



**APPEALS STANDING COMMITTEE
SPECIAL MEETING
MINUTES
July 8, 2021**

PRESENT: Councillor David Hendsbee, Chair
Councillor Pam Lovelace, Vice Chair
Councillor Patty Cuttell
Councillor Lisa Blackburn

REGRETS: Councillor Becky Kent
Councillor Iona Stoddard

STAFF: Karen MacDonald, Senior Solicitor
Tanya Phillips, Manager, By-law Standards
Krista Vining, 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 11:51 a.m.

1. CALL TO ORDER

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

2. APPROVAL OF MINUTES – June 10, 2021

MOVED by Councillor Blackburn, seconded by Councillor Cuttell

THAT the minutes of June 10, 2021 be approved as circulated.

MOTION PUT AND PASSED.

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

Additions: None

MOVED by Councillor Blackburn, seconded by Councillor Cuttell

THAT the agenda be approved as presented.

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

Correspondence was received and circulated for item 7.1.2.

For a detailed list of correspondence received refer to the special agenda item.

6.2 Petitions – None

7. REPORTS

7.1 DANGEROUS OR UNSIGHTLY PREMISES: DEMOLITIONS

7.1.1 Case 340499: 954 North Preston Road, North Preston

The following was before the Standing Committee:

- Staff supplementary recommendation report dated June 24, 2021
- Staff presentation dated July 8, 2021

The Chair confirmed the property owner was in attendance.

Steve Boutilier, Compliance Officer II, By-law Standards presented Case 340499, property located at 945 North Preston Road, North Preston and showed photographs of the property taken June 23, 2021 and February 11, 2020.

Elsion Smith, Property Owner spoke to the building's history, confirming most of the building had been demolished and how they were trying to salvage the remaining portion of the building. Smith responded to questions on the repairs and debris and asked for a six-month extension, the time left on their permit, to complete the work.

David Brettell, Supervisor, Building Standards, confirmed Elson Smith's permit would expire February 2022.

MOVED by Councillor Lovelace, seconded by Councillor Blackburn

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 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.

MOVED by Councillor Lovelace, seconded by Councillor Cuttell

THAT the compliance timeline be amended to sixty (60) days.

MOTION TO AMEND PUT AND PASSED.

The motion now read:

MOVED by Councillor Lovelace, seconded by Councillor Blackburn

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 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 sixty (60) 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 AS AMENDED PUT AND PASSED.

7.1.2 Case 348848: 32 Quartz Drive, Halifax

The following was before the Standing Committee:

- Staff recommendation report dated June 24, 2021
- Staff presentation dated July 8, 2021
- Correspondence from Anne Peltekian, Sara Skentelbery, Nicole Snook, René Peltekian, Oyetunji

The Chair confirmed the property owners were in attendance.

Kevin Berrigan, Compliance Officer II, By-law Standards presented Case 348848: 32 Quartz Drive, Halifax, showed photographs of the property taken June 9, 2021 and responded to questions.

Abbas Yousefi, Assistant Building Official, Buildings Standards, was unable to confirm the extent of interior damage or the cost to repair.

Scott Hill, Supervisor, Regional Compliance, Building and Standards, confirmed that staff had corresponded with police September 10, 2020 of HRM's intent and police had no concern.

Karen MacDonald, Senior Solicitor advised that the Committee's responsibility was to determine if the property was dangerous and or unsightly based on the information before them.

Tyler McMahon, Property Owner spoke to their attempts to contact their insurance company and bank and the matter being under RCMP investigation.

Lauren Cleveland, Property Owner explained that they had not lived at the property since October 2019, but their name was still on the mortgage. Cleveland spoke to their conversations with their insurance company and bank in November 2020. Cleveland noted they were waiting to hear back from the bank's lawyer to determine what action would be taken and if the cost of repairs would be covered, before moving forward with the demolition.

In response to questions raised Cleveland was unable to confirm if the mortgage was being paid. McMahon confirmed that property taxes were not being paid and the property was not secured.

MOVED by Councillor Cuttall, seconded by Councillor Blackburn

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 dwelling 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.

Consideration was given on whether HRM staff should enter the dwelling to examine the interior. Members expressed concern with the property not being secure and risk to neighbouring properties and recognized that the property being vacant for the last year.

MOTION PUT AND PASSED.

Staff noted that as a courtesy they would notify the bank of the Committee's decision.

7.1.3 Case: 356101 and 356133, 2055 Beech Street, Halifax

The following was before the Standing Committee:

- Staff recommendation report dated June 24, 2021
- Staff presentation dated July 8, 2021

The Chair confirmed the property owner was in attendance.

Vicki Pelley, Compliance Officer II, By-law Standards presented Cases 356101 and 356133, 2055 Beech Street, Halifax, showed photographs of the property taken June 24, 2021 and responded to questions.

Douglas McCann, Property Owner spoke to hiring a contractor to complete the demolition of the structures, challenges they had with the permit application and awaiting confirmation from the Municipality, and their plans for the property once the demolition was complete.

Jeffrey Graham, Assistant Building Official, Building Standards confirmed Douglas McCann's permit application was under review by Building Standards but estimated it would be issued within 60 days.

David Brettell, Supervisor, Building Standards, confirmed the Municipality would require a permit to complete the demolition work.

MOVED by Councillor Blackburn, seconded by Councillor Lovelace

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 addition to the main structure and 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.

MOVED by Councillor Lovelace, seconded by Councillor Blackburn

THAT the compliance timeline be amended to sixty (60) days.

MOTION TO AMEND PUT AND PASSED.

The motion now read:

MOVED by Councillor Blackburn, seconded by Councillor Lovelace

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 addition to the main structure and 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 sixty (60) 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 AS AMENDED PUT AND PASSED.

8. DATE OF NEXT MEETING – August 12, 2021

9. ADJOURNMENT

The meeting adjourned at 11:51 a.m.

Krista Vining
Legislative Assistant