



**APPEALS STANDING COMMITTEE
MINUTES
July 11, 2024**

PRESENT: Councillor David Hendsbee, Chair
Deputy Mayor Cathy Deagle Gammon
Councillor Trish Purdy
Councillor Lindell Smith
Councillor Lisa Blackburn

REGRETS: Councillor Iona Stoddard, Vice Chair

STAFF: Tanya Phillips, Manager, By-law Standards
Karen MacDonald, Solicitor
Andrea Lovasi-Wood, 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 10:04 a.m., the Standing Committee adjourned at 10:40 a.m.

1. CALL TO ORDER AND LAND ACKNOWLEDGEMENT

The Chair called the meeting to order at 10:04 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 – June 13, 2024

MOVED by Deputy Mayor Deagle Gammon, seconded by Councillor Blackburn

THAT the minutes of June 13, 2024 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 – 12.1.3 Case CF-2024-006381, 5468 and 5470 Young Street, Halifax

MOVED by Councillor Smith, seconded by Deputy Mayor Deagle Gammon

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 – NONE

9. NOTICES OF TABLED MATTERS – NONE

10. CORRESPONDENCE, PETITIONS & DELEGATIONS

10.1 Correspondence

Correspondence was received and circulated for items: 12.1.1, 12.1.2, 12.1.4 and 12.2.1.

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

10.2 Petitions – None

10.3 Presentation – None

11. INFORMATION ITEMS BROUGHT FORWARD – NONE

12. REPORTS

12.1 DANGEROUS OR UNSIGHTLY PREMISES: APPEALS

12.1.1 Case CF-2024-012468, 213 Fraser Road, Williamswood

The following was before the Standing Committee:

- Staff report dated July 3, 2024
- Correspondence from Natasha Dawson

The Chair confirmed the appellant, nor a representative was not present.

Andrea Lovasi-Wood, Legislative Assistant informed the Standing Committee that the appellant for Item 12.1.1 Case CF-2024-012468, 213 Fraser Road, Williamswood and Item 12.1.2 Case CF-2024-012470, 215 Fraser Road, Williamswood had emailed them regarding a last minute scheduling conflict that prevented them from attending the meeting and that the appellant had requested both appeal hearings be rescheduled.

Karen MacDonald, Solicitor spoke to the Standing Committee's options regarding the appellant's request. The Standing Committee could proceed with the appeal hearings and make a decision, they could defer each matter to the Standing Committee's September meeting, with the deferral decision made prior to receipt of staff's presentations, or they could receive staff's presentations prior to consideration of a deferral which would require new staff reports to be prepared when each matter returned to the Standing Committee. MacDonald confirmed that the Standing Committee could ask staff whether the properties were in a state of disrepair that posed a risk of imminent danger.

Lovasi-Wood and MacDonald responded to questions of clarification from the Standing Committee.

Ryan MacNeil, Compliance Officer II responded to questions of clarification from the Standing Committee and confirmed that the debris and derelict vehicles on the properties were more in the unsightly category and did not pose a risk of imminent danger.

MOVED by Councillor Smith, seconded by Councillor Blackburn

THAT Item 12.1.1 - Case CF-2024-012468, 213 Fraser Road, Williamswood be deferred to the September 5, 2024 meeting of Appeals Standing Committee.

MOTION TO DEFER PUT AND PASSED.

12.1.2 Case CF-2024-012470, 215 Fraser Road, Williamswood

The following was before the Standing Committee:

- Staff report dated July 3, 2024
- Correspondence from Natasha Dawson

The Chair confirmed the appellant, nor a representative was not present.

MOVED by Councillor Smith, seconded by Councillor Blackburn

THAT Item 12.1.2 - Case CF-2024-012470, 215 Fraser Road, Williamswood be deferred to the September 5, 2024 meeting of Appeals Standing Committee.

MOTION TO DEFER PUT AND PASSED.

12.1.4 Case CF-2024-010560, 607 Mushaboom Road, Mushaboom

The following was before the Standing Committee:

- Staff report dated June 28, 2024
- Correspondence from V. Elizabeth Publicover
- Staff presentation dated July 11, 2024

The Chair confirmed the appellant was present.

Peter Popperl, Compliance Officer II gave a presentation, showing photographs of the property taken July 8, 2024 and responded to questions of clarification from the Standing Committee. Popperl confirmed there was an installed electrical service to the property's dwelling and that three of the debris piles were visible from the road.

Verna Elizabeth Publicover, appellant explained that the debris on the property was left behind by a previous tenant who was the subject of a Residential Tenancy Board order to remove the debris when they vacated the property by the end of January 2024. Publicover spoke to their plans to remove the debris from the property during the months of July and August, including engagement with a junk remover and assistance from family members. Publicover responded to questions of clarification from the Standing Committee. They confirmed there was no tenant currently residing on the property and requested that they be provided until the end of September to clean up the property. Publicover spoke to their plans to eventually demolish the building and sell the property.

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

MOVED by Councillor Blackburn, seconded by Deputy Mayor Deagle Gammon

THAT the Appeals Standing Committee allow the appeal.

MOTION PUT AND DEFEATED.

MOVED by Councillor Blackburn, seconded by Deputy Mayor Deagle Gammon

THAT the Appeals Standing Committee amend the compliance period in the Order to Remedy for Case CF-2024-010560, 607 Mushaboom Road, Mushaboom issued June 5, 2024, Appendix D of the staff report dated June 28, 2024 to one hundred and twenty (120 days) from the July 11, 2024 Appeals Standing Committee hearing.

MOTION PUT AND PASSED.

12.2 DANGEROUS OR UNSIGHTLY PREMISES: DEMOLITIONS

12.2.1 Case CF-2024-000985, 126 Back Road, Seaforth

The following was before the Standing Committee:

- Staff report dated July 2, 2024
- Correspondence from Denyse Watters
- Staff presentation dated July 11, 2024

The Chair confirmed the property owner was present.

Humberto Madrigal Sanchez, Compliance Officer II gave a presentation, showing photographs of the property taken July 9, 2024 and responded to questions of clarification from the Standing Committee. Madrigal Sanchez indicated that there was evidence that people were trying to access the main dwelling and confirmed the property owner had boarded up one of the main dwelling's windows and access to the basement to prevent entry.

Denyse Watters, property owner acknowledged the property was in disrepair and spoke to previous plans to restore the property. They also spoke to recent efforts to clean up the property in order to prepare it for a possible sale. Watters was not aware that the main dwelling needed to be demolished and wanted more time to engage someone to inspect the structure to determine whether it could be restored and if restoration was not possible, they wanted to hire a contractor to disassemble the dwelling in a manner that set aside the wood for future use. Watters responded to questions of clarification from the Standing Committee and indicated they required until the end of November to complete cleanup of the property and/or demolition of the structures.

MOVED by Councillor Blackburn, seconded by Councillor Purdy

THAT the Appeals Standing Committee find the property to be dangerous or unsightly as per section 3(q) of the *Halifax Regional Municipality Charter* and as per section 356 of the *Halifax Regional Municipality Charter*, orders demolition of the main structure and accessory structure #1 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 *Halifax Regional Municipality Charter*.

MOVED by Councillor Blackburn, seconded by Deputy Mayor Deagle Gammon

THAT the motion be amended to replace “sixty (60) days” with “one hundred twenty (120) days”.

MOTION TO AMEND PUT AND PASSED.

The motion as amended now read:

MOVED by Councillor Blackburn, seconded by Councillor Purdy

THAT the Appeals Standing Committee find the property to be dangerous or unsightly as per section 3(q) of the *Halifax Regional Municipality Charter* and as per section 356 of the *Halifax Regional Municipality Charter*, orders demolition of the main structure and accessory structure #1 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 one hundred twenty (120) 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 *Halifax Regional Municipality 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 – August 8, 2024 (if required)

18. ADJOURNMENT

The meeting adjourned at 10:40 a.m.

Andrea Lovasi-Wood
Legislative Assistant