



**APPEALS STANDING COMMITTEE
MINUTES
July 13, 2017**

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

REGRETS: Councillor Steve Adams, Chair

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 10:00 a.m. The Standing Committee recessed at 10:29 a.m. and reconvened at 10:34 a.m. The meeting adjourned at 10:44 a.m.

1. CALL TO ORDER

The Vice Chair called the meeting to order at 10:00 a.m.

2. APPROVAL OF MINUTES – June 6, 2017 (Special) and June 8, 2017

MOVED by Councillor Streach, seconded by Councillor Blackburn

THAT the special meeting minutes of June 6, 2017 and the minutes of June 8, 2017 of be approved as circulated.

MOTION PUT AND PASSED.

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

Deletion:

8.1.1 Case 229928 – 32 Elwin Crescent, Dartmouth – property in compliance; case closed.

MOVED by Councillor Blackburn, seconded by Councillor Streach

THAT the agenda be approved as amended.

Two-third majority vote required.

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 – January 12, 2017

8.1 DANGEROUS AND UNSIGHTLY PREMISES: APPEALS

8.1.1 Case 229928 – 32 Elwin Crescent, Dartmouth

This matter was deleted during the approval of the agenda, see above.

9. NOTICES OF TABLED MATTERS – NONE

10. CORRESPONDENCE, PETITIONS & DELEGATIONS – NONE

11. INFORMATION ITEMS BROUGHT FORWARD – NONE

12. REPORTS

12.1 DANGEROUS OR UNSIGHTLY PREMISES: APPEALS

12.1.1 Case 289544, Case 289545 and Case 289437 – 18 Shyra Drive, Hubley

The following was before the Standing Committee:

- A staff recommendation report dated June 27, 2017

The Chair confirmed a representative for the appellant was in attendance.

Mark Prosser, Compliance Officer gave a brief presentation, showing photos of the property taken July 10, 2017.

The Compliance Officer responded to questions raised by members, indicating that the buildings on the property seemed to be structurally sound and that there seemed to be no signs of trespassing. It was also noted that the property owner had not been onsite in 14 years and that it had been used as a summer home. The Compliance Officer confirmed that a section of the main building had been scrapped in preparation for painting.

The appellant's representative explained that the property has been in their family for over 100 years and used as a summer home. They commented on having a relationship with neighbours but there have been issues with vandalism over the last two years and issues with racoons getting inside the main building. The representative explained that plywood had been put up over the broken windows, a new door had been put on, and one side of the main building had been scrapped for painting. The speaker agreed with most of the issues identified in the orders; such as painting and repairing the fence, but did understand why they could not just neatly stack the wood into a pile instead of removing it from the property. The speaker commented on their and the property owner's health, and needing more than 30 days to complete the work. Health permitting, they noted their willingness to work with the Compliance Officer to identify the issues and bring the property into compliance by the end of September, 2017.

MOVED by Councillor Streach, seconded by Councillor Hendsbee

THAT the Appeals Standing Committee defer the appeals of Case 289544, Case 289545 and Case 289437 – 18 Shyra Drive, Hubley to the end of September, 2017.

Members discussed the deferral with concern being raised with running out of season to complete the painting if the property could not be brought into compliance. Staff indicated that the Committee could defer the matter, or defeat the appeal and approve a subsequent motion to extend the timeline of the orders to allow additional time to bring the property into compliance. The appellant's representative was supportive to extending the timeline of the orders to comply by October 1, 2017. With the agreement of the mover and seconder, the **MOTION TO DEFER WAS WITHDRAWN.**

MOVED by Councillor Streach, seconded by Councillor Austin

THAT the Appeals Standing Committee allow the appeals of Case 289544, Case 289545 and Case 289437 – 18 Shyra Drive, Hubley.

MOTION PUT AND DEFEATED.

MOVED by Councillor Streach, seconded by Councillor Austin

THAT the Appeals Standing Committee extend the timeline of the orders issued for Case 289544, Case 289545 and Case 289437 – 18 Shyra Drive, Hubley to comply by October 1, 2017.

MOTION PUT AND PASSED.

12.1.2 Case 286211 – 126 Rosedale Avenue, Halifax

The following was before the Standing Committee:

- A staff recommendation report dated June 22, 2017

The Chair confirmed neither the appellant nor a representative was in attendance.

Mark Prosser, Compliance Officer gave a brief presentation, showing photos of the property taken July 10, 2017.

In response to questions raised, the Solicitor confirmed that the property owner had received notice of the appeal hearing, and chose not to attend. Staff indicated that there had been other compliance issues related to debris on this property, which were brought into compliance. The case before the Committee was the last outstanding issue for the property. Staff were unable to confirm if or how the new construction materials on the property would be used to remedy the issue outlined in the order. Staff spoke to the Municipality's process to bring the property into compliance should the property owner be unable to bring the property into compliance within the 30-day timeline outlined in the order.

MOVED by Councillor Austin, seconded by Councillor Streach

THAT the Appeals Standing Committee allow the appeals of Case 286211 – 126 Rosedale Avenue, Halifax.

MOTION PUT AND DEFEATED. (with the effect that the Order stands).

13. MOTIONS – NONE

14. IN CAMERA (IN PRIVATE) – NONE

15. ADDED ITEMS – NONE

16. NOTICES OF MOTION – NONE

17. DATE OF NEXT MEETING –September 14, 2017, 10:00 a.m. Council Chamber, 3rd Floor City Hall, 1841 Argyle Street, Halifax

In consultation with staff, the Chair explained that the August 17, 2017 meeting is cancelled as there are no appeals or other matters scheduled to come forward for this meeting date.

19. ADJOURNMENT

The meeting adjourned at 10:44 a.m.

Krista Vining
Legislative Assistant