



**APPEALS STANDING COMMITTEE
MINUTES
November 1, 2018**

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

REGRETS: Councillor Steve Adams, Chair
Councillor Steve Streach

STAFF: Karen MacDonald, Senior Solicitor
Tanya Phillips, Manager, By-law Standards
Phoebe Rai, Legislative Assistant

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

The agenda, reports, supporting documents, and information items circulated are online at halifax.ca.

The meeting was called to order at 10:00 a.m. and adjourned at 10:36 a.m.

1. CALL TO ORDER

The Vice-Chair called the meeting to order at 10:00 a.m. in Halifax Hall, 2nd Floor City Hall, 1841 Argyle Street, Halifax.

2. APPROVAL OF MINUTES – October 11, 2018

MOVED by Councillor Blackburn, seconded by Councillor Hendsbee

THAT the minutes of October 11, 2018 be approved as circulated.

MOTION PUT AND PASSED.

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

Deletions:

Item 12.1.1 Case 317719 Property located at PID 41190125, Devonshire Avenue, Halifax (closed – owner compliance)

Item 8.1.1 Case 311387, Property located at 20 Millside Drive, Porter's Lake (Case 311387 closed – owner compliance; Case 311451 remains on the agenda)

MOVED by Councillor Hendsbee, seconded by Councillor Blackburn

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

8.1.1 Cases 311387 and 311451, Property located at 20 Millside Drive, Porter's Lake – Supplementary Report

The following was before the Standing Committee:

- A staff supplementary recommendation report dated October 23, 2018
- An extract of Appeals Standing Committee minutes from August 2, 2018
- Correspondence from Crystal Crawley dated October 31, 2018

Case 311387 was deleted from the agenda during the approval of the order of business. The appellant was not in attendance.

Jessica Côté, Compliance Officer presented Case 311451, property located at 20 Millside Drive, Porter's Lake. Côté noted that the order is related to debris and the property owner has made a financial commitment to have it removed before the end of the week.

MOVED by Councillor Austin, seconded by Councillor Blackburn

THAT the Appeals Standing Committee allow the appeal of Case 311451, Property located at 20 Millside Drive, Porter's Lake.

A brief discussion ensued with members speaking against the motion in favour of a deferral or an extension of the timeline of the Order to Remedy. It was noted that if the appeal was defeated, the property owner would be given seven (7) days to comply unless the Order to Remedy was amended.

MOTION PUT AND DEFEATED.

MOVED by Councillor Austin, seconded by Councillor Blackburn

THAT the Appeals Standing Committee amend the Order to Remedy issued June 28, 2018 for the property located at 20 Millside Drive, Porter's Lake (Case 311451) to 30 days.

MOTION PUT AND PASSED.

8.1.2 Case 315875 Property located at 12 Forest Road, Dartmouth

The following was before the Standing Committee:

- A staff recommendation report dated September 26, 2018
- A draft extract of Appeals Standing Committee minutes from October 11, 2018

The representative for the appellant was not in attendance due to a family emergency.

MOVED by Councillor Austin, seconded by Councillor Blackburn

THAT the Appeals Standing Committee to defer Case 315875, property located at 12 Forest Road, Dartmouth, to the next meeting scheduled for December 13, 2018.

MOTION PUT AND PASSED.

9. NOTICES OF TABLED MATTERS – NONE

10. CORRESPONDENCE, PETITIONS & DELEGATIONS

10.1 Correspondence

The Legislative Assistant noted that correspondence was received for item 8.1.1 and circulated to all members of the Committee.

10.2 Petitions - None

11. INFORMATION ITEMS BROUGHT FORWARD – NONE

12. REPORTS

12.1 DANGEROUS OR UNSIGHTLY PREMISES: APPEALS

12.1.1 Case 317719 Property located at PID 41190125, Devonshire Avenue, Halifax

The following was before the Standing Committee:

- A staff recommendation report dated October 23, 2018

Case 317719 was deleted from the agenda during the approval of the order of business.

12.2 DANGEROUS OR UNSIGHTLY PREMISES: DEMOLITIONS

12.2.1 Case 316157 Property located at 801 Pleasant Valley Road, Pleasant Valley

The following was before the Standing Committee:

- A staff recommendation report dated October 24, 2018

The property owners were in attendance.

Jonathan Wells, Compliance Officer II provided the presentation regarding Case 316157, property located at 801 Pleasant Valley Road, Pleasant Valley.

Linda Banks and Leo Barkhouse, property owners advised that there had been a considerable amount of work done to the property since they acquired it; however, they had faced financial and medical challenges in completing the required renovations. Banks noted that they had problems with trespassers destroying their property, and a well they had constructed went dry shortly afterward, which led to their decision to vacate the property.

MOVED by Councillor Blackburn, seconded by Councillor Austin

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 dwelling and 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.

12.3 STAFF

12.3.1 Proposed 2019 Appeals Meeting Schedule

The following was before the Standing Committee:

- A staff recommendation report dated October 22, 2018

MOVED by Councillor Blackburn, seconded by Councillor Hendsbee

THAT the Appeals Standing Committee approve the proposed 2019 meeting schedule as outlined in Attachment 1 to the staff report dated October 22, 2018.

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 – December 6, 2018, 10:00 a.m. **Halifax Hall**, 2nd Floor City Hall, 1841 Argyle Street, Halifax (*please note room change*)

18. ADJOURNMENT

The meeting adjourned at 10:36 a.m.

Phoebe Rai
Legislative Assistant