

**APPEALS STANDING COMMITTEE
SPECIAL MEETING
MINUTES
March 11, 2021**

PRESENT: Councillor David Hendsbee, Chair
Councillor Pam Lovelace, Vice Chair
Councillor Becky Kent
Councillor Patty Cuttell
Councillor Iona Stoddard
Councillor Lisa Blackburn

STAFF: Karen MacDonald, Senior Solicitor
Tanya Phillips, Manager, By-law Standards
Scott Hill, Supervisor, Regional Compliance
David Brettell, Supervisor, Building Standards
Thomas Murdoch, Compliance Officer, By-law Standards
Logan Hamilton, Compliance Officer, By-law Standards
Nick Irvine, Compliance Officer, By-law Standards
Haruka Aoyama, Legislative Assistant
Liam Power, Legislative Assistant

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

These minutes are subject to approval of the Appeals Standing Committee at a future 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., and recessed at 11:38 a.m. The Standing Committee reconvened in at 11:47 a.m. Council adjourned at 12:30 p.m.

1. CALL TO ORDER

The Chair called the special meeting to order at 10:03 a.m.

2. APPROVAL OF MINUTES – February 11, 2021

MOVED by Councillor Lovelace, seconded by Councillor Blackburn

THAT the minutes of February 11, 2021 be approved as circulated.

MOTION PUT AND PASSED.

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

MOVED by Councillor Kent, seconded by Councillor Lovelace

THAT the agenda be approved as circulated.

MOTION PUT AND PASSED.

4. CALL FOR DECLARATION OF CONFLICT OF INTERESTS – NONE

5. CONSIDERATION OF DEFERRED BUSINESS – NONE

6. CORRESPONDENCE, PETITIONS & DELEGATIONS

6.1 Correspondence

The Clerk noted that correspondence was received for item 7.1.2. This correspondence was circulated to the committee.

6.2 Petitions – NONE

7. REPORTS

7.1 DANGEROUS OR UNSIGHTLY PREMISES: APPEALS

7.1.1 Case 351480: Property located at 332 Beaver Bank Rd, Beaver Bank, NS

The following was before the Standing Committee:

- A staff recommendation report dated March 1, 2021

Nick Irvine, Compliance Officer, By-law Standards presented Case 351480: Property located at 332 Beaver Bank Rd, Beaver Bank, NS and showed photographs of the property taken March 2, 2021. Irvine answered questions from members of the Appeals Standing Committee.

Nick Irvine, Compliance Officer, By-law Standards, answered questions from the Standing Committee noting some effort had been made to clean up.

Karen Macdonald, Senior Solicitor, answered questions from the Standing Committee noting that previous cases cannot be taken into consideration when making a decision on the case before the Standing Committee.

Tanya Phillips, Manager, By-law Standards answered questions from the Standing Committee noting there were no permits issued to use the property as a salvage yard, and should the owner feel materials were valuable that they be stored properly.

The Standing Committee confirmed a representative for the property owner was in attendance, but documentation had not been submitted to the Clerk's Office to be registered as a representative.

MOVED by Councillor Blackburn, seconded by Councillor Lovelace

THAT the Appeals Standing Committee defer the case to the next regular meeting of the Appeals Standing Committee

MOTION PUT AND PASSED.

7.1.2 Case 353242: Property located at 94 Windship Lane, Duncans Cove, NS

The following was before the Standing Committee:

- A staff recommendation report dated February 26, 2021
Private and confidential correspondence from Shafik Jiwa

Logan Hamilton, Compliance Officer, By-law Standards presented Case 353242: Property located at 94 Windship Lane, Duncans Cove, NS, and showed photographs of the property taken March 4, 2021.

David Brettell, Supervisor, Building Standards, answered questions from the Standing Committee noting a permit to rebuild the deck was procured but the expired September 2020

The Standing Committee confirmed the property owner was in attendance.

Shafik Hassanali Jiwa, property owner, and Salma Jaffer explained the pandemic has prohibited travel from Alberta to Nova Scotia. Jiwa explained there were some issues with contractors, but they are not negligent and want to renovate the property. Jaffer explained they needed more time to rectify the issues. Jiwa noted their intention was to be in full compliance with the Municipality and industry standards.

The Chair noted should HRM repair the property the Municipality will only restore the property to become compliant with the building code. The owner may have a higher standard/ cosmetic wishes, but the Municipality does not entertain personal requests for materials, etc.

MOVED by Councillor Cuttall, seconded by Councillor Blackburn

THAT the Appeals Standing Committee allow the appeal.

MOTION PUT AND DEFEATED.

MOVED by Councillor Kent, seconded by Councillor Cuttall

THAT the meeting be extended for 30 minutes.

MOTION PUT AND PASSED.

MOVED by Councillor Cuttall, seconded by Councillor Blackburn

THAT the Appeals Standing Committee amend Order to Remedy issued February 11, 2021 for the property located at 94 Windship Lane, Duncans Cove, NS (Case 353242) to extend compliance period to 180 days starting March 11, 2021

MOTION PUT AND PASSED.

7.2 DANGEROUS OR UNSIGHTLY PREMISES: DEMOLITIONS

7.2.1 Case 350398: Property Located at 9 Nehalennia Way, Seaforth, NS

The following was before the Standing Committee:

- A staff recommendation report dated February 26, 2021

Thomas Murdoch, Compliance Officer, Buildings and Compliance presented Case 350398: Property Located at 9 Nehalennia Way, Seaforth, NS and showed photographs of the property taken March 2, 2021.

The Standing Committee confirmed the property owner was in attendance.

Jason Lunn, property owner, answered questions from the Standing Committee noting a contractor will tear the building down and that they are looking for a 90-day extension because contractor cannot currently access the property.

Scott Hill, Supervisor, Regional Compliance, answered questions from the Standing Committee noting there are currently restrictions around driving heavy equipment.

David Brettell, Supervisor, Building Standards, answered questions from the Standing Committee noting the building is not an immediate state of collapse.

MOVED by Councillor Kent, seconded by Councillor Cuttell

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 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 PUT AND PASSED.

Not present: Councillor Blackburn

8. DATE OF NEXT MEETING – April 8, 2021

9. ADJOURNMENT

The meeting adjourned at 12:30 a.m.

Liam Power
Legislative Assistant