



**APPEALS STANDING COMMITTEE  
MINUTES  
March 9, 2023**

PRESENT: Councillor David Hendsbee, Chair  
Councillor Iona Stoddard, Vice Chair  
Councillor Lisa Blackburn  
Councillor Cathy Deagle Gammon  
Councillor Trish Purdy  
Councillor Lindell Smith

OTHERS PRESENT: Councillor Tony Mancini

STAFF: Scott Hill, Supervisor, Regional Compliance  
Andrew Gough, 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](http://halifax.ca).*

*The meeting was called to order at 10:02 a.m., and adjourned at 11:19 a.m.*

**1. CALL TO ORDER AND LAND ACKNOWLEDGEMENT**

The Chair called the meeting to order at 10:02 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 – January 12, 2023**

MOVED by Councillor Blackburn, seconded by Councillor Stoddard

**THAT the minutes of January 12, 2023 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

A correction was noted to the title of Item 12.2.1 which should read: Case CF-2023-000417, 11 Cleary Drive, Eastern Passage, not Lake Loon.

MOVED by Councillor Purdy, seconded by Councillor Deagle Gammon

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

**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 – None**

**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 Cases 368588 and CF-2022-005974, 224 Waverley Road, Dartmouth**

The following was before the Standing Committee:

- Staff report dated February 24, 2023

The Chair confirmed the appellant was present.

Steven Levy, Compliance Officer II gave a presentation, showing photographs of the property taken March 8, 2023 and responded to questions of clarification from the Standing Committee. Levy confirmed no business was operating from the property, and the property owner was working on several personal and family vehicles.

Councillor Smith entered the meeting after the staff presentation had started and was unable to vote on the matter.

**John Carney, Appellant** spoke to ownership of the vehicles and not operating a business from the property. Carney spoke to their full-time employment, the state of the vehicles, and working to fix family members' vehicles and rebuild and repair personal vehicles as a hobby. Carney noted they had not received a complaint from neighbours until present and commented on their spouse's health which had limited their ability to work on the vehicles or remove vehicles and other debris from the property. Carney responded to questions of clarification from the Standing Committee on a plan to clean up the property, including a suggestion to erect a fence. Carney noted they had a pod container and friends to aid in clean up and removal of debris and vehicles. Carney asked for additional time to clean up the property, suggesting Spring 2023.

Krista Vining, Acting Deputy Clerk and Andrew Gough, Solicitor responded to questions of clarification from the Standing Committee.

MOVED by Councillor Deagle Gammon, seconded by Councillor Stoddard

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

**MOTION PUT AND DEFEATED.**

MOVED by Councillor Deagle Gammon, seconded by Councillor Blackburn

**THAT the Appeals Standing Committee amend the Orders to Remedy of January 26, 2023 for Cases 368588 and CF-2022-005974 to ninety (90) days.**

Scott Hill, Supervisor of Regional Compliance responded to questions of clarification from the Standing Committee.

As provided for in section 66 of Administrative Order One, the motion was withdrawn with consent of the Standing Committee.

MOVED by Councillor Blackburn, seconded by Councillor Purdy

**THAT the Appeals Standing Committee defer Item 12.1.1 Cases 368588 and CF-2022-005974, 224 Waverley Road, Dartmouth for 90 days.**

**MOTION TO DEFER PUT AND PASSED.**

Follow the meeting, Legal & Legislative Services determined the **motion to defer was out of order**. The property owner was notified that their appeal was denied and the conditions of the Orders to Remedy issued January 26, 2023 must be met by **June 8, 2023**.

**12.1.2 Case CF-2023-001344, 64 Alder Drive, Head of Jeddore**

The following was before the Standing Committee:

- Staff report dated February 23, 2023

The Chair confirmed the appellant, nor a representative were present.

Tristan Zinck, Compliance Officer II gave a presentation, showing photographs of the property taken March 5, 2023 and responded to questions of clarification from the Standing Committee. Zinck confirmed the property was zoned mixed use.

Councillor Hendsbee stepped down from the Chair and Councillor Stoddard assumed the Chair.

Councillor Hendsbee referenced to appellant's request for a 90-day extension, Attachment D of the staff report dated February 23, 2023, and asked that members to deny the appeal and amend the Order to Remedy issued February 1, 2023.

MOVED by Councillor Hendsbee, seconded by Councillor Purdy

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

**MOTION PUT AND DEFEATED.**

MOVED by Councillor Hendsbee, seconded by Councillor Blackburn

**THAT the Appeals Standing Committee amend the Order to Remedy of February 1, 2023 for Case CF-2023-001344 to sixty (60) days.**

**MOTION PUT AND PASSED.**

Councillor Hendsbee resumed the Chair.

**12.2 DANGEROUS OR UNSIGHTLY PREMISES: DEMOLITIONS  
12.2.1 Case CF-2023-000417, 11 Cleary Drive, Eastern Passage**

The following was before the Standing Committee:

- Staff report dated February 24, 2023
- Power of Attorney dated January 18, 2023

The Chair confirmed the property owner, nor a representative were present.

Vicki Aguinaga, Compliance Officer II gave a presentation, showing photographs of the property taken March 7, 2023 and responded to questions of clarification from the Standing Committee.

Dave Brettell, Supervisor, Building Standards and Andrew Gough, Solicitor responded to questions of clarification.

MOVED by Councillor Blackburn, seconded by Councillor Deagle Gammon

**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 and 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.**

Scott Hill, Supervisor, Regional Compliance responded to questions of clarification.

Aguinaga confirmed their discussion with the Power of Attorney for the property owner, who was not contesting the demolition order request and had expressed their intent not to attend the meeting.

**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 13, 2023**

**18. ADJOURNMENT**

The meeting adjourned at 11:19 a.m.

Krista Vining  
Acting Deputy Clerk