



**APPEALS STANDING COMMITTEE
MINUTES
December 8, 2016**

PRESENT: Councillor Sam Austin
Councillor Steve Streach
Councillor David Hendsbee
Councillor Lisa Blackburn
Councillor Russell Walker, Vice Chair

REGRETS Councillor Steve Adams, Chair

STAFF: Mr. Randolph Kinghorne, Senior Solicitor
Ms. Tanya Phillips, Manager, By-law Standards
Ms. Krista Vining, Legislative Assistant

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

The agenda, supporting documents, and information items circulated to the Appeals Standing Committee are available online: <http://www.halifax.ca/boardscom/SCappeals/161208asc-agenda.php>

The meeting was called to order at 10:04 a.m. and adjourned at 10:32 a.m.

1. CALL TO ORDER

The Legislative Assistant called the meeting to order at 10:04 a.m. and noted regrets from Councillor Adams.

ELECTION OF CHAIR AND VICE CHAIR

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

MOVED by Councillor Walker, seconded by Councillor Hendsbee

THAT Councillor Steve Adams be nominated as Chair of the Appeals Standing Committee.

Councillor Walker noted he had been speaking with Councillor Adams who would accept a nomination of Chair of the Appeals Standing Committee.

MOTION PUT AND PASSED.

The Legislative Assistant called three times for any further nominations. There being none, Councillor Adams was declared Chair of the Appeals Standing Committee.

The Legislative Assistant called for nomination of Vice Chair of the Appeals Standing Committee.

MOVED by Councillor Hendsbee, seconded by Councillor Blackburn

THAT Councillor Russell Walker be nominated as Vice Chair of the Appeals Standing Committee.

MOTION PUT AND PASSED.

The Legislative Assistant called three times for any further nominations. There being none, Councillor Walker was declared Vice Chair of the Appeals Standing Committee.

Councillor Walker as Vice Chair assumed the Chair at this time.

2. APPROVAL OF MINUTES – October 6, 2016

MOVED by Councillor Hendsbee, seconded by Councillor Blackburn

THAT the minutes of October 6, 2016 be approved as circulated.

MOTION PUT AND PASSED.

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

Deletions:

8.1 Request for Reconsideration: Case 274641, 273 Beaver Bank Road, Beaver Bank (property in compliance, case closed)

8.2 Case 277758, 331 Beaver Bank Road, Beaver Bank (property in compliance, case closed)

12.3.1 Driver Application Refusal – Mr. Shahab Madadi (Mr. Madadi has reconsidered the Licensing Authority's proposal to re-apply in June 2017 and withdrew his appeal)

Councillor Streach asked that Item 12.4.1 be addressed following Item 12.1, to which the Standing Committee agreed.

MOVED by Councillor Hendsbee, seconded by Councillor Austin

THAT the agenda be approved as amended.

Two-third majority vote required.

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 – October 6, 2016**

8.1 **Request for Reconsideration: Case 274641, 273 Beaver Bank Road, Beaver Bank**

This matter was deleted during the approval of the agenda. See pages 2 and 3.

8.2 **Case 277758, 331 Beaver Bank Road, Beaver Bank**

This matter was deleted during the approval of the agenda. See pages 2 and 3.

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

10. **CORRESPONDENCE, PETITIONS & DELEGATIONS**

10.1 **Correspondence**

The Legislative Assistant noted that correspondence was received for item 12.2.1. This correspondence was circulated to the Standing Committee.

10.2 **Petitions – None**

Item 12.4.1 was addressed at this time.

12.4.1 **Appointment to the Executive Standing Committee**

The following was before the Standing Committee:

- A staff motion memo to appoint a representative from Appeals to the Executive Standing Committee

MOVED by Councillor Streach, seconded by Councillor Hendsbee

THAT the Appeals Standing Committee appoint Councillor Russell Walker to the Executive Standing committee for a term to November, 2018.

MOTION PUT AND PASSED.

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

12.1 DANGEROUS OR UNSIGHTLY PREMISES: APPEALS – NONE

12.2 DANGEROUS OR UNSIGHTLY PREMISES: DEMOLITIONS

12.2.1 Case 270026, 1182 Susan Drive, Beaver Bank

The following was before the Standing Committee:

- A staff recommendation report dated November 22, 2016
- Correspondence from Heather Scott, President and Property Manager, Westphal Court Ltd. dated December 5, 2016

The Chair confirmed that the property owner was not in attendance.

Mr. Henry Boutilier, Compliance Officer gave a brief presentation providing background for the case and showed pictures of the property taken December 5, 2016.

In response to questions raised, Mr. Boutilier confirmed the mobile home was vacant and commented on his discussions with the property manager of the mobile home park and the registered listed homeowner. Mr. Boutilier explained that there was no record of the mobile home having been sold as indicated by the homeowner. Ms. Tanya Phillips, Manager, By-law Standards referred the correspondence from Ms. Scott explaining that Westphal Court Ltd. would prefer to undertake the demolition of the building, rather than the Municipality completing the work.

MOVED by Councillor Austin, seconded by Councillor Hendsbee

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 building, 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 owner. Otherwise, the Municipality will exercise its rights as set forth under Part XV (15) of the Charter.

MOTION PUT AND PASSED.

12.2.2 Case 282275, 58 Alps Road, Porters Lake

The following was before the Standing Committee:

- A staff recommendation report dated November 15, 2016

The Chair confirmed that the property owner was not in attendance.

Mr. John Chant, Compliance Officer gave a brief presentation providing background for the case and showed pictures of the property taken December 6, 2016. He noted that the building official was present if the Standing Committee had any questions.

In response to questions raised, Mr. Chant commented on his discussions with the property owner who was in Ontario. Councillor Hendsbee noted that Jack Innes of Pressé Mason was the Recognized Agent for 3056758 NS Ltd. and how he had sent Mr. Innes a copy of the November 15, 2016 staff report. Mr. Chant was unable to confirm if the property taxes were up to date.

MOVED by Councillor Hendsbee, seconded by Councillor Streach

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 building, 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 owner. Otherwise, the Municipality will exercise its rights as set forth under Part XV (15) of the Charter.

Mr. Chant provided additional clarification respecting his communication with the property owner and how he had been in contact with Mr. Innes and had delivered a copy of the November 15, 2016 staff report to the address listed at the Nova Scotia Registry of Joint Stocks.

MOTION PUT AND PASSED.

12.3 TAXIS, ACCESSIBLE TAXIS AND LIMOUSINES: APPEALS

12.3.1 Driver Application Refusal – Mr. Shahab Madadi

This matter was deleted during the approval of the agenda, see pages 2 and 3.

12.4 STAFF

12.4.1 Appointment to the Executive Standing Committee

This matter was addressed earlier in the meeting, see page 3.

12.4.2 Approval of Proposed 2017 Meeting Schedule

The following was before the Standing Committee:

- Proposed 2017 Appeals Standing Committee meeting schedule

Members asked that the May 11, 2017 meeting be rescheduled to May 4, 2017 to accommodate the Union of Nova Scotia Municipalities (UNSM) workshop.

MOVED by Councillor Hendsbee, seconded by Councillor Blackburn

THAT the Appeals Standing Committee approved the proposed 2017 meeting schedule as amended.

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 – January 12, 2017 10:00 a.m., Council Chambers, 3rd Floor, City Hall, 1841 Argyle Street

18. ADJOURNMENT

The meeting adjourned at 10:32 a.m.

Krista Vining

**Appeals Standing Committee Minutes
December 8, 2016**

Legislative Assistant