



**APPEALS STANDING COMMITTEE
MINUTES
March 10, 2022**

PRESENT: Councillor David Hendsbee, Chair
Councillor Becky Kent
Councillor Iona Stoddard

REGRETS: Deputy Mayor Pam Lovelace, Vice Chair
Councillor Patty Cuttell
Councillor Lisa Blackburn

STAFF: Tanya Phillips, Manager, By-law Services
Karen MacDonald, Senior Solicitor
Krista Vining, Acting Deputy Clerk

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.

The meeting was called to order at 10:03 a.m. The Standing Committee adjourned at 10:56 a.m.

1. CALL TO ORDER AND LAND ACKNOWLEDGEMENT

The Chair called the meeting to order at 10:03 a.m. and acknowledged that the meeting took place in the traditional and ancestral territory of the Mi'kmaq people, and that we are all treaty people.

2. APPROVAL OF MINUTES – December 8, 2021

MOVED by Councillor Stoddard, seconded by Councillor Kent

THAT the minutes of December 8, 2021 be approved as circulated.

MOTION PUT AND PASSED.

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

Additions: None

Deletions: None

Deferral to the April 14, 2022 meeting of Appeals Standing Committee:

- Item 12.1.1 Case 366041, Property located at 5659 Bloomfield Street, Halifax

MOVED by Councillor Kent, seconded by Councillor Stoddard

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

10.1 Correspondence

Correspondence was received and circulated for item 12.1.1.

For a detailed list of correspondence received refer to the specific agenda item.

10.2 Petitions – None

10.3 Presentation – None

11. INFORMATION ITEMS BROUGHT FORWARD – NONE

12. REPORTS

12.1 DANGEROUS OR UNSIGHTLY PREMISES: APPEALS

12.1.1 Case 366041, Property located at 5659 Bloomfield Street, Halifax

The following was before the Standing Committee:

- Staff recommendation report dated February 28, 2022

- Staff presentation dated March 10, 2022
- Correspondence from John Wright, Appellant

This matter was deferred during the approval of the Order of Business.

12.2 DANGEROUS OR UNSLIGHTLY PREMISES: DEMOLITIONS

12.2.1 Case 357111, Property located at 6558 Young Street, Halifax

The following was before the Standing Committee:

- Staff recommendation report dated February 28, 2022
- Staff presentation dated March 10, 2022

The Chair confirmed the property owner was in attendance.

Thomas Murdoch, Compliance Officer gave a presentation on Case 357111, showing photographs of the property taken March 6, 2022, and responded to questions of clarification from the Standing Committee.

Mike Downward, Puddingstone Inc. spoke to demolishing the structure and building a new structure in its place. Downward noted their permit application was under review and an updated site plan was submitted two weeks ago. They requested an extension of 45 days after the issuance of the permit to complete the work. Downward noted their intent to reuse lumber and repairing the structure if their permit application was denied.

Karen MacDonald, Senior Solicitor advised that the Committee is tasked to determine whether the structure is dangerous, noting the Committee options to approve the order, defeat staff's request to issue an order, or amend the compliance timeline of the order.

MOVED by Councillor Kent, seconded by Councillor Stoddard

THAT the Appeals Standing Committee finds 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 accessory structure 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.

Dave Brettell, Supervisor, Building Standards and Tanya Phillips, Manager of By-law responded to questions of clarification from the Standing Committee. Brettell requested the structure be secured to prevent access to the public. Downward confirmed the building was secure.

MOVED by Councillor Kent, seconded by Councillor Stoddard

THAT the Appeals Standing Committee amend the order to extend the compliance timeline to ninety (90) days.

MOTION TO AMEND PUT AND PASSED.

The motion before the Standing Committee now reads:

MOVED by Councillor Kent, seconded by Councillor Stoddard

THAT the Appeals Standing Committee finds 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

accessory structure 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 ninety (90) 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 AS AMENDED PUT AND PASSED.

12.2.2 Case 366129 and Case 366127, Property located at 30 West Petpeswick Road, Musquodoboit Harbour

The following was before the Standing Committee:

- Staff recommendation report dated February 28, 2022
- Staff presentation dated March 10, 2022

The Chair confirmed the property owner was not in attendance.

Trevor Oliver, Compliance Officer gave a presentation on Cases 366129 and 266127, showing photographs of the property taken March 6, 2022 and responded to questions of clarification from the Standing Committee. Oliver confirmed the property owner was contacted and made aware of the March 10, 2022 meeting. A copy of the February 28, 2022 staff report and March 10, 2022 staff presentation was provided to the bank and trustee, but the property owner denied acceptance of these documents.

MOVED by Councillor Kent, seconded by Councillor Stoddard

THAT the Appeals Standing Committee finds 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 and (3) accessory structures 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.

Tanya Phillips, Manager of By-law and Karen MacDonald, Senior Solicitor responded to questions of clarification from the Standing Committee.

MOTION PUT AND PASSED.

13. MOTIONS – NONE

14. IN CAMERA (IN PRIVATE) – NONE

15. ADDED ITEMS – NONE

16. NOTICES OF MOTION – NONE

17. DATE OF NEXT MEETING – April 14, 2022

18. ADJOURNMENT

The meeting adjourned at 10:56 a.m.

Krista Vining
Acting Deputy Clerk