



**APPEALS STANDING COMMITTEE  
MINUTES  
December 12, 2019**

**PRESENT:** Councillor Steve Adams, Chair  
Councillor Russell Walker, Vice Chair  
Deputy Mayor Lisa Blackburn  
Councillor Bill Karsten  
Councillor David Hendsbee

**REGRETS:** Councillor Matt Whitman

**STAFF:** Karen MacDonald, Senior Solicitor  
Tanya Phillips, Manager, By-law Standards  
Simon Ross-Siegel, Legislative Assistant

*The following does not represent a verbatim record of the proceedings of this meeting.*

*The agenda, reports, supporting documents, information items circulated, and video (if available) are online at [halifax.ca](http://halifax.ca).*

*The meeting was called to order at 10:01 a.m. The meeting adjourned at 10:59 a.m.*

## **1. CALL TO ORDER**

The Chair called the meeting to order at 10:01 a.m. in Council Chamber, 3<sup>rd</sup> Floor City Hall, 1841 Argyle Street, Halifax.

### **1.1 Annual Election of Chair and Vice Chair**

The Chair turned over the meeting to the Legislative Assistant.

The Legislative Assistant called for nominations for the position of Chair of the Appeals Standing Committee.

MOVED by Councillor Streach, seconded by Deputy Mayor Blackburn

**THAT Councillor Adams be nominated for the position of Chair of Appeals Standing Committee.**

**MOTION PUT AND PASSED.**

The Legislative Assistant called three times for any further nominations. There being none, it was:

MOVED by Councillor Karsten, seconded by Councillor Walker, **that nominations for the position of Chair be closed.**

**MOTION PUT AND PASSED.**

The Legislative Assistant declared Councillor Adams Chair of Appeals Standing Committee at 10:04 p.m.

Councillor Adams then assumed the Chair. The Chair called for nominations for the position of Vice Chair of Appeals Standing Committee.

MOVED by Councillor Karsten, seconded by Deputy Mayor Blackburn

**THAT Councillor Walker be nominated for the position of Vice Chair of Appeals Standing Committee.**

**MOTION PUT AND PASSED.**

The Chair called three times for any further nominations. There being none, it was:

MOVED by Deputy Mayor Blackburn, seconded by Councillor Karsten, **that nominations for the position of Vice Chair be closed.**

**MOTION PUT AND PASSED.**

The Chair declared Councillor Walker the Vice Chair of Appeals Standing Committee.

## **2. APPROVAL OF MINUTES – September 12, 2019**

MOVED by Councillor Walker, seconded by Deputy Mayor Blackburn

**THAT the minutes of September 12, 2019 be approved as circulated.**

**MOTION PUT AND PASSED.**

### **3. APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS**

Deletion: 12.2.1 Case 332757 Property located at 42 Fox Point Lane, Lawrencetown

MOVED by Councillor Karsten, seconded by Deputy Mayor Blackburn

**THAT the agenda be approved as amended.**

**MOTION PUT AND PASSED.**

**4. BUSINESS ARISING OUT OF THE MINUTES – NONE**

**5. CALL FOR DECLARATION OF CONFLICT OF INTERESTS – NONE**

**6. MOTIONS OF RECONSIDERATION – NONE**

**7. MOTIONS OF RESCISSION – NONE**

**8. CONSIDERATION OF DEFERRED BUSINESS – NONE**

**9. NOTICES OF TABLED MATTERS – NONE**

**10. CORRESPONDENCE, PETITIONS & DELEGATIONS – NONE**

**11. INFORMATION ITEMS BROUGHT FORWARD – NONE**

### **12. REPORTS**

#### **12.1 DANGEROUS OR UNSIGHTLY PREMISES: APPEALS**

##### **12.1.1 Cases 330741, 332658, 332653, 333498, 333495 & 333497, Property located at 18658 Highway 7, Tangier**

The following was before the Standing Committee:

- A staff recommendation report dated November 28, 2019
- A staff presentation

The Committee confirmed that the property owner was not present to address the Committee.

Kim Northrop, Compliance Officer II, By-law Standards spoke before the Committee as to the state of the property and the history of compliance staff's involvement. Staff presented photos taken in November detailing burnt and scattered plastic and other debris, several mobile homes with broken and shattered windows, and several unfinished sheds which staff described as not technically derelict, but uncompleted. Staff also noted that several of the mobile homes appeared to be in an uninhabitable state. In response to questions from Councillors, staff stated that staff has tried many times by way of phone calls and leaving business cards on the property while performing inspections, to contact the property owners with no success. The only correspondence staff received from the property owners was the request to appeal. Staff stated that there were several vehicles on the lot with expired inspection stickers as well as visibly broken parts and flat tires. Staff stated that they were uncertain if anyone was residing in the main building when staff performed an inspection visit.

MOVED by Councillor Karsten, seconded by Councillor Walker

**THAT the Appeals Standing Committee allow the appeal.**

In response to questions from Councillors, Karen MacDonald, Senior Solicitor, provided information regarding the process for dangerous and unsightly property appeals and staff's obligations for service under the HRM Charter.

**MOTION PUT AND DEFEATED (Order of the Administrator upheld).**

### **12.1.2 Cases 330851 and 327529 Property located at 65 Tillock Drive, Lower Sackville**

The following was before the Standing Committee:

- A staff recommendation report dated November 15, 2019
- A staff presentation

The Committee confirmed that the property owner was not present to address the Committee.

Kim Northrop, Compliance Officer II, By-law Standards spoke before the Committee as to the state of the property and the history of compliance staff's involvement. Staff presented recent photos detailing a duplex property with visible debits including wood, tires, car parts, as well as a former pop-up shed frame.

MOVED by Councillor Karsten, seconded by Deputy Mayor Blackburn

**THAT the Appeals Standing Committee allow the appeal.**

**MOTION PUT AND DEFEATED** (Order of the Administrator upheld).

### **12.1.3 Case 336180 Property located at 63 Hamshaw Drive, Halifax**

The following was before the Standing Committee:

- A staff recommendation report dated November 22, 2019
- A staff presentation

The Committee confirmed that the property owner was not present to address the Committee.

Kim Northrop, Compliance Officer II, By-law Standards spoke before the Committee as to the state of the property and the history of compliance staff's involvement. Staff presented recent photos detailing a deemed derelict vehicle parked on a vacant lot with flat tires, an expired inspection sticker, and no licence plates which appeared to staff as currently being used as a habitable space. Staff confirmed that there had been no changes to the vehicle during the course of time staff was assigned case. Staff noted that area citizens note that police are aware of the vehicle and situation. In response to questions from Councillors regarding compliance measures, staff stated that covering the vehicle with a tarp would not be a sufficient remedy in this case. Tarping is only permitted as a temporary solution and to return the property to compliance the property owner would have to repair or remove the vehicle. Staff also confirmed for Councillors that there appeared to be an improperly installed electrical conduit and outlet, though staff did not observe this outlet being used by the vehicle.

MOVED by Councillor Karsten, seconded by Councillor Walker

**THAT the Appeals Standing Committee allow the appeal.**

**MOTION PUT AND DEFEATED** (Order of the Administrator upheld).

### **12.1.4 Case 335241 Property located at 202 Rankin Drive, Sackville**

The following was before the Standing Committee:

- A staff recommendation report dated December 5, 2019
- A staff presentation

The Committee confirmed that the property owner was not present to address the Committee.

Jonathan Wells, Compliance Officer II, By-law Standards spoke before the Committee as to the state of the property and the history of compliance staff's involvement. Staff presented recent photos detailing a disused and possibly broken grill on the rear side of the property adjacent to a walking trail behind Ranking Drive. The order relates to the grill. In response to questions from Councillors, staff confirmed

that they have personally spoken with the property owner during an inspection visit, but have not had contact during subsequent inspection visits. Staff confirmed that if the order were to be upheld, the compliance officer can return and give the property owner seven days to remove the grill before compliance efforts are sought at municipal expense.

MOVED by Councillor Karsten, seconded by Deputy Mayor Blackburn

**THAT the Appeals Standing Committee allow the appeal.**

**MOTION PUT AND DEFEATED** (Order of the Administrator upheld).

## **12.2 DANGEROUS OR UNSIGHTLY PREMISES: DEMOLITIONS**

### **12.2.1 Case 332757 Property located at 42 Fox Point Lane, Lawrencetown**

This item was deferred during the approval of the order of business and deleted from the agenda.

The following was before the Standing Committee:

- A staff recommendation report dated November 21, 2019

### **12.2.1 Case 330729 Property located at 9279 Highway 7, Head of Jeddore**

The following was before the Standing Committee:

- A staff recommendation report dated November 14, 2019
- A staff presentation

The Committee confirmed that the property owner was not present to address the Committee.

Doug Teeft, Compliance Officer II, By-law Standards spoke before the Committee as to the state of the structure and the history of compliance staff's involvement. Staff showed photographs showing issues with the structure including roof bending suggesting a compromised structure, insulation falling from the ceiling to the floor, and evidence of decay and rot. Staff noted that the building official who made the report was in attendance. Staff noted that it appeared to have been some time since the building has been occupied by a person. Staff have made several attempts to contact the property owner with no success. The listed phone number is no longer in service and staff received no reply to the posted order. Staff received a call from a public trustee of the living estate of Mr. Saulnier who stated the current owner has been found to be incompetent to manage finances as of 2016. In further discussion with the public trustee, the trustee has stated that they would like to remove the structure but request staff to provide a copy of the estimate for this work if it is to proceed.

MOVED by Deputy Mayor Blackburn, seconded by Councillor Walker

**THAT the Appeals Standing Committee find the property to be dangerous or unsightly as per section 3(q) of the Charter and as per section 356 of the Charter, orders demolition of the main dwelling, including but not limited to, the removal of all demolition debris, backfilling of any foundation or crawl space, and disconnecting any and all utility connections to the standard set by each respective utility service provider, so as to leave the property in a neat, tidy, environmentally compliant and safe condition within thirty (30) days after the Order is posted in a conspicuous place upon the property or personally served upon the owner. Otherwise, the Municipality will exercise its rights as set forth under Part XV (15) of the Charter.**

**MOTION PUT AND PASSED.**

## **12.3 TAXIS, ACCESSIBLE TAXIS AND LIMOUSINES: APPEALS – NONE**

## **12.4 STAFF**

**12.4.1 Approval of 2020 Appeals Standing Committee Meeting Schedule**

The following was before the Standing Committee:

- A staff recommendation report dated November 20, 2019

MOVED by Councillor Walker, seconded by Councillor Hendsbee

**THAT the Appeals Standing Committee approve the 2020 meeting schedule.**

**MOTION PUT AND PASSED.**

**13. MOTIONS – NONE**

**14. IN CAMERA (IN PRIVATE) – NONE**

**15. ADDED ITEMS**

**16. NOTICES OF MOTION**

**17. DATE OF NEXT MEETING** – January 9, 2020, 10:00 a.m. Council Chamber, 3rd Floor City Hall, 1841 Argyle Street, Halifax

**18. ADJOURNMENT**

The meeting adjourned at 10:59 a.m.

Simon Ross-Siegel  
Legislative Assistant