

Demolition Order Hearing

PID 45101698, 176 Highway 215, Shubenacadie

Planning & Development Department
Municipal Council, July 23, 2025



EAST HANTS

Background

- Part XV of the MGA regulates Dangerous or Unsightly Premises.
- Section 344 of the MGA states:
“Every property in a municipality shall be maintained so as not to be dangerous or unsightly.”
- East Hants enforces this dangerous or unsightly property provision on the basis of complaints, unless staff find a situation of immediate public safety concern.
- Typically, after a complaint is received staff investigate a property to determine whether or not a dangerous or unsightly condition does exist. If such a condition is found, staff will contact the owner and request that the owner clean up the property within a specified time period.
- If the owner shows no intention of cooperating with the staff request, or staff are unable to contact the owner, then an Order is prepared for the ‘Administrator’s’ signature.

Background

- This authority is granted through Section 346(1) of the MGA which states:
“Where a property is dangerous or unsightly, the council may order the owner to remedy the condition by removal, demolition or repair, specifying in the order what is required to be done.”
- Furthermore, Council’s authority can and has been delegated to the “Administrator” who in this case is the CAO.
- However, Section 345 (1) stipulates that:
The council may, by policy, delegate some or all of its authority pursuant to this Part, except the authority to order demolition, to the “administrator.”
- As a result, only Council can order the demolition of a building and staff is requesting that consideration be given to issue a demolition order for the following property:
 - PID 45101698, 176 Highway 215, Shubenacadie

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- This property has been on and off our enforcement list for many years. This particular issue was brought to the attention of Staff in January of this year.
- A fire occurred in the dwelling in December 2024 that resulted in a fatality.
- At the request of the Fire Marshall's office, and Order to Remedy was posted to secure the building from unauthorized entry.
- The building was secured by the Municipality. However, one panel has been removed at the rear of the building. There are also dead animals and a substantial amount of garbage and debris on the property.
- The property owners are deceased.
- It is therefore recommended that the building be demolished and all other garbage and debris be removed from the property.



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Process

- Part 346(3) of the MGA indicates that where demolition is proposed to be ordered, the land owner is required to be given at least seven days' notice of the date, time and place of the meeting at which the order will be considered.
- The section also indicates that property owners need to be given an opportunity to appear at the meeting and have an opportunity to speak to the issue prior to an order being made.
- In this case, a letter was sent to the address as provided through assessment and within the appropriate notice period. A copy of the letter was also posted on the property, and a representative will have an opportunity to address Council.
- If Council approves the Order, it will be served on the property by a Municipal Special Constable.
- After the 60 day timeframe expires, staff will conduct an inspection of the property.
- If the building has been removed from the property and the debris removed, the file will be closed and no further action will be taken.
- If, however, the building and other debris remain, staff will be in a position to engage a contractor to remove the structure and other debris.
- Pursuant to Section 507 of the MGA the cost of this work would become a first lien on the property in question.

Conclusion

- After investigation, Staff came to the conclusion that the property contained a building which requires demolition.
- The MGA authorizes Council, and only Council, to order the demolition of a building.
- Therefore Staff are recommending that Council authorize the Administrator to issue an order to require the demolition of the building within 60 days.



Recommendation

That the recommended motion be considered after the property owner, or designate is given an opportunity to address Council.

Recommended Motion

Council hereby authorizes the Administrator to issue an Order to the owner of PID 45101698, 176 Highway 215, Shubenacadie, to remedy the dangerous or unsightly condition of the property by the demolition and removal of the building, and all other debris on the property within 60 days of an Order being served.