



**BACKGROUND:**

There have been no previous M200 complaints on this property.

The property is zoned C-5, there is a single unit dwelling and a residential accessory building on this property.

A complaint was received by service request on November 16<sup>th</sup>, 2023. The complainant stated: “power and heating is included in the rent the owner cut power off and is currently with tenancy board and the board told the owner not to cut the power as signed a form j and the tenancy board told to call min. standards lease is valid until January 14 2024 this all started over a washer which did not work months ago this is not the first time has shut off the power the owner is Mazen Shbeeb Original Redacted has a child Original Redacted”

An additional complaint was received regarding this property on November 24<sup>th</sup>, 2023. At this time the complainant stated that “the water had been turned off.”

This report will focus on the appeal dated November 27<sup>th</sup>, 2023 by the property owner for the Order to Remedy for the noncompliant conditions under M200.

**CHRONOLOGY OF CASE ACTIVITIES, as recorded in Posse by Assistant Building Official:**

- 20-Nov-2023 Phone Call (November 20, 2023): Called Complainant/Tenant (Original I.C) No Answer - Left Voicemail
- 20-Nov-2023 Phone Call (November 20, 2023): Spoke to Landlord (Mazen) and explained that power needs to be reconnected immediately. Told Original that I will check back in 24 hours - advised that if power isn't reconnected by then, we will move forward with a legal referral.
- 21-Nov-2023 Phone Call (November 21, 2023): Spoke to Landlord (Mazen) to get an update on the power Original explained that Original can't pay the power bill and indicated that Original wouldn't be able to reconnect it. I informed Original of the Immediate Order to Remedy and our Legal Referral process.
- 21-Nov-2023 Issued an Order to Remedy for the property, sent via email to the property owner. (attached as appendix C)
- 22-Nov-2023 Phone Call (November 22, 2023): Spoke with Carmen (Low Income Advocate, Nova Scotia Power) and Original explained that there is a program in place to help people reconnect power depending on their financial requirements. Original also advised that power could not be reconnected to that address unless permission was given from the landlord.
- 22-Nov-2023 Phone Call (November 22, 2023): Spoke to Landlord (Mazen) and advised about the note on NSPI's account regarding requiring Original permission to connect services to that address. Original told me that Original would speak about it with Original Property Manger.
- 24-Nov-2023 Phone Call (November 24, 2023): Spoke to Tenant/Complainant (Original I.C) and Original explained that Original water had stopped working as of this morning. Will contact Landlord (Mazen) to discuss.

- 24-Nov-2023 Site Visit (November 24, 2023):During site visit a generator was observed on the back deck that was supplying limited power to run fridge, fish tank, internet, etc.No running water at the time of site visit
- 27-Nov-2023 Phone Call (November 27, 2023):Complainant/Tenant (Original Re) said that water was reconnected - still no power.Confirmed with Landlord (Mazen) that Original had reconnected water that day Original said that Original is still unable to reconnect power.
- 27-Nov-2023 The property owner submitted a Notice of Appeal (attached as Appendix D) to the Municipal Clerk's Office.
- 28-Nov-2023 The supervisor of Building Standards contacted the property owner Dima, who stated that they are not able to reconnect the power. The contact information for the Low Income Advocate with NS Power was given to Dima.
- 30-Nov-2023 The Municipal Clerk's Office sent the property owner a letter advising the appeal would be heard at the Devenber 11, 2023, Appeals Standing Committee meeting (attached as Appendix E).

### **FINANCIAL IMPLICATIONS**

There are no financial implications if the owner complies with the Order. If the Municipality is required to complete the work, the costs will form a debt against the property which may be collected in the same manner as taxes pursuant to the Halifax Regional Municipality Charter, S.N.S., 2008, C.39.

### **ALTERNATIVES**

The Appeals Standing Committee may vary or overturn the Order to Remedy and in doing so, must provide reasons to be recorded in the minutes of the committee meeting.

### **RISK CONSIDERATIONS**

There are no significant risks associated with the recommendations in this report. The risk consideration rates low.

### **ENVIRONMENTAL IMPLICATIONS**

No environmental impacts identified.

### **ATTACHMENTS**

- Appendix A: Legislative Authority – Halifax Municipal Bylaw M200  
Appendix B: Copy of the Nova Scotia Property Records Map  
Appendix C: Copy of the Notice of Violation dated November 21, 2023  
Appendix D: Copy of the Notice of Appeal dated February 27, 2023  
Appendix E: Copy of the letter from the Clerk's Office dated November 30, 2023

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A copy of this report can be obtained online at Halifax.ca or by contacting the Office of the Municipal Clerk at 902.490.4210.

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**HALIFAX REGIONAL MUNICIPALITY  
BY-LAW M-200  
RESPECTING STANDARDS FOR RESIDENTIAL OCCUPANCIES**

**BE IT ENACTED** by the Council of the Halifax Regional Municipality pursuant to the *Halifax Regional Municipality Charter* as follows.

1. (1) This By-law shall be known as “By-law M-200” and shall be cited as the “Standards For Residential Occupancies By-law.” It shall apply to all residential occupancies within Halifax Regional Municipality.
- (2) Where a provision of this By-law conflicts with the provision of another By-law in force within the Municipality, the provision that establishes the higher standards to protect the health, safety, and welfare of the general public shall prevail.
- (3) All residential occupancies within Halifax Regional Municipality shall comply with all applicable legislation, including the *Building Code Act*, the *Nova Scotia Building Code Regulations*, the *Fire Safety Act* and the *Fire Safety Regulations*.

**Part 1: INTERPRETATION**

2. (1) Unless otherwise defined herein, definitions contained in the current *Building Code Act*, *Fire Safety Act*, *Nova Scotia Building Code Regulations*, the *Halifax Regional Municipality Charter* and the Nova Scotia Building Code also apply to this By-law.
- (2) In this By-law:
  - (a) “Appeals Committee” means the Appeals Committee established pursuant to Halifax Regional Municipality By-law A-100, the Appeals Committee By-law;
  - (b) repealed;
  - (c) “bathroom” means a habitable room containing at least one toilet, one wash basin and a tub or shower;
  - (d) “Building Code” means the Nova Scotia Building Code in effect at the time of inspection;
  - (e) “*Building Code Act*” means the *Nova Scotia Building Code Act*, R.S.N.S., c.46, as amended from time to time;
  - (f) “dwelling unit” means a suite operated as a house keeping unit, used or intended to be used by one or more persons and usually containing cooking, eating, living, sleeping and sanitary facilities;
  - (g) “fire alarm system” means an interconnected set of electric or electronic devices, including smoke detectors, heat detectors, pull stations, alarm bell and control panel, working together to detect and sound an alarm in the building when smoke or fire is present or upon manual activation of a pull station;

(ga) “fire safety floor plan” means an oriented floor plan that includes the location of all exits, primary exit routes, pulls stations, and fire extinguishers;

(h) “fire separation” means a construction assembly that acts as a barrier against the spread of fire;

(i) “habitable room” means a room designed for or which may be used for living, sleeping, eating or cooking;

(j) “Inspector” means a person appointed by the Municipality as a Building Official or a Municipal Fire Inspector;

(k) “kitchen” means a habitable room containing a sink, storage area(s), a counter or work area(s) and space provided for cooking and refrigeration appliances including suitable electrical or gas connections;

(l) repealed;

(la) “mini-suite” means a single room or series of rooms occupied or intended to be occupied under a separate tenancy that shares either kitchen or bathroom facilities with no less than three other separate tenancies, but does not include:

(i) a dwelling unit; or

(ii) an institution under the *Homes for Special Care Act* or any other general or special Act;

(m) “Municipality” means the Halifax Regional Municipality (HRM);

(n) “Order to Comply” means a notice to the owner of a building to correct any violations of this By-law;

(o) “owner” includes any one or combination of the following as defined in the *Halifax Regional Municipality Charter*:

(i) a part owner, joint owner, tenant in common or joint tenant of the whole or any part of land or a building;

(ii) in the case of the absence or incapacity of the person having title to the land or building, a trustee, an executor, a guardian, an agent, a mortgagee in possession or a person having the care or control of the land or building; and

(iii) in the absence of proof to the contrary, the person assessed for the property.

(p) “person” means a natural person, corporation, partnership, an association, society, firm, agent, trustee, or registered Canadian charitable organization as defined in subsection 3(bc) of the *Halifax Regional Municipality Charter*, and includes the heirs, executors or other legal representatives of a person, or owner;

(pa) “rental housing” means a residential property or a portion of a residential property occupied by someone other than the owner, for which an occupant pays rent to the owner;

(q) “residential occupancy” means the occupancy or use of a building or part thereof for sleeping accommodation but shall not include buildings where people are harboured or detained and does not include hunting camps, cottages or other similar seasonal residences;

(r) repealed;

(s) “smoke alarm” means a combined smoke detector and an audible alarm device designed to sound an alarm within the room or suite in which it is located upon the detection of smoke within that room or suite;

(sa) “suite” means a single room or series of rooms of complementary use, operated or intended to be operated under a single tenancy, and includes dwelling units, individual guest rooms, and mini-suites; and

(t) “waterproof finish” means ceramic, plastic, sheet vinyl, laminated linoleum or other material rendering a surface impermeable to water.

## **Part 2: GENERAL REQUIREMENTS**

### **General Duties and Obligations**

3. The standards of this By-law are minimum standards.
4. The owner of a building shall maintain the building to the standards as provided in this By-law.
5. Notwithstanding section 4, the owner of a building shall maintain the building to at least the standard to which it was required to be built, unless otherwise specified in this By-law.

### **Inspections**

6. (1) Where an inspection is required or conducted pursuant to this By-law:
  - (a) the Inspector may enter in or upon land or premises at a reasonable time without a warrant;
  - (b) except in an emergency, the Inspector shall not enter a room or place actually being used as a dwelling without the consent of the occupier, unless the entry is made in daylight hours and written notice of the time of the entry is given to the occupier at least twenty-four (24) hours in advance; and
  - (c) where a person refuses to allow the Inspector to exercise, or attempts to interfere or interferes with the Inspector in the exercise of a power granted pursuant to this By-law, the Inspector may apply to a judge of the Supreme Court of Nova Scotia for an Order:
    - (i) to allow the Inspector entry to the building; and

- (ii) restraining a person from further interference.

### **Part 3: GENERAL MAINTENANCE STANDARDS**

#### **Fire Prevention**

- 7. (1) The owner of every building shall install a fire alarm system in conformance with the requirements of articles **9.10.18.2** and **9.10.18.4** of the Nova Scotia Building Code.
- (2) Fire alarm systems shall be maintained in an operational condition at all times.
- (3) All required fire separations required by the Nova Scotia Building Code shall be installed and maintained so as to prevent the spread of fire from one compartment to the next.

#### **Structural Soundness**

- 8. (1) Every part of a building shall be maintained in a structurally sound condition so as to be capable of safely sustaining the load to which it may normally be subjected.
- (2) The Inspector may direct that tests of materials, equipment, devices, construction methods, structural assemblies or foundation conditions be made, or sufficient evidence or proof be submitted at the expense of the owner, where such evidence or proof is necessary to determine whether the material, equipment, device, construction or foundation meets the prescribed requirements.

#### **Interior Walls, Ceilings and Floors**

- 9. (1) Every floor, ceiling and interior surface of every wall in a building shall be maintained free from dampness.
- (2) Every wall, partition, ceiling and floor in a habitable area or a bathroom of a building shall be maintained so as to provide a continuous surface free of holes, cracks, loose coverings, loose, warped or broken boards or other defects.
- (3) Every floor in a bathroom, toilet room, kitchen, shower room and laundry room shall be impervious to water.
- (4) Walls surrounding showers or bathtubs shall be waterproof and the waterproof finish shall be maintained to a height of not less than:
  - (a) 1.8 m above the floor in shower stalls;
  - (b) 1.2 m above the rims of bathtubs equipped with showers; and
  - (c) 400 mm above the rims of bathtubs not equipped with showers.

#### **Foundations and Exterior Walls**

- 10. (1) Every basement, cellar, crawl space and similar space shall be ventilated and free from excessive dampness so as not to cause damage to remainder of building.
- (2) The assembly of every exterior wall of a building and all components shall be maintained, weather tight, free from loose or unsecured objects and materials, prevent

the entrance of insects and animals and prevent deterioration due to weather, insects or animals.

- (3) All foundation supports forming part of a building shall be maintained in good repair so as to prevent settlement of the building.

### **Pest Control & Building Health**

11. (1) Buildings shall be kept free of rodents and insects at all times.
  - (2) Methods used for removing such pests shall be in accordance with the provisions of the *Pest Control Products Act*.
  - (3) Maintenance shall be provided to prevent significant visual damage to surfaces resulting from dampness.
  - (4) Where an Inspector has grounds to believe an unsafe or hazardous condition exists the Inspector may order, at the expense of the owner, tests be conducted by qualified professionals.

### **Windows and Doors**

12. (1) Windows, doors, skylights and basement or cellar hatchways shall be maintained in good repair, weather tight and reasonably draft free.
  - (2) All windows that are required to be operable shall have suitable hardware so as to allow the window to be locked or otherwise secured from the inside.
  - (3) Doors between an attached garage and the remainder of the building shall be fitted with weather stripping and a self-closing device to prevent the passage of gases into the remainder of the building.

### **Egress**

13. (1) Every dwelling or dwelling unit shall have a safe, continuous and unobstructed passage from the interior of the dwelling to exterior grade level.
  - (2) Buildings equipped with a fire escape as a secondary means of egress shall maintain the escape in good condition, be free from obstructions and easily accessed through a window or door operable from inside without requiring keys or specialized knowledge to open.
  - (3) Any required egress shall not pass through a room in another dwelling unit or a service room.
  - (4) Where egress windows are provided, they shall not require keys or specialized knowledge to operate.

### **Stairs, Decks, and Balconies**

14. (1) Interior and exterior decks, stairs, porches, balconies and landings shall be maintained in good repair so as to be structurally sound, free of holes, cracks, and other defects which may constitute accident hazards.

- (2) Existing stair treads or risers that show excessive wear or are broken, warped or loose and any supporting structural members that are decayed or deteriorated shall be repaired or replaced.
- (3) A handrail and guard shall be installed on all stairs comprised of more than three (3) risers.

### **Fireplaces, Fuel-burning Appliances, and Chimneys**

15. (1) Every fuel-fired appliance intended for use as a heating source shall meet the requirements of the applicable CSA Standard.
- (2) Every chimney, smoke-pipe, flue and vent shall be installed and maintained in good repair so as to prevent smoke, fumes or gases from entering the building.
- (3) Every chimney, smoke-pipe, flue and vent shall be installed and maintained in good condition so as to prevent the heating of adjacent combustible material or structural members to unsafe temperatures.
- (4) Equipment that burns fuel in a building shall be vented to the outside air by means of a chimney, flue, smoke pipe, vent pipe or a similar duct.
- (5) Every fireplace used, capable of being used, or intended to be used in a building for burning fuel in an open fire shall be maintained in good repair and so as to prevent the heating of adjacent combustible material or structural members to unsafe temperatures and shall be vented to the outside air by means of a chimney.
- (6) All connections between liquid or gaseous fuel burning equipment in a dwelling and the source of liquid or gaseous fuel shall be maintained in good repair and shall meet the requirements of all applicable standards.
- (7) If in the opinion of the Inspector there is doubt as to the safety of the heating system or parts thereof the Inspector may, at the expense of the owner, direct that tests of materials, equipment, devices, construction methods be made or sufficient evidence or proof be submitted where such evidence or proof is necessary to determine whether the material, equipment, device or construction meets the prescribed requirements.

### **Heating**

16. Every building shall be equipped with suitable heating facilities for maintaining an indoor ambient temperature of 21 degrees Celsius, which shall be obtainable throughout all occupied areas.

### **Plumbing Facilities and Fixtures**

17. (1) All water supply pipes shall be provided with a supply of potable running water from:
  - (a) a source approved by the Halifax Regional Water Commission or from an approved on-site well; or
  - (b) by an alternative potable water supply source.
- (2) All bathroom, kitchen and laundry plumbing fixtures shall supply:

- (a) hot and cold running water; and
  - (b) hot water capable of being supplied at a temperature of not less than 43 degrees Celsius and a temperature of not more than 60 degrees Celsius;
- (3) A mixing valve shall be provided where required by the Nova Scotia *Building Code*.
- (4) All plumbing fixtures shall be:
- (a) connected to the sewage system through water seal traps; and
  - (b) vented to protect the water seal traps in a manner acceptable to the Inspector.
- (5) Every fixture shall be of such materials, construction and design that will ensure the exposed surfaces of all parts are:
- (a) hard, smooth, impervious to hot and cold water;
  - (b) readily accessible for cleansing; and
  - (c) free from blemishes, cracks, or other imperfections that may harbor germs or impede thorough cleansing.
- (6) Plumbing, including drains, water supply pipes, toilets and other plumbing fixtures shall be maintained in good working condition free of leaks and defects and all water pipes and appurtenances thereto shall be protected from freezing.
- (7) All service water heaters or coils used to supply hot water to plumbing fixtures shall be equipped with:
- (a) a temperature relief valve designed to open and discharge sufficient water to keep the temperature of the water from exceeding 99 degrees Celsius; and
  - (b) a pressure relief valve designed to open when the water pressure reaches the rated working pressure of the tank.

### **Electrical System**

18. (1) Every building to which this By-law applies shall be wired for electricity and shall be connected to an approved electrical supply.
- (2) All electrical services shall conform to the regulations established by the Canadian Electrical Code.
- (3) The electrical wiring, fixtures, switches, receptacles, and appliances located or used in every building shall be installed and maintained in good working order so as not to cause fire or electrical shock hazards.
- (4) Every bathroom, toilet room, kitchen, laundry room, furnace room, basement, cellar and non-habitable work or storage room shall be provided with a permanent light fixture and a conveniently located switch to control that fixture.

- (5) Lighting fixtures and appliances installed throughout buildings and dwellings, including stairways, corridors, passage ways, garages and basements, shall provide sufficient illumination so as to avoid hazards during normal use.
- (6) If in the opinion of the Inspector there is doubt as to the safety of the electrical system or parts thereof the Inspector may, at the expense of the owner, direct that tests of materials, equipment, devices and construction methods be performed, or sufficient evidence or proof be submitted, where such evidence or proof is necessary to determine whether the material, equipment, device or construction meets the prescribed requirements.

### **Ventilation**

19. (1) All enclosed areas including basements, cellars, crawl spaces, and attics or roof spaces, shall be ventilated as required by the Nova Scotia Building Code.
- (2) Every bathroom or toilet room shall be equipped with:
  - (a) an operable window; or
  - (b) a mechanical exhaust fan which shall be maintained in good working order.
- (3) All mechanical ventilation systems shall be maintained in good working order.

### **Elevating Devices**

20. Elevators and other elevating devices, including all mechanical and electrical equipment, lighting fixtures, lamps, control buttons, floor indicators, ventilation fans, and emergency communication systems shall be operational and hold a current provincial license to operate.

## **Part 4 RENTAL HOUSING**

### **General Provisions**

21. (1) This part shall not relieve any owner of rental housing from compliance with the provisions in Parts 1, 2, 3 and 6 of this By-law or any other applicable legislation.
- (2) Repealed.

### **Life Safety Provisions**

22. (1) All doors from dwelling units that lead to common areas shall be solid core or equivalent, equipped with self closures and provided with working locks that are operable from inside without requiring keys or specialized knowledge.
- (2) No person shall cook in a sleeping room with a device that uses resistive heating elements or open flame.
- (3) Each floor serving a common area shall:
  - (i) have at minimum a 5 lb ABC type portable fire extinguisher in a conspicuous location that is readily available in the event of a fire, and

- (ii) have a fire safety floor plan prominently posted as approved by the Inspector.
- (4) Emergency lighting shall be installed in all common areas.
- (5) Every fuel-fired appliance used as a central heating source for more than one suite shall be located in a room separated from the remainder of the building by a fire separation.

### **Guards**

- 22A. (1) Every open side of a stairway or flat roof to which access may be gained through a doorway, terrace, balcony, porch, landing, ramp or stairwell shall have a guard and handrail conforming to the requirements of the current Nova Scotia Building Code.
- (2) Guards and handrails shall be maintained in a structurally sound condition so as to be capable of safely sustaining the load to which it may normally be subjected.

### **Bathrooms**

- 23. Repealed.
- 23A Bathroom plumbing fixtures shall be maintained to ensure that the water in the fixtures flows and drains free from obstruction.

### **Kitchens**

- 24. (1) When provided, every kitchen shall be equipped with:
  - (a) a sink that is equipped with hot and cold running water that flows and drains free from obstruction and is surrounded by surfaces impervious to grease and water;
  - (b) a storage area of not less than 0.23 m<sup>3</sup>;
  - (c) a counter or work area at least 0.61 metres in width by 1.22 metres in length, exclusive of the sink, and covered with a material that is impervious to water and grease and is easily cleanable; and
  - (d) a space provided for cooking and refrigeration appliances including electrical or gas connections.
- (2) Where cooking facilities have been provided, ensure that all appliances are in a clean and safe working condition.
- (3) When provided, every kitchen, including all cabinetry, fixtures and fittings provided, shall be maintained free from defective and missing components.

### **Smoke and Carbon Monoxide Alarms**

- 24A. (1) All dwelling units shall be equipped with smoke alarms conforming to this section.
- (2) Subject to subsection (1) buildings equipped a fire alarm system are exempt, provided the system includes heat or smoke detection.
- (3) Smoke alarms shall be located:

- (a) on each storey including basements;
  - (b) in each sleeping room; and
  - (c) in a location between the sleeping rooms and the remainder of the building, and if the sleeping rooms are served by a hallway, the smoke alarm shall be located in the hallway.
- (4) Where more than one smoke alarm is required in a dwelling unit, the smoke alarms shall be interconnected so that the activation of one alarm will cause all alarms within the dwelling unit to sound.
- (5) Interconnection of smoke alarms may be either wireless or wired.
- (6) Smoke alarms shall be photoelectric and conform to CAN/ULC-S531.
- (7) Smoke alarms shall be installed on or near the ceiling or as required by the manufacturer.
- (8) All residential occupancies shall be equipped with Carbon Monoxide (CO) alarms conforming to this section.
- (9) Where a fuel-burning appliance is installed in a suite of residential occupancy, a CO alarm shall be installed:
- (a) inside each sleeping room, or
  - (b) outside each bedroom, within 5 m of each sleeping room door, measured following corridors and doorways.
- (10) Where a fuel-burning appliance is installed in a service room that is not in a suite of residential occupancy, a CO alarm shall be installed:
- (a) either inside each sleeping room, or if outside, within 5 m of each sleeping room door, measured following corridors and doorways, in every suite of residential occupancy that shares a wall or floor/ceiling assembly with the service room, and
  - (b) in the service room.
- (11) For each suite of residential occupancy that shares a wall or floor/ceiling assembly with a storage garage or that is adjacent to an attic or crawl space to which the storage garage is also adjacent, a CO alarm shall be installed:
- (a) inside each sleeping room, or
  - (b) outside each sleeping room door, within 5 m of each sleeping room door, measured following corridors and doorways.
- (12) All CO alarms required in this section shall conform to CAN/CSA 6.19.

## **Sleeping Rooms**

25. A sleeping room shall:

- (a) have a minimum floor area of 8 m<sup>2</sup> and a minimum ceiling height of 1.95 metres;
- (b) have a minimum floor area of 5 m<sup>2</sup> per occupant, where occupied by more than one person;
- (ba) have:
  - (i) a door, window or skylight opening directly to an outside space capable of providing natural ventilation, with the sum of the openings being no less than five (5) percent of the floor area of the sleeping room, or
  - (ii) mechanical ventilation equivalent to (i);
- (bb) have windows which meet the egress requirements of the Nova Scotia Building Code or be provided with an exterior exit; and
- (c) not serve any other uses such as a lobby, hallway, closet, bathroom, laundry room, stairway, kitchen or service room.

## **Electrical**

26. (1) Electrical power shall be normally available at all times in all parts of every occupied building.
- (2) Repealed.
- (2a) Subject to subsection (1), no person shall cause the electrical power to be disconnected to any occupied area of the building.
- (3) In sleeping rooms, bathrooms, laundry rooms or combinations thereof:
- (a) where the separation distance between shower, tub, or shower/tub combination and a duplex receptacle is less than 3 metres the receptacle shall be protected by ground fault interruption; and
  - (b) in no instance shall duplex receptacles be placed any closer than 1 metre to a shower, tub, or shower/tub combination.

## **Laundry Rooms**

- 26A. (1) All laundry rooms shall include signs indicating that lint traps in laundry equipment shall be cleaned before and after each use of the equipment.
- (2) Except where otherwise required by the Building Code, all common laundry rooms not within a dwelling unit shall:
- (a) not open into a protected exit, and
  - (b) be separated from the remainder of the building by a fire separation that need not have a fire-resistance rating.

## **Windows**

27. Repealed.

## **Windows and Doors**

27A. (1) Windows and doors shall be protected from exposure to precipitation with paint, sealer or cladding made of vinyl, aluminum, or a comparable material.

(2) All windows that open shall be equipped with screens.

## **Additional Provisions**

28. Repealed.

## **Garbage and Maintenance of Common Spaces**

28A. (1) The owner shall provide receptacles, as required by By-law S-600, the *Solid Waste Resource Collection and Disposal By-law*, to ensure containment of collectible waste to prevent the escape of waste materials into the environment.

(2) Common spaces shall be maintained in a clean and sanitary condition at all times, free of debris, open garbage, clutter, standing water and excessive moisture.

## **Parking**

28B. The owner shall limit front yard vehicle access and parking to the designated parking areas as required by the applicable land-use by-law.

## **Noise**

28C.(1) Upon a tenant's conviction of an offence under By-law N-200, the *Noise By-law*, and by Notice of the Inspector, the owner shall develop a written mitigation plan with the tenant in a format prescribed by the Inspector.

(2) The owner shall provide the mitigation plan to the Inspector within 7 days of the Notice.

## **Maintenance Provisions**

28D. A system of regular maintenance and inspection shall be established as required in the Nova Scotia Fire Code or as listed below, whichever is more stringent.

(1) Ducts serving dryers shall be inspected and cleaned as required, but at a minimum at intervals not greater than 12 months.

(2) Smoke alarms shall be inspected, cleaned, and tested at intervals required by the manufacturer but at a minimum at intervals not greater than 12 months.

(3) Every chimney, flue and flue pipe shall be inspected to identify any dangerous condition:

(i) at intervals not greater than 12 months,

(ii) at the time of addition of any connected appliance, and

(iii) after any chimney fire.

- (4) Ventilation fans and filters including bathroom exhaust fans, range hood fans, and heat recovery ventilators shall be inspected and cleaned or replaced as required by the manufacturer.
- (5) Fuel fired heating equipment shall be inspected and maintained as required by the manufacturer. A record of such maintenance shall be readily available onsite.
- (6) Fire extinguishers shall be maintained in good repair and inspected monthly for defects or damage.
- (7) Emergency lighting shall be maintained in good repair and tested monthly by creating a simulated power loss.
- (8) All suites of residential occupancy shall be inspected at intervals not greater than 12 months to ensure all smoke alarms and Carbon Monoxide (CO) alarms required to be installed in the suites are installed, and correctly located, in the suites.

#### **Part 4A: MINI-SUITES**

##### **General Provisions**

- 28E. (1) This part shall not relieve any owner of a mini-suite from complying with all of the other standards of this By-law or any other applicable legislation.
- (2) The owner shall maintain common spaces in a clean, secure and sanitary condition at all times and without limiting the generality of the foregoing shall:
    - (a) provide working locks on all tenant suites that are operable from inside without requiring keys or specialized knowledge; and
    - (b) not permit the use of any shared bathroom or shared kitchen for laundry.

##### **Life Safety Provisions**

- 28F. (1) Every mini-suite shall be separated from the remainder of the floor area with a fire separation including a solid core door with a self-closing device and positive latching mechanism acceptable to the Inspector.
- (2) Every floor level containing mini-suites shall be served by at least one (1) exit or acceptable means of emergency egress.
  - (3) All floor assemblies shall be constructed as fire separations.
  - (4) At least one copy of the fire safety floor plan shall be prominently posted on each floor as approved by the Inspector.

##### **Bathrooms**

- 28G. (1) Every shared bathroom or toilet room shall be fully enclosed and provided with a door equipped with a locking device and latch.

- (2) Where a bathroom or toilet room is shared by occupants an entrance shall be provided from a common passage way, hallway, corridor or other common space to the bathroom.
- (3) At least one bathroom must be provided for every six occupants or less.

### **Electrical**

28H. Every habitable room in a building shall have at least two duplex receptacles.

### **Smoke and Carbon Monoxide Alarms**

- 28I. (1) All mini-suites and common areas serving mini-suites shall be equipped with smoke alarms conforming to this section.
- (2) Buildings equipped with a fire alarm system are exempt, provided the system includes heat or smoke detection.
  - (3) A smoke alarm shall be located:
    - (a) on each storey including the basement level;
    - (b) in every kitchen, service room, and laundry room;
    - (c) in each sleeping room; and
    - (d) in a location between the sleeping rooms and the remainder of the mini-suite, and if the sleeping rooms are served by a hallway, the smoke alarm shall be located in the hallway.
  - (4) Where more than one smoke alarm is required within a mini-suite, the smoke alarms within the suite shall be interconnected so that the activation of one alarm will cause all alarms within the mini-suite to sound.
  - (5) Where more than one smoke alarm is required in common spaces serving mini-suites, the smoke alarms shall be interconnected so that the activation of one alarm will cause all alarms within the common spaces to sound.
  - (6) Interconnection of smoke alarms may be either wireless or wired.
  - (7) Smoke alarms shall be photoelectric and conform to CAN/ULC-S531.
  - (8) Smoke alarms shall have no disconnect switch between the fuse or breaker and the device.
  - (9) Smoke alarms shall be installed on or near the ceiling or as required by the manufacturer.
  - (10) All mini-suites shall be equipped with Carbon Monoxide (CO) alarms conforming to this section.
  - (11) Where a fuel-burning appliance is installed in a mini-suite, a CO alarm shall be installed:
    - (a) inside each sleeping room, or

- (b) outside each sleeping room, within 5 m of each sleeping room door, measured following corridors and doorways.
- (12) Where a fuel-burning appliance is installed in a service room that is not in a mini-suite, a CO alarm shall be installed:
- (a) either inside each sleeping room, or if outside, within 5 m of each sleeping room door, measured following corridors and doorways;
  - (b) in every mini-suite that shares a wall, floor or ceiling assembly with the service room; and
  - (c) in the service room.
- (13) For each mini-suite that shares a wall, floor or ceiling assembly with a storage garage or that is adjacent to an attic or crawl space to which the storage garage is also adjacent, a CO alarm shall be installed:
- (a) inside each sleeping room, or
  - (b) outside each sleeping room door, within 5 m of each sleeping room door, measured following corridors and doorways.
- (14) All CO alarms required in this section shall conform to CAN/CSA 6.19.

## **Part 5: ADMINISTRATIVE RESPONSIBILITIES**

### **Powers of License Administrator**

29. Repealed.

### **Licensing Requirements**

30. Repealed.

31. Repealed.

### **Orders by the Inspector**

32. (1) If after an inspection, the Inspector is satisfied that in some respect the building does not conform to the standards prescribed in this By-law, the Inspector:
- (a) shall serve or cause to be served to the owner(s) of the property, an Order to Comply; and
  - (b) may at the same time post a copy of such Order to Comply in a prominent place within or on the premises for which it is issued or provide all occupants of the building with a copy.
- (2) Every Order to Comply shall contain:
- (a) the standards to which the building does not comply;

(b) the date after which the building will be subject to a re-inspection to confirm compliance with the Order to Comply; and

(c) the action that will be taken against the owner, should the building not comply to the prescribed standards at the time of the re-inspection.

- (3) Where an Order to Comply has been served upon an owner, and the owner provides the Inspector with a schedule outlining specific time frames within which the work specified in the Order to Comply will be completed, the Inspector may accept or amend the schedule at which time the schedule will become a part of the Order to Comply.
- (4) Repealed.
- (5) Where an owner fails to comply with the requirements of an Order to Comply within the time specified in the Order to Comply, the Inspector may enter upon the property and carry out the work specified in the Order to Comply.

### **Appeals**

33. (1) An owner may appeal an Order to Comply to the Appeals Committee within four days after the Order to Comply is served.
  - (2) Repealed.
34. An appeal shall be commenced by filing a written notice with the Municipal Clerk which clearly states the grounds for the appeal.
35. If the applicant files an appeal, but the Appeals Committee is not scheduled to meet before the date the work is to be completed according to the Order to Comply, the Order to Comply shall be held in abeyance until the Appeals Committee has rendered its decision on the appeal.
36. After hearing an appeal, the Appeals Committee may:
  - (a) deny the appeal;
  - (b) allow the appeal and reverse the decision of the Inspector; or
  - (c) make any decision the Inspector could have made under this By-law.

### **Cost of Work**

37. If the Council, a committee, the Inspector or another employee of the HRM causes work to be done pursuant to section 32 the owner shall be fully responsible for the cost of the work, with interest at the rate determined by the Council, by policy, from the date of the completion of the work until the date of payment.
38. In addition to any other remedies at law, if the Council, a committee, the Inspector or another employee of the HRM causes work to be done pursuant to this By-law, the cost of the work, with interest at the rate determined by the Council, by policy, from the date of the completion

of the work until the date of payment, is a first lien on the principle use property upon which, or for the benefit of which, the work was done.

### **Service**

39. (1) Any Notice, Order, decision or other document required to be served under this By-law may be served personally, by mailing it to the person at the latest address shown on the assessment roll or the application for the license, by electronic mail or by facsimile.
- (2) A Notice, Order, decision or other document is deemed to have been served on the third day after it was sent.

### **Penalties**

40. (1) Repealed.
- (1a) A person who
- (a) violates a provision of this By-law or of an Order issued in accordance with this By-law;
  - (b) fails to do anything required by this By-law or an Order issued in accordance with this By-law;
  - (c) permits anything to be done in violation of this By-law or of an Order issued in accordance with this By-law; or
  - (d) obstructs or hinders any person in the performance of their duties under this By-law or under any Order issued in accordance with this By-law,
- is guilty of an offence.
- (2) Every person who commits an offence under this By-law shall be liable, upon summary conviction, to a penalty of not less than
- (a) for the first offence to a penalty of not less than one hundred and fifty dollars (\$150.00) and not more than ten thousand dollars (\$10,000.00) and in default of payment, to imprisonment for a term of not more than two (2) months;
  - (b) for the second offence to a penalty of not less than two hundred and fifty dollars (\$250.00) and not more than ten thousand dollars (\$10,000.00) and in default of payment, to imprisonment for a term of not more than two (2) months;
  - (c) for the third offence or any subsequent offence to a penalty of not less than four hundred and fifty dollars (\$450.00) and not more than ten thousand dollars (\$10,000.00) and in default of payment, to imprisonment for a term of not more than two (2) months.

- (2a) Every day during which an offence pursuant to subsection (1a) continues is a separate offence.
- (3) Repealed.
- (4) In addition to a fine imposed for contravening a provision of this By-law, a judge may order the person to comply with the provision or order under which the person was convicted, within the time specified in the order.

**Repeal**

41. The following By-law is hereby repealed:

HRM By-law M-100, the Minimum Standards By-law

Done and passed in Council this 19<sup>th</sup> day of July, 2016

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
ACTING MUNICIPAL CLERK

I, Sherryl Murphy, Acting Municipal Clerk for the Halifax Regional Municipality, hereby certify that the above noted by-law was passed at a meeting of the Halifax Regional Council held on, July 19, 2016.

\_\_\_\_\_  
Sherryl Murphy, Acting Municipal Clerk



Notice of Motion:	May 31, 2016
First Reading:	June 14, 2016
Notice of Public Hearing Publication:	July 2, 2016
Second Reading:	July 19, 2016
Approval of Service Nova Scotia and Municipal Relations:	N/A
Effective Date:	July 23, 2016

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Amendment #1 (By-law M-201)

Notice of Motion:	September 22, 2020
First Reading:	September 30, 2020
Notice of Second Reading Publication:	October 24, 2020
Second Reading:	November 10, 2020
Approval by Minister of Municipal Affairs and Housing:	N/A
Effective Date:	November 14, 2020

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Amendment #2 (By-law M-202)

Notice of Motion:	January 10, 2023
First Reading:	January 24, 2023
Notice of Second Reading Publication:	March 18, 2023
Second Reading:	April 4, 2023
Approval of Minister of Municipal Affairs & Housing:	N/A
Effective Date:	April 15, 2023

[← Back To Search Results](#)

Map Actions

**Property**  
**Select:** click  
**Pan:** drag  
**Zoom In/Out:** click Zoom widget, roll mouse wheel or double click  
**Zoom Box:** "Shift" key + drag

**Clear Selection**  
**Center Selection**

Map Layers

LR  
 Parcel Shading  
 Place Names

Map Controls

**NS Overview**  
**Locator Map**  
**Print Map**

Search Location

Location

Search

Reset

Property Information

**ID:** [40071011](#)

[Details](#)

**AN:** [04360893](#)

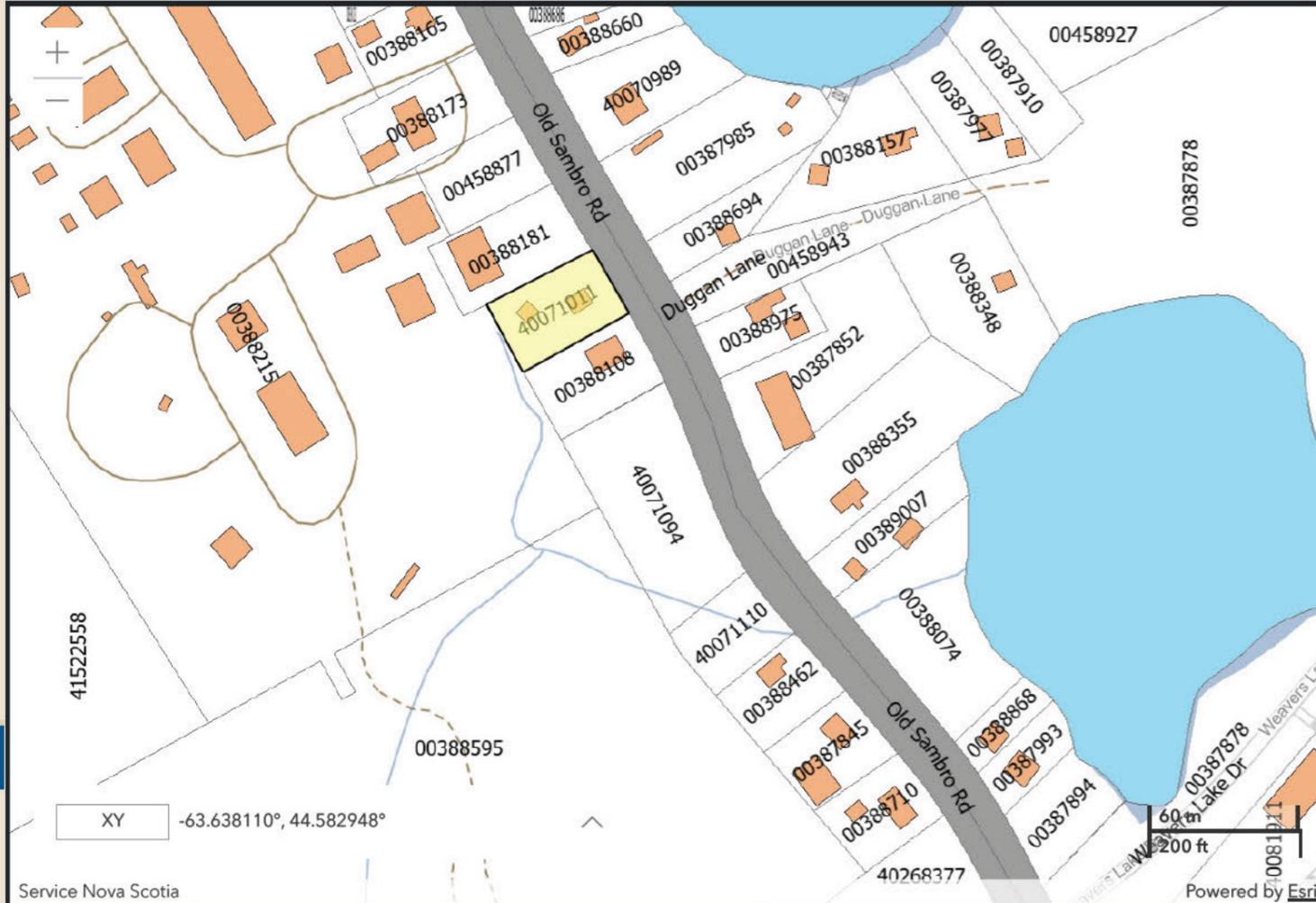
**Value:** \$192,800.00  
 (2023 RESIDENTIAL TAXABLE)

**Address:** [789 OLD SAMBRO ROAD HARRIETSFIELD LOT L-11](#)

**County:** HALIFAX COUNTY

**Owner:** 4444353 NOVA SCOTIA LIMITED

**Registration:** LAND REGISTRATION



Service Nova Scotia  
 XY: -63.638110°, 44.582948°  
 Lat: 44-34-059N Long: 063-38-017W Scale: 2252 Zoom: 16  
 Go

The Provincial mapping is a graphical representation of property boundaries which approximate the size, configuration and location of parcels. Care has been taken to ensure the best possible quality, however, this map is not a land survey and is not intended to be used for legal descriptions or to calculate exact dimensions or area. The Provincial mapping is not conclusive as to the location, boundaries or extent of a parcel [Land Registration Act subsection 21(2)]. THIS IS NOT AN OFFICIAL RECORD.

**Property Online Version 1.0**

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 If you have comments regarding our site please direct them to: [propertyonline@novascotia.ca](mailto:propertyonline@novascotia.ca)  
 Please feel free to [Submit Problems](#) you find with the Property Online web site.



**IMMEDIATE ORDER TO REMEDY  
RESIDENTIAL OCCUPANCY CONDITIONS**

**IN THE MATTER OF:** Halifax Regional Municipality Bylaw M-200 Respecting Standards for Residential Occupancies, made pursuant to Section 188 and Section 199 of the Halifax Regional Charter Chapter 39 of The Acts of 2008

**- and -**

**IN THE MATTER OF:** Property located at 789 OLD SAMBRO RD, HARRIETSFIELD, NS B3V 1A3  
PID: 40071011 AAN: 04360893 Case # CF-2023-031789,  
hereinafter referred to as the "Property"

**TO:** **4444353 NOVA SCOTIA LIMITED**

**WHEREAS** you are the owner of the Property;

**AND WHEREAS** the Property does not comply with minimum standards prescribed by HRM Bylaw M-200 Respecting Residential Occupancies in that deficiencies were found;

**TAKE NOTICE** that you are hereby required to Immediately remedy the condition of the Property as specified in Attachment A of this Order;

**TAKE FURTHER NOTICE** that the Property will be re-inspected on or after November 27, 2023 to confirm completion of the work specified in this Order;

**AND FURTHER TAKE NOTICE** that you have the right to appeal this Order to the Halifax Regional Municipality's Appeals Standing Committee by filing a Notice of Appeal with the Municipal Clerk at City Hall, PO Box 1749, Halifax, NS, B3J 3A5 within four (4) days after the order is deemed to be served upon the owner;

**AND FURTHER TAKE NOTICE** that in the event of your failure to comply with the requirements of this Order within the time specified, any person authorized by Building Official, or other person authorized by the Halifax Regional Municipality (the "Municipality") may enter in or upon any land or premises of the property without warrant or other legal process and carry out the work specified in this Order and the actual cost of carrying out the work specified in this Order may be recovered as a debt from you by action brought by the Halifax Regional Municipality;

**AND FURTHER TAKE NOTICE** that the actual cost of carrying out the work specified in this Order is a debt payable by you to the Municipality and the Municipality has a first lien on the Property in the amount of the debt which may be collected in the same manner and with the same rights and remedies as rates and taxes pursuant to the *Assessment Act*, RSNS 1989, C.23;

\* The requirement to comply with this Order under the Standards for Residential Occupancies shall not relieve the owner of the Property from compliance with the requirements of other Acts of the Province of Nova Scotia, or of the By-Laws of the Halifax Regional Municipality.

\* Without limiting the generality of the previous clause, the Order to Remedy the Property does not intend or in any way validate or confirm that the Property is in compliance with the applicable Land Use By-Law. This Order, and/or any improvements made to the Property under this Order, does not waive the Property Owner's requirement to ensure the Property complies with the uses permitted in the Land Use By-Law.

**See Attachment "A", Attaching to and forming part of this Order to Remedy**

**Original Redacted**

Assistant Building Official  
Damian Hicks  
Phone: (902) 478-2702  
Email: damian.hicks@halifax.ca

**DATED** at Halifax, Nova Scotia this  
21st day of November, AD 2022.

Remedy required by Bylaw M-200 Respecting Standards for Residential Occupancies made pursuant to Section 188 and Section 199 of the Halifax Regional Charter Chapter 39 of the Acts of 1998  
Property located at 789 OLD SAMBRO RD, HARRIETSFIELD, NS B3V 1A3

<b>RESPONSIBLE PARTY</b> 4444353 NOVA SCOTIA LIMITED <b>Original Redacted</b>	<b>DATE OF NOTICE</b> Nov 21, 2023
<b>PROPERTY IN VIOLATION</b> 789 OLD SAMBRO RD, HARRIETSFIELD, NS B3V 1A3	<b>OFFICER</b> Damian Hicks Phone: (902) 478-2702 Email: damian.hicks@halifax.ca

On Nov 21, 2023 the property in violation was inspected/investigated and the following condition(s) or activity was found which violate the Halifax Regional Municipality Code. Based on these the property is deemed:

## IN VIOLATION

The property will remain in this status until all the violations below are corrected. You are the person responsible for the correction of these violations.

### VIOLATION

November 21, 2023 - M200 - Electrical Power Available at all Times

M-200: (26)(1)

#### Code

M-200 (26)(1)

Electrical Power Available at all Times

Electrical power shall be available at all times in all parts of every occupied dwelling.

See By-law M-200

### Inspector Comments

Electrical Power must be immediately provided to the address listed above.

Resolve By	Fine	Charged
Nov 27, 2023	\$237.50	Daily



Failure to correct the violations listed above before the correct date may result in:  
- a Summary Offense ticket  
- labour and material costs for work performed by HRM

Nov 27th, 2023

Dear Sir/Madam

I wish to appeal the order to Remedy  
Case # CF-2023-031789. for the  
Property located at 789 Old Sambre Road  
Harrietsfield, NS B3V 1A3.

Kind Regards

4444353 NS Ltd  
Mazen Shbeeb

Original Redacted

Original Redacted

HALIFAX REGIONAL  
MUNICIPALITY  
NOV 27 2023  
Original Redacted  
MUNICIPAL CLERK



## IMMEDIATE ORDER TO REMEDY RESIDENTIAL OCCUPANCY CONDITIONS

**IN THE MATTER OF:** Halifax Regional Municipality Bylaw M-200 Respecting Standards for Residential Occupancies, made pursuant to Section 188 and Section 199 of the Halifax Regional Charter Chapter 39 of The Acts of 2008

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PID: 40071011 AAN: 04360893 Case # CF-2023-031789,  
hereinafter referred to as the "Property"

**TO:** 4444353 NOVA SCOTIA LIMITED

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**AND WHEREAS** the Property does not comply with minimum standards prescribed by HRM Bylaw M-200 Respecting Residential Occupancies in that deficiencies were found;

**TAKE NOTICE** that you are hereby required to Immediately remedy the condition of the Property as specified in Attachment A of this Order;

**TAKE FURTHER NOTICE** that the Property will be re-inspected on or after November 27, 2023 to confirm completion of the work specified in this Order;

**AND FURTHER TAKE NOTICE** that you have the right to appeal this Order to the Halifax Regional Municipality's Appeals Standing Committee by filing a Notice of Appeal with the Municipal Clerk at City Hall, PO Box 1749, Halifax, NS, B3J 3A5 within four (4 days after the order is deemed to be served upon the owner;

**AND FURTHER TAKE NOTICE** that in the event of your failure to comply with the requirements of this Order within the time specified, any person authorized by Building Official, or other person authorized by the Halifax Regional Municipality (the "Municipality" may enter in or upon any land or premises of the property without warrant or other legal process and carry out the work specified in this Order and the actual cost of carrying out the work specified in this Order may be recovered as a debt from you by action brought by the Halifax Regional Municipality;

**AND FURTHER TAKE NOTICE** that the actual cost of carrying out the work specified in this Order is a debt payable by you to the Municipality and the Municipality has a first lien on the Property in the amount of the debt which may be collected in the same manner and with the same rights and remedies as rates and taxes pursuant to the *Assessment Act*, RSNS 1989, C.23;

\* The requirement to comply with this Order under the Standards for Residential Occupancies shall not relieve the owner of the Property from compliance with the requirements of other Acts of the Province of Nova Scotia, or of the By-Laws of the Halifax Regional Municipality.

\* Without limiting the generality of the previous clause, the Order to Remedy the Property does not intend or in any way validate or confirm that the Property is in compliance with the applicable Land Use By-Law. This Order, and/or any improvements made to the Property under this Order, does not waive the Property Owner's requirement to ensure the Property complies with the uses permitted in the Land Use By-Law.

See Attachment "A", Attaching to and forming part of this Order to Remedy

Original Redacted

Assistant Building Official  
Damian Hicks  
Phone: (902) 478-2702  
Email: damian.hicks@halifax.ca

DATED at Halifax, Nova Scotia this  
21st day of November, AD 2022.

**IMMEDIATE ORDER TO REMEDY  
RESIDENTIAL OCCUPANCY CONDITIONS  
Attachment A  
Case # CF-2023-031789, 21-Nov-2023**

**Remedy required by Bylaw M-200 Respecting Standards for Residential Occupancies made pursuant to Section 188 and Section 199 of the Halifax Regional Charter Chapter 39 of the Acts of 1998  
Property located at 789 OLD SAMBRO RD, HARRIETSFIELD, NS B3V 1A3**

**RESPONSIBLE PARTY  
4444353 NOVA SCOTIA LIMITED**

**Original Redacted**

**DATE OF NOTICE  
Nov 21, 2023**

**PROPERTY IN VIOLATION  
789 OLD SAMBRO RD,  
HARRIETSFIELD, NS B3V 1A3**

**OFFICER  
Damian Hicks  
Phone: (902) 478-2702  
Email: damian.hicks@halifax.ca**

On Nov 21, 2023 the property in violation was inspected/investigated and the following condition(s) or activity was found which violate the Halifax Regional Municipality Code. Based on these the property is deemed:

## IN VIOLATION

The property will remain in this status until all the violations below are corrected. You are the person responsible for the correction of these violations.

### VIOLATION

**November 21, 2023 - M200 - Electrical Power Available at all Times**

M-200: (26)(1)

**Code**

M-200 (26)(1)

Electrical Power Available at all Times

Electrical power shall be available at all times in all parts of every occupied dwelling.

See By-law M-200

### Inspector Comments

Electrical Power must be immediately provided to the address listed above.

<b>Resolve By</b>	<b>Fine</b>	<b>Charged</b>
Nov 27, 2023	\$237.50	Daily



Failure to correct the violations listed above before the correct date may result in:  
- a Summary Offense ticket  
- labour and material costs for work performed by HRM

RE: Rent Payment issues at my property

---

From: Jillian King **Original Redacted**

To: **Original Redacted**

Date: Friday, November 24, 2023 at 01:49 PM AST

Hi Mazen:

Please find attached an order received from HRM today by registered mail.

Jillian King  
Legal Assistant  
**MELNICK DOLL CONDRAN**  
**Original Redacted**  
**Original Redacted**

Phone: **Original Redacted**

Fax: **Original Redacted**



This email may be privileged and/or confidential, and the sender does not waive any related rights and obligations. Any distribution, use or copying of this email or the information it contains by other than an intended recipient is unauthorized. If you received this email in error, please delete it and advise me (by return email or otherwise) immediately.

---

**From:** David Melnick **Original Redacted**  
**Sent:** Thursday, November 23, 2023 1:59 PM  
**To:** 'mazen shbeeb' **Original Redacted**  
**Cc:** Jillian King **Original Redacted**  
**Subject:** RE: Rent Payment issues at my property

Hello Mazen,

Can't help you there. We do not do litigation.



November 30, 2023

REGISTERED MAIL  
&  
EMAIL - **Original Redacted**

Mazen Shbeeb  
4444353 Nova Scotia Limited  
**Original Redacted**

**Re: Case CF 2023-031789, 789 Old Sambro Road, Harrietsfield**

This is to advise that your appeal will be heard by the Appeals Standing Committee on **Monday, December 11, 2023.**

This meeting will happen in-person in the Council Chamber at Halifax City Hall, 1841 Argyle Street, Halifax. All visitors to City Hall must sign-in at the security desk and show government-issued photo ID; more detail is attached.

Please arrive for 10:00 a.m. but note that there may be other cases heard before yours on the agenda.

**If you cannot attend in person and must participate using Zoom, please let me know no later than 4:30pm on the business day prior to the meeting.**

The staff report for this matter will be posted online to the Appeals Standing Committee web page at Halifax.ca by end of day Friday, December 8, 2023. If you require a hard copy of the report, please contact our office.

If filing an appeal, be advised that your submission and appeal documents will form part of the public record, and will be posted on-line at [www.halifax.ca](http://www.halifax.ca). If you feel that information you consider to be personal is necessary for your appeal, please attach that as a separate document, clearly marked "PERSONAL". It will be provided to the Standing Committee and/or council members and staff, and will form part of the public record, but it will not be posted online. You will be contacted if there are any concerns.

Should you wish to include images, video or audio as part of your appeal presentation to the Standing Committee, you must notify me by end of day Thursday, December 7, 2023 to allow for technical preparation and testing.

Should you be unable to attend, you may have a representative attend to present the appeal to the Standing Committee. Please note that your representative is required to have a letter signed by you giving permission. You or your representative may have witnesses or other evidence in support of the appeal and will be permitted up to 10 minutes to make a verbal submission. A copy of the appeals process is attached. If neither you nor a representative appears, the hearing will proceed and you will be advised of the Standing Committee's decision.

If you have any questions regarding this process, please contact me at 902-240-7164, lovasia@halifax.ca.

Sincerely,

**Original Redacted**

Andrea Lovasi-Wood  
Legislative Assistant  
Office of the Municipal Clerk

cc: Sergio Grbac, Manager, Building Standards  
Allison Patriquin, Supervisor, Building Standards  
David Brettell, Supervisor, Building Standards  
Dawson Patterson, Supervisor, Building Standards  
Michelle LaPierre, Adjudication Clerk  
Damian Hicks, Assistant Building Official

Enclosures:

- Information – Attending In Person Meetings
- Order of Proceedings for Appeals Standing Committee

# Attending In-Person Meetings

There are sign-in procedures in place for everyone visiting Halifax City Hall for all meetings and events.

All visitors, including media, must sign-in at the security desk, located at the main (Grand Parade) entrance of City Hall. Visitors who use the accessible entrance on Argyle Street will be escorted to the security desk by staff.

All visitors must present federal, provincial, or territorial government-issued photo ID to security. They also must provide their first and last name and the reason for their visit. If a visitor does not have government issued photo ID, they may present two pieces of federal, provincial, or territorial government-issued ID, two pieces of documentation (e.g. bills) or a combination of two pieces of government-issued ID/documentation as long as they both include their first and last name.

For children younger than 18, one piece of government-issued identification, such as an original birth certificate, health card, passport or non-government-issued ID (e.g. student card) is recommended but not mandatory as long as the child is accompanying a parent/guardian.

Once signed-in, visitors will be given a visitor badge to wear while they're in City Hall. This badge must be visible during their entire visit and be returned to security staff as they're leaving the building.

If visitors require the use of an elevator, they can notify a member of staff who can assist.

Visitors are reminded that no signs or placards are permitted in City Hall.

For questions about attending a meeting in City Hall, contact the Municipal Clerk's Office.

<https://www.halifax.ca/city-hall/regional-council/attending-person-meetings>

## Order of Proceedings for Appeals Standing Committee

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The Chair will open each of the hearings and address the following:

- The Chair will ask the Appellant (property owner) to identify themselves and provide their contact information
- If a person is appearing on behalf of an Appellant who is not present (legal counsel, family member, friend), they must provide written authorization to act on the Appellant's behalf
- The Chair will briefly explain the hearing will proceed (as follows):
- **Staff Presentation:** The HRM staff presenter explains the basis for the order under review and presents evidence in support of the order (including any documents or recent photos of the property, if applicable)
- The Committee may ask questions of the HRM staff presenter for clarification
- The Appellant may ask questions of the HRM staff presenter for clarification
- Non-party witnesses\* may be permitted to provide factual evidence relevant to the appeal
- The Appellant may ask questions of non-party witnesses for clarification
- **Appellant's Presentation:** The Appellant is granted reasonable time to present evidence in support of the appeal (documents/photos/witnesses)
- The Committee may ask questions to the Appellant and/or their witnesses
- The Appellant or their representative is then permitted up to 10 minutes to make a verbal submission in support of their case to reverse the order
- The Committee may ask questions to the Appellant and also further questions of HRM staff (subject to Appellant's response to the answers)
- Staff may ask questions to the Appellant (subject to Appellant's response to the answers)
- The Committee then debates their decision and renders a decision with the Appellant or their representative present
- Upon motion the Committee may move In Camera (In Private) to obtain confidential legal advice at any time during the process
- The Committee has four (4) options:
  - cancel the order (allow the appeal)
  - amend the order (change the conditions)
  - keep the order as is (appeal dismissed)
  - continue the hearing at a later date (defer)

### \*Non-Party Witnesses

Persons who are not parties to the appeal may be permitted to provide relevant evidence of factual matters within their personal knowledge to the Appeals Standing Committee. Non-party witnesses will be given an appropriate amount of time to present their information.

Hearings of the Appeals Standing Committee are open to the public and any information, including personal information, which is provided or obtained in relation to your appeal, will be a matter of public record.

The Appeals Standing Committee meetings begin at 10:00 a.m. and cases will be heard as they appear on the approved agenda.