



**APPEALS STANDING COMMITTEE
MINUTES
April 12, 2018**

PRESENT: Councillor Steve Adams, Chair
Councillor Sam Austin
Councillor David Hendsbee
Councillor Steve Streach
Councillor Lisa Blackburn

REGRETS: Councillor Russell Walker, Vice Chair

STAFF: Karen MacDonald, Senior Solicitor
Tanya Phillips, Manager, By-law Standards
David Perusse, 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.

The meeting was called to order at 10:02 a.m. and adjourned at 11:27 a.m.

1. CALL TO ORDER

The Chair called the meeting to order at 10:02 a.m.

2. APPROVAL OF MINUTES – December 14, 2017

MOVED by Councillor Blackburn, seconded by Councillor Austin

THAT the minutes of December 14, 2017 be approved as circulated.

MOTION PUT AND PASSED.

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

MOVED by Councillor Hendsbee, seconded by Councillor Streach

THAT the agenda be approved as circulated.

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**

11. INFORMATION ITEMS BROUGHT FORWARD – NONE

12. REPORTS

12.1 DANGEROUS OR UNSIGHTLY PREMISES: APPEALS

12.1.1 Cases 306139, 306140 and 305788 Property located at 6491 Highway 7, Gatez Brook

The following was before the Standing Committee:

- A staff recommendation report dated March 20, 2018

The Chair confirmed that the Appellant was in attendance.

Trevor Oliver, Compliance Officer, By-law Standards, introduced the matter before the Standing Committee, showing photographs of the property taken April 10, 2018. The Compliance Officer noted that there are multiple run-down vehicles on the property, as well as a derelict shed and assorted debris. They further noted that there have been twelve (12) dangerous or unsightly cases at the property dating back to 2006. The Compliance Officer expressed the view that the Appellant appears to be operating a salvage yard on the property, further noting that municipal records on the property indicate that there is no permit for a salvage business.

Carleton MacClean, the Appellant, spoke to the Standing Committee about the condition of the property. They noted that personal health issues have made remedying the situation difficult, particularly in the winter months. They stated that many of the vehicles on the property are in driving condition, and many

belong to their grandchildren. They further noted that they have been unable to get a crusher to the property due to the current state of the roads.

Members of the Standing Committee asked the Appellant how much time they would need to remedy the issues with the derelict vehicles.

MOVED by Councillor Hendsbee, seconded by Councillor Streach

THAT the Appeals Standing Committee defer the appeal of Case 305788 – 6491 Highway 7, Gatez Brook, to the August 9, 2018 meeting of the Appeals Standing Committee.

MOTION PUT AND PASSED.

The Standing Committee turned to consideration of Case 306139.

MOVED by Councillor Hendsbee, seconded by Councillor Streach

THAT the Appeals Standing Committee defer the appeal of Case 306139 – 6491 Highway 7, Gatez Brook, to the August 9, 2018 meeting of the Appeals Standing Committee.

MOTION PUT AND PASSED.

The Standing Committee turned to consideration of Case 306140.

MOVED by Councillor Hendsbee, seconded by Councillor Streach

THAT the Appeals Standing Committee defer the appeal of Case 306140 – 6491 Highway 7, Gatez Brook, to the August 9, 2018 meeting of the Appeals Standing Committee.

MOTION PUT AND PASSED.

12.2 DANGEROUS OR UNSIGHTLY PREMISES: DEMOLITIONS

12.2.1 Case 305184 Property located at 209 Scotts Point Road, East Dover

The following was before the Standing Committee:

- A staff recommendation report dated March 20, 2018

The Chair confirmed that the property owner was in attendance.

Kory O'Neill, Compliance Officer, By-law Standards, introduced the matter before the Standing Committee, showing photographs of the property taken April 10, 2018. The Compliance Officer noted that there have been four (4) previous dangerous and unsightly cases at the property.

Phyllis Zinck, the property owner, and her brother, Lee Zinck, spoke to the Standing Committee about condition of the structure and its history. They noted that there has not been a wharf on the property for ten (10) years, contrary to what was set out in the staff report. They expressed the view that the structure is not an immediate danger, and their plan is to have it restored to bring it into compliance. The property owner also noted that they have taken initial steps to apply for a heritage designation for the property.

Members of the Standing Committee noted that a heritage designation can potentially make restoration much more difficult and expensive. They further noted that if they defer the matter, they expect to see substantial steps being taken to bring the structure into compliance by the time the matter returns to the Standing Committee.

MOVED by Councillor Streach, seconded by Councillor Blackburn

THAT the Appeals Standing Committee defer consideration of Case 305184 – 209 Scotts Point Road, East Dover, to the August 9, 2018 meeting of the Appeals Standing Committee.

MOTION PUT AND PASSED.

12.2.2 Case 303697 Property located at 110 Montague Road, Lake Loon

The following was before the Standing Committee:

- A staff recommendation report dated March 22, 2018

The Chair confirmed that the property owner was in attendance.

Carrie Butler, Compliance Officer, By-law Standards, introduced the matter before the Standing Committee, showing photographs of the property taken April 5, 2018. They noted that the staff recommendation is that the structure not be repaired.

Joseph Chisholm, property owner, spoke to the Standing Committee, stating that they agreed that the structure had to come down due to its condition. They noted that it is difficult for them to remove the structure during the winter months, and requested that they be given additional time to complete the demolition during warmer months.

Responding to questions from members of the Standing Committee, the property owner stated that they should be able to complete the job within forty-five (45) days.

MOVED by Councillor Austin, seconded by Councillor Blackburn

THAT the 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 forty-five (45) 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.

12.2.3 Case 296569 Property located at 63 Pinecrest Drive, Dartmouth

The following was before the Standing Committee:

- A staff recommendation report dated March 22, 2018

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

Kory O'Neill, Compliance Officer, By-law Standards, introduced the matter before the Standing Committee, showing photographs of the property taken April 10, 2018. They noted the proximity of the structure to a neighbouring apartment complex, and further noted that the current condition of the property was a result of significant weather damage.

MOVED by Councillor Hendsbee, seconded by Councillor Streach

THAT the 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

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

The next meeting of the Appeals Standing Committee is scheduled for May 3, 2018, beginning at 10:00 a.m. Council Chamber, 3rd Floor City Hall, 1841 Argyle Street, Halifax.

19. ADJOURNMENT

The meeting adjourned at 11:27 a.m.

David Perusse
Legislative Assistant