

# Staff Report for Decision

DATE OF MEETING NOVEMBER 19, 2018

AUTHORED BY DAVID LABERGE, MANAGER OF COMMUNITY SAFETY

SUBJECT NUISANCE PROPERTY ABATEMENT - 5350 METRAL DRIVE

## **OVERVIEW**

### **Purpose of Report**

To inform Council of ongoing activities at 5350 Metral Drive, Nanaimo, BC 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 5350 Metral Drive a "Nuisance" pursuant to the "Nuisance Abatement and Cost Recovery Bylaw 2003 No. 5645", and to authorize Staff to record and charge for municipal services including police required to abate nuisance activity.

## **BACKGROUND**

Ongoing activities at the property at 5350 Metral Drive have required repeated calls for bylaws and police services to abate nuisance activities which substantially interfere with the peace, quiet and enjoyment of the neighbourhood.

The City received reports in October 2017 reporting ongoing nuisances including fighting, yelling, dogs barking and people coming & going from the property during late night hours. Inspection of the property determined that individuals were living in a trailer on the property contrary to City bylaw regulations. The owners were asked to address a number of issues including unsightly conditions, fire code matters and occupancy of the trailer. These matters were rectified over time.

In January of 2018, a second trailer moved onto the property & people were living in it. The property was inspected again, and found to be in unsightly condition. It was cleaned to an acceptable level in the following months.

The RCMP brought the property back to the attention of the City in August, 2018, reporting that they were receiving numerous calls of a nuisance nature.

Police records indicate a total of 58 calls to this property since 2009, including 20 matters in 2018 of which 10 were considered to be of a nuisance nature. The RCMP advise that suspected drug trafficking and movement of stolen property is occurring at the property, resulting in vandalism, thefts and prowlers in the neighbourhood. There were a number of complaints of constant vehicle, bicycle and foot traffic in and out of the property at all times of the day and night, causing concern and disruption to the community.

There is a sustained pattern of nuisance behaviour, unsightly conditions, and occupancy of trailers on the property contrary to the City's bylaw regulations.

On October 31, 2018 police recovered a stolen vehicle and seized drugs and a firearm from the property.

### **OPTIONS**

1. That Council declare 5350 Metral Drive a "Nuisance" pursuant to the "Nuisance Abatement and Cost Recovery Bylaw 2003 No. 5645", 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:
  - Individuals living in trailers parked on the property
  - Unsightly property and derelict trailers
  - People coming & going from the property constantly day & night
  - Yelling and fighting
  - Dogs barking
  - Individual outside residence with baseball bat calling someone out
  - Seizure of stolen vehicle, firearm and drugs by police
- Police and City staff frequently attend to the property in response to nuisance related calls for service.
- The property owner has been contacted repeatedly by police and City staff, but nuisance activities persist over time.

### **ATTACHMENTS:**

NUISANCE ABATEMENT AND COST RECOVERY BYLAW 2003 NO. 5645

#### **Submitted by:**

Dave LaBerge  
Manager of Community Safety

#### **Concurrence by:**

Karen Fry  
Director of Public Safety