



APPEALS STANDING COMMITTEE
April 14, 2022

PRESENT: Councillor David Hendsbee, Chair
Councillor Patty Cuttell
Councillor Lisa Blackburn
Councillor Iona Stoddard

REGRETS: Deputy Mayor Pam Lovelace, Vice Chair
Councillor Becky Kent

OTHERS PRESENT: Councillor Trish Purdy

STAFF: Karen MacDonald, Senior Solicitor
Tanya Phillips, Manager, By-Law Services
Krista Vining, Acting Deputy Clerk
Eric Bowdridge, 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 10:01 a.m. The Standing Committee adjourned at 11:13 a.m.

1. CALL TO ORDER AND LAND ACKNOWLEDGEMENT

The Chair called the meeting to order at 10:01 a.m. and acknowledged that the meeting took place in the traditional and ancestral territory of the Mi'kmaq people, and that we are all treaty people.

2. APPROVAL OF MINUTES – March 10, 2022

MOVED by Councillor Stoddard, seconded by Councillor Blackburn

THAT the minutes of March 10, 2022 be approved as circulated.

MOTION PUT AND PASSED.

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

Additions: None

Deletions:

- Item 12.1.2 Case 366909, Property located at 10720 Peggys Cove Road, Glen Margaret

MOVED by Councillor Stoddard, 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 – March 10, 2022

8.1 Case 366041, Property located at 5659 Bloomfield Street, Halifax

The following was before the Standing Committee:

- Staff recommendation report dated April 4, 2022
- Staff presentation dated April 13, 2022
- Correspondence from John Wright

The Chair confirmed the appellant was not in attendance.

Roody Mitri, Compliance Officer gave a presentation on Case 366041, showing photographs of the property taken April 7, 2022 and responses to questions of clarification from the Standing Committee.

Krista Vining, Acting Deputy Clerk, and Karen MacDonald, Senior Solicitor responded to questions of clarification from the Standing Committee.

MOVED by Councillor Blackburn, seconded by Councillor Stoddard

THAT the Appeals Standing Committee finds, in accordance with Section 58 of Administrative Order One, the motion before the Standing Committee is to allow the appeal.

MOTION PUT AND DEFEATED.

Order to Remedy dated January 5, 2022 was upheld.

9. NOTICES OF TABLED MATTERS – NONE

10. CORRESPONDENCE, PETITIONS & DELEGATIONS

10.1 Correspondence

The Clerk noted that correspondence was received and circulated for item 8.1 and 12.1.2.

10.2 Petitions - None

10.3 Presentations - None

11. INFORMATION ITEMS BROUGHT FORWARD – NONE

12. REPORTS

12.1 DANGEROUS OR UNSIGHTLY PREMISES: APPEALS

12.1.1 Case 358785 and Case 366307, Property located at 923 Highway 7, Westphal

The following was before the Standing Committee:

- Staff recommendation report dated March 31, 2022
- Staff presentation dated April 13, 2022

The Chair confirmed the appellant was in attendance.

Steven Levy, Compliance Officer II gave a presentation on Case 358785 and Case 366307, showing photographs of the property taken April 13, 2022 and responded to questions from the Standing Committee.

Edgard Hoyeck, representing Medco Properties Inc., Appellant spoke to vandalism, police activity, prior compliance and the difficulty to repair, and responded to questions from the Standing Committee.

Tanya Phillips, Manager of By-law and Karen MacDonald, Senior Solicitor responded to questions of clarification from the Standing Committee and Edgard Hoyeck.

As provided for in section 90 of Administrative Order One, the motion was separated for voting purposes.

MOVED by Councillor Blackburn, seconded by Councillor Cuttell

THAT the Appeals Standing Committee allow the appeal.

MOTION PUT AND DEFEATED.

MOVED by Councillor Blackburn, seconded by Councillor Cuttell

THAT the Appeals Standing Committee amend the Order to Remedy dated December 16, 2021 for Case 35785 to extend the compliance timeline to one-hundred and twenty (120) days.

Councillor Cuttell proposed to extend the compliance timeline to ninety (90) days. As provided for in section 53 (2) of Administrative Order One, Respecting the Procedures of the Council, the amendment was accepted as friendly.

The motion now read:

MOVED by Councillor Blackburn, seconded by Councillor Cuttell

THAT the Appeals Standing Committee amend the Order to Remedy dated December 16, 2021 for Case 35785 to extend the compliance timeline to ninety (90) days.

MOTION PUT AND PASSED.

MOVED by Councillor Blackburn, seconded by Councillor Cuttell

THAT the Appeals Standing Committee allow the appeal.

MOTION PUT AND DEFEATED.

Order to Remedy dated December 16, 2021 for Case 366307 upheld.

12.2 DANGEROUS OR UNSIGHTLY PREMISES: DEMOLITIONS

12.2.1 Case 368412, Property located at 39 Gold Mine Road, Tangier

The following was before the Standing Committee:

- Staff recommendation report dated March 31, 2022
- Staff presentation dated April 13, 2022

The Chair confirmed the property owner was in attendance.

Peter Popperl, Compliance Officer II gave an overview of Case 368412, showing photographs of the property taken April 12, 2022 and responded to questions from the Standing Committee.

Daniel MacDonald, Property Owner spoke in support of demolishing the main structure and requested additional time to complete the work. MacDonald responded to questions from the Appeals Standing Committee.

Karen MacDonald, Senior Solicitor responded to questions of clarification from the Standing Committee.

MOVED by Councillor Cuttell, seconded by Councillor Blackburn

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 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 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 Cuttell, seconded by Councillor Blackburn

THAT the Appeals Standing Committee amend the Demolition Order to extend the compliance timeline to ninety (90) days.

MOTION TO AMEND PUT AND PASSED.

The motion now read:

MOVED by Councillor Cuttell, seconded by Councillor Blackburn

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 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 AS AMENDED 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 – May 12, 2022

18. ADJOURNMENT

The meeting adjourned at 11:13 a.m.

Eric Bowdridge
Legislative Assistant