

# Halifax man gets conditional discharge for Calgary assault

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A Calgary judge just handed a Halifax man a conditional discharge and two years of probation for a brutal and prolonged assault on his former girlfriend that the assailant called “the worst thing he had ever done.”

Arthur Thomas Caines, 35, pleaded guilty to assault causing bodily harm in the June 2020 attack that started after he and his former partner – identified only by the initials S.M. – attended a drinking party with mutual friends.

“Mr. Caines left the party without S.M., who returned to their residence at about 2:30 am. An argument ensued between the two of them and Mr. Caines told his girlfriend she was no longer welcome in the home,” Alberta provincial court Judge Gregory Stirling said in his written decision.

“At one point, S.M. went to the bathroom. Mr. Caines followed S.M. and broke down the bathroom door and began assaulting S.M. The assault included repeated punches to S.M.’s face and head with a closed fist. Mr. Caines also grabbed S.M. and smashed her head into the toilet and countertop in the bathroom. S.M. was then taken into a bedroom where Mr. Caines continued to punch her repeatedly.”

The woman didn’t lose “consciousness but became dizzy and confused and she was extremely fearful for her life,” said the judge.

“She told police that during the assault, Mr. Caines said he was going to kill her.”

She was eventually able to break free and ran out of the house’s front door barefoot.

“Mr. Caines chased her down the street. S.M. was able to get to a neighbour, who called 911.”

When police arrived “they observed significant swelling to both sides of S.M.’s face as well as bruising under her left eye. Both of her eye sockets were very swollen. S.M. was seen by EMS on the scene and transported to Foothills Hospital.”

Photographs from the time show “extensive bruising to S.M.’s lip, both eyes, the side of her forehead, the inside of her upper arm and two bruises on her waist,” Stirling said.

The Crown asked for a six-month conditional sentence, followed by 12 months of probation, and a five-year weapons ban.

Caines’ lawyer wanted a conditional discharge with a year of probation.

Caines “currently lives in Halifax, Nova Scotia,” said the judge. “He is not married and has no children. The Crown does not allege a prior criminal record.”

Caines was born in Newfoundland and remained there until he turned 19.

“He had an active childhood and was involved in a number of sports,” said the judge. “He was not exposed to any violence or form of abuse in the home. He has some resentment towards his mother for her critical nature and the way that she treated his father. He described living in the home as ‘walking on eggshells.’”

He’d been in a relationship for three years with the woman he assaulted.

“He described the relationship as having ups and downs with alcohol consumption likely contributing to some of the difficulties,” Stirling said. “In July 2019 their child was stillborn. He said this event had an impact on their relationship and their lives ‘in every way possible.’”

Caines “started post-secondary education but did not complete a degree or

diploma,” said the judge. “He is now taking a construction management program at Nova Scotia Community College.”

He is currently unemployed, Stirling said.

Caines “has no significant mental health issues although he felt very ‘dark and sad’ with the stillbirth of his child and he expresses regret for his conduct towards S.M.,” said the judge.

Caines testified that he “has very little recollection of the events,” Stirling said. “He and S.M. had consumed alcohol. He said he is distraught over his actions and feels remorse

**“Mr. Caines chased her down the street. S.M. was able to get to a neighbour, who called 911.”**

**Judge Gregory Stirling**

and guilt for his assault of S.M.”

He completed an anger management and emotional intelligence program with the John Howard Society.

high moral blameworthiness of Mr. Caines, such conduct should be a matter of public record.”

The judge said the loss of his son four days before the baby’s due date – and a year before the assault -- was a mitigating factor. “This was a devastating loss for Mr. Caines. He entered into a dark period and the defence argues the assault was out of character for him.”

He counted the guilty plea and remorse as mitigating factors.

The judge did not impose the weapons ban the Crown was seeking.

## MUNICIPAL GOVERNMENT NOTICES

Halifax Regional Municipality Notices will generally appear each Saturday in this section of the newspaper. Readers are still encouraged to look throughout the paper for information which might appear in a different section or on another day.

### NOTICE OF VIRTUAL PUBLIC HEARING FOR DOWNTOWN HALIFAX WITH HALIFAX REGIONAL COUNCIL

Halifax Regional Council intends to consider and, if deemed advisable, approve the following:

**Amendments to Section 4 of the Land Use Bylaw for Downtown Halifax as it relates to the Terms of Reference of the Design Review Committee.**

A virtual public hearing will be held on **Tuesday, January 25, 2022 at 6 p.m.** All oral and written submissions will be considered at that time. This meeting will occur in a virtual setting and attending in person is not possible. Given the ongoing COVID-19 pandemic, written submissions are welcomed and encouraged in advance of the hearing itself. These submissions are distributed to all Councillors and considered at the time of their decision. Written submissions may be forwarded to the Municipal Clerk by e-mail, [clerks@halifax.ca](mailto:clerks@halifax.ca); by fax, 902.490.4208; or by mail, P.O. Box 1749, Halifax, Nova Scotia, B3J 3A5. **Written submissions must be received by the Municipal Clerk’s office as early as possible and not later than 3:00 p.m. on Tuesday, January 25, 2022.** Please allow sufficient time for delivery given slower than typical mail delivery times during the COVID-19 Pandemic.

The virtual public hearing will be webcasted and may be viewed online at <https://www.halifax.ca/city-hall/agendas-meetings-reports>. For individuals seeking to speak at the hearing, **members of the public may contact the Municipal Clerk’s office no later than 4:30 p.m. on Monday, January 24th to be added to the speakers list to speak by telephone.** We encourage all residents who have any desire to speak at the meeting to ask to have their name added to the list. Individuals who do not want to speak may ask to have their name removed from the speakers list at a later time.

To be placed on the speakers list, individuals may:

- Send an e-mail to [clerks@halifax.ca](mailto:clerks@halifax.ca); or
- Call and leave a voicemail at 902.490.4210; or
- Send a fax to the clerk at 902.490.4208.

In your message, please include the meeting body (Halifax Regional Council), the subject matter (Amendments to Section 4 of the Land Use Bylaw for Downtown Halifax), in addition to your name, community of residence, email address, and telephone number. Should you have questions about the nature of the application, please contact Jill McGillicuddy, Legislative Assistant, directly at 902.483.2810 or [mcgillj@halifax.ca](mailto:mcgillj@halifax.ca).

Should you have questions about the process of the virtual public hearing, please contact the Municipal Clerks Office at [clerks@halifax.ca](mailto:clerks@halifax.ca) or 902.490.4210.

The staff report is available on-line at the following location: <https://www.halifax.ca/city-hall/agendas-meetings-reports>. If you have any questions about how to access the staff report contact the Office of the Municipal Clerk [clerks@halifax.ca](mailto:clerks@halifax.ca) or 902.490.4210. HROP-6912-A121

### NOTICE OF VIRTUAL PUBLIC HEARING FOR DOWNTOWN HALIFAX WITH HALIFAX REGIONAL COUNCIL

The Halifax Regional Council intend to consider and, if deemed advisable, approve the following application:

**Case H00520 - Amendment to the Bonus Zoning Provisions for Heritage Buildings within the Downtown Halifax Land Use By-law.**

A virtual public hearing will be held on Tuesday, January 25th, 2022 at 6:00 p.m. All oral and written submissions will be considered at that time. This meeting will occur in a virtual setting as attending in person is not possible. Given the ongoing COVID-19 pandemic, written submissions are welcomed and encouraged in advance of the hearing itself. These submissions are distributed to all Councillors and considered at the time of their decision. Written submissions may be forwarded to the Municipal Clerk by e-mail, [clerks@halifax.ca](mailto:clerks@halifax.ca); by fax, 902.490.4208; or by mail, P.O. Box 1749, Halifax, Nova Scotia, B3J 3A5. **Written submissions must be received by the Municipal Clerk’s office as early as possible and not later than 3:00 p.m. on Tuesday, January 25th, 2022.** Please allow sufficient time for delivery given slower than typical mail delivery times during the COVID-19 Pandemic.

The virtual public hearing will be webcasted and may be viewed online at <https://www.halifax.ca/city-hall/agendas-meetings-reports>. For individuals seeking to speak at the hearing, **members of the public may contact the Municipal Clerk’s Office no later than 4:30 p.m. on Monday, January 24th, 2022 to be added to the speakers list to speak by telephone.** We encourage all residents who have any desire to speak at the meeting to ask to have their name added to the list. Individuals who do not want to speak at a later time may ask to have their name removed from the speakers list.

To be placed on the speakers list, individuals may:

- Send an email to [clerks@halifax.ca](mailto:clerks@halifax.ca); or
- Call and leave a voicemail at 902.490.4210; or
- Send a fax to the clerk at 902.490.4208.

In your message, please include the meeting body (Halifax Regional Council), the planning Case number (Case H00520) or civic address, in addition to your name, community of residence, email address, and telephone number. Should you have questions about the nature of the application itself, please contact Seamus McGreal directly at 902.717.1568 or [mcgreal@halifax.ca](mailto:mcgreal@halifax.ca).

Should you have questions about the process of the virtual public hearing, please contact the Municipal Clerks Office at [clerks@halifax.ca](mailto:clerks@halifax.ca) or 902.490.4210.

The staff report is available on-line at the following location: <https://www.halifax.ca/city-hall/regional-council/december-14-2021-halifax-regional-council>. If you have questions about how to access the staff report contact the Office of the Municipal Clerk [clerks@halifax.ca](mailto:clerks@halifax.ca) or 902.490.4210. To arrange for paper copies of the staff report and application materials to be sent to you by mail, contact the Planner. ACC # C340-6912

### NOTICE OF VIRTUAL PUBLIC HEARING FOR HALIFAX MAINLAND WITH HALIFAX AND WEST COMMUNITY COUNCIL

Halifax and West Community Council intends to consider and, if deemed advisable, approve the following application:

**Amendments to the Halifax Mainland Land Use By-law to increase front yard setbacks in the C-2C (Dutch Village Road Mixed-Use) Zone. The C-2C Zone applies to commercial properties on Dutch Village Road, Joseph Howe Drive and Alma Crescent, in Halifax. Community Council will consider a proposal to increase the minimum front yard setback in the C-2C Zone to 1.5 metres.**

A virtual public hearing will be held on Tuesday, January 18th 2022, at 6 p.m. All oral and written submissions will be considered at that time. This meeting will occur in

At the sentencing, “Caines expressed remorse for his conduct, describing it as the worst thing he had ever done,” said the judge.

His ex-girlfriend told the court she didn’t want Caines jailed. “Her wish was that he attend counselling for alcohol addiction and for domestic violence,” Stirling said.

The woman was beaten “repeatedly in her home by her boyfriend in circumstances where she indicated she felt she was going to die and she had to escape in bare feet and run for safety,” said the judge. “In view of the seriousness of the offence, and the

a virtual setting. Attending in person is not possible. Given the ongoing COVID-19 pandemic, written submissions are encouraged in advance of the hearing itself. These submissions are distributed to all Councillors and considered at the time of their decision. Written submissions may be forwarded to the Municipal Clerk by e-mail, [clerks@halifax.ca](mailto:clerks@halifax.ca); by fax, 902.490.4208; or by mail, P.O. Box 1749, Halifax, Nova Scotia, B3J 3A5. **Written submissions must be received by the Municipal Clerk’s office as early as possible and not later than 3:00 p.m. on Tuesday, January 18, 2022.** Please allow sufficient time for delivery given slower than typical mail delivery times during the COVID-19 Pandemic.

The virtual public hearing will be webcasted and may be viewed online at <https://www.halifax.ca/city-hall/agendas-meetings-reports>. For individuals seeking to speak at the hearing, **members of the public may contact the Municipal Clerk’s office no later than 4:30 p.m. on Monday, the 17th of January 2022 to be added to the speakers list to speak by telephone.** We encourage all residents who wish to speak at the meeting to add their name to the list. Individuals who do not want to speak may ask to have their name removed from the speakers list later.

To be placed on the speakers list, individuals may:

- Send an email to [clerks@halifax.ca](mailto:clerks@halifax.ca); or
- Call and leave a voicemail at 902.490.4210; or
- Send a fax to the clerk at 902.490.4208.

In your message, please include the meeting body (Halifax and West Community Council), the planning Case description (Front Yard Setbacks in the C-2C Zone), plus your name, community of residence, email address, and telephone number. Should you have questions about the application itself, please contact Sean Gillis directly at 902.237.3424 or [gillisse@halifax.ca](mailto:gillisse@halifax.ca).

Should you have questions about the process of the virtual public hearing, please contact the Municipal Clerks Office at [clerks@halifax.ca](mailto:clerks@halifax.ca) or 902.490.4210.

The staff report is available on-line at the following location: <https://www.halifax.ca/city-hall/agendas-meetings-reports>. If you have questions about how to access the staff report contact the Office of the Municipal Clerk at [clerks@halifax.ca](mailto:clerks@halifax.ca) or 902.490.4210

Further details regarding the application can be found at the following location: [www.halifax.ca/planning](http://www.halifax.ca/planning) (scroll down to Case 23245)

ACC# C320-6912

### NOTICE OF APPROVAL HALIFAX REGIONAL MUNICIPALITY

**TAKE NOTICE THAT** Halifax Regional Council did, on Tuesday, October 5, 2021, adopt amendments to the Regional Municipal Planning Strategy and all land use by-laws of the municipality except for the Halifax Peninsula Land Use By-law, Downtown Dartmouth Land Use By-law and Regional Centre Land Use By-law (Package A) to permit the keeping of egg-laying fowl as an accessory use to a residential use.

The planning documents have been reviewed by the Provincial Director of Planning as per Section 223 of the *Halifax Regional Municipality Charter*. In accordance with Section 223 of the *Halifax Regional Municipality Charter*, these amendments become effective as of the date of this notice.

The planning documents can be inspected on the HRM website, specifically Item 12.1, at <https://www.halifax.ca/city-hall/regional-council/october-5-2021-halifax-regional-council>

**Effective date: January 8th, 2022**

ACC# C320-6912

### NOTICE OF VIRTUAL PUBLIC HEARING FOR LANTZ WITH NORTH WEST COMMUNITY COUNCIL

North West Community Council intend to consider and, if deemed advisable, approve the following application:

**Case 22218 – Application by EDM Planning Services, on behalf of AIM Elmsdale Inc., to enter into a development agreement to permit the construction of a new building for the purposes of consolidating the existing buildings related to a salvage yard use at 32 Dutch Settlement Road, Lantz.**

The virtual public hearing will be held on Monday, January 17, 2022 at 6:00 p.m. All oral and written submissions will be considered at that time. This meeting will occur in a virtual setting and attending in person is not possible. Given the ongoing COVID-19 pandemic, written submissions are welcomed and encouraged in advance of the hearing itself. These submissions are distributed to all Councillors and considered at the time of their decision. Written submissions may be forwarded to the Municipal Clerk by e-mail, [clerks@halifax.ca](mailto:clerks@halifax.ca); by fax, 902.490.4208; or by mail, P.O. Box 1749, Halifax, NS, B3J 3A5. **Written submissions must be received by the Municipal Clerk’s office as early as possible and not later than 3:00 p.m. on Monday, January 17, 2022.** Please allow sufficient time for delivery given slower than typical mail delivery times during the COVID-19 Pandemic.

The virtual public hearing will be webcasted and may be viewed online at <https://www.halifax.ca/city-hall/agendas-meetings-reports>. For individuals seeking to speak at the hearings, **members of the public may contact the Municipal Clerk’s office no later than 4:30 p.m. on Friday, January 14, 2022 to be added to the speakers list to speak by telephone.** We encourage all residents who have any desire to speak at the meeting to ask to have their name added to the list. Individuals who do not want to speak at a later time may ask to have their name removed from the speakers list.

To be placed on the speakers list, individuals may:

- Send an email to [clerks@halifax.ca](mailto:clerks@halifax.ca); or
- Call and leave a voicemail at 902.490.4210; or
- Send a fax to the clerk at 902.490.4208.

In your message, please include the meeting body (North West Community Council), the planning Case number (Case 22218) or civic address, in addition to your name, community of residence, email address, and phone Claire Tusz directly at 902.430.0645 or [tusz@halifax.ca](mailto:tusz@halifax.ca).

Should you have questions about the process of the virtual public hearing, please contact the Municipal Clerks Office at [clerks@halifax.ca](mailto:clerks@halifax.ca) or 902.490.4210.

The staff report is available on-line at the following location: <https://www.halifax.ca/city-hall/agendas-meetings-reports>. If you have questions about how to access the staff report contact the Office of the Municipal Clerk at [clerks@halifax.ca](mailto:clerks@halifax.ca) or 902.490.4210.

Further details regarding the application can be found at the following location: [www.halifax.ca/planning](http://www.halifax.ca/planning) (scroll down to Case 22218). To arrange for paper copies of the staff report and application materials to be sent to you by mail, please contact the Planner. ACC #CPCO2310

PLEASE SEE SECTION 158 - EMPLOYMENT OPPORTUNITIES IN SATURDAY’S PAPER AND SECTION 258 - TENDERS IN CLASSIFIEDS FOR ALL TENDERS AND REQUESTS FOR PROPOSALS ADVERTISEMENTS IN SATURDAY AND WEDNESDAY’S EDITIONS

**HALIFAX**

FOR MORE INFORMATION ON MUNICIPAL MEETINGS AND EVENTS VISIT [WWW.HALIFAX.CA/CALENDAR](http://WWW.HALIFAX.CA/CALENDAR) BOX 1749, HALIFAX, NOVA SCOTIA B3J 3A5

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