municipal services including police required to abate nuisance activity.

BACKGROUND

The property at 3796 Victoria Avenue is a single-family dwelling in a residential neighbourhood occupied by the owner.

The City and police have received complaints from the neighbourhood pertaining to this property over the past three years, including issues of unsightly conditions, individuals living in recreation vehicles and accessory buildings, accumulation of debris and nuisances. The chronology of events includes;

- 2015 – August, accumulation of debris, people living in trailers and RV's on the property;
- 2016 – April, accumulation of debris, unsightly property;
- 2017 – February, accumulation of debris, people living in trailers and RV's;
- 2017 – November, accumulation of debris, fire/explosion in an RV parked on the property;
- 2018 – May, house fire, property no-longer habitable; fire order issued;
- 2018 – September accumulation of debris, people living in RV's on the property

The Nanaimo RCMP report an increasing number of calls for police service to this property in 2018, including 11 incidents of which 7 were for nuisance-related matters. Complaints received by police included reports of fights, noise disturbances, noxious odours from propane fires, and persons trespassing.

The owner and the owner's son continue to reside on the property staying in RV's and accessory buildings despite the fact that the site is subject to a fire order and no longer

habitable. Neighbours report frequent disturbances, accumulation of vehicles and debris, and are fearful of further fire hazards.

OPTIONS

1. That Council declare 3796 Victoria Avenue a nuisance pursuant to “Nuisance Abatement and Cost Recovery Bylaw 2003 No. 4645”, and to authorize Staff to record and charge for municipal services including police required to abate nuisance activity.
2. That Council provide Staff with alternative direction.

SUMMARY POINTS

- There is a continuing and sustained pattern of nuisance activity at the property which include:
 - Accumulation of debris and unsightly premises
 - Noise disturbances and noxious odours
 - People living in trailers and accessory buildings
 - Fire/explosion hazard
- Fire, police and bylaw services frequently attend to the property in response to nuisance and hazardous activity
- The property owner has been contacted repeatedly and is not responsive to directions to cease these activities.

Submitted by:

Dave LaBerge
Manager of Community Safety

Concurrence by:

Karen Fry
Director of Public Safety