



P.O. Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Item No. 9.1.1
License Appeal Committee
August 21, 2025

TO: Chair and Members of License Appeal Committee

FROM: Peter Nightingale, Acting Director Community Standards

DATE: August 11, 2025

SUBJECT: Appeal Report – Application for Taxi Driver License – Refusal – Ryan Livingstone

ORIGIN

On July 29, 2025, Ryan Livingstone filed a Notice of Appeal (Attachment B) regarding the refusal of his application for a taxi driver license.

MOTION FOR CONSIDERATION

In accordance with Section 58 of Administrative Order One, the motion before the License Appeal Committee is to allow the appeal.

RECOMMENDATION

It is recommended that the License Appeal Committee deny the appeal, thereby upholding the decision of the License Administrator.

BACKGROUND

Ryan Livingstone made an application on July 28, 2025 for a Drivers License under By-law T-1000, Respecting the Regulation of Taxis, Accessible Taxis, Limousines, and Transportation Network Companies. Included with his application was a Criminal Record Check, Vulnerable Sector Check, Driver's Abstract, and a Statutory Declaration regarding any convictions or pending charges. Upon review of these documents, the License Administrator identified the following information:

- Criminal Record Check, dated July 7, 2025, which included:

Charge

Sentence Date

266(A) CC – Assault

13-Nov-2014

320.14(1)(A) CC – Operation of a conveyance
while impaired to any degree of BAC or drug
or a combination of both

18-Apr-2019

On July 28, 2025, License Administrator contacted Mr. Livingstone to review the above charges.

On July 29, 2025, a refusal letter (Attachment A) was issued.

On July 29, 2025, Mr. Livingstone submitted a Notice of Appeal to the Municipal Clerk's Office (Attachment B).

On July 31, 2025, the Municipal Clerk's Office sent a letter (Attachment C) to Ryan Livingstone advising his appeal would be heard at the August 21, 2025, Licensing Appeal Committee meeting.

DISCUSSION

Section 44.1(b), (c) (e) and (g) of [By-Law T-1000 - Respecting the Regulation of Taxis, Accessible Taxis, Limousines and Transportation Network Companies](#) states:

44.1 *The Licensing Authority may suspend or revoke the owner's license or driver's license, or both, the broker's or independent broker's license or the TNC License of any license holder, or refuse any applicant who*

- (b) is either charged or convicted pursuant to any municipal by-law, or provincial or federal legislation;*
- (c) has committed any act or acts that, in the opinion of the Licensing Authority, it is in the public interest that the person not hold either an owner's license, a driver's license, a broker's license, an independent broker's license or a TNC License;*
- (e) has been convicted within the last ten years of a criminal offence as set out in Schedule A to this By-law;*
- (g) has a driving record, criminal or provincial offence record or outstanding criminal charges that in the opinion of the Licensing Authority makes him or her unfit to operate a taxi, accessible taxi, or limousine, as the case may be;*

Only the April 2019 conviction for operation of a conveyance while impaired is relevant to section 44.1 (e), as the other conviction is more than ten years old. While the older charges are not a factor in considering the applicability of 44.1(e) to the application, the License Administrator considered the driver's history under sections 44.1(b), (c), and (g), which do not have a time limit.

Given the nature of the criminal charges, in accordance with Section 44.1 of By-Law T-100- Respecting the Regulations of Taxis, Accessible Taxis, Limousines and Transportation Network Companies, the Licensing Authority refused Ryan Livingstone's application for a taxi driver license.

It is important to note that Mr. Livingstone has not completed the mandatory HRM training program for vehicle for hire drivers, as his application was refused prior to reaching the training stage. Should the Committee wish to grant the appeal, it should be conditional on the applicant completing the required training program.

FINANCIAL IMPLICATIONS

There are no financial implications.

RISK CONSIDERATION

There is no significant risk associated with the recommendation contained within this report. Should the appeal be allowed, there may be a risk to public safety given the nature of the criminal charges and convictions.

COMMUNITY ENGAGEMENT

There is no community engagement.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications.

ALTERNATIVES

The License Appeal Committee may allow the appeal and order that the license application for Ryan Livingstone be approved and the license granted, conditional upon the applicant successfully completing the mandatory HRM training program for Vehicle for Hire Drivers. In doing so, the Committee must provide reasons to be recorded in the minutes of the committee meeting.

LEGISLATIVE AUTHORITY

By-law T-1000 - Respecting the Regulation of Taxis, Accessible Taxis, Limousines and Transportation Network Companies:

48.0 APPEALS

- 48.1 A person whose application for the issuance or renewal of an owner's license, driver's license, broker's license, independent broker's licence or TNC License is refused by the Licensing Authority, or a person whose owner's license, driver's license, broker's license, independent broker's licence or TNC License is suspended, revoked or cancelled by the Licensing Authority, may appeal the refusal, suspension, revocation or cancellation to the License Appeal Committee, within 15 days from the date of the refusal, suspension or cancellation.
- 48.1A There is no right of appeal of a non-discretionary decision of the Licensing Authority.
- 48.2 A person whose application is refused or a person whose owner's license, driver's license, broker's license, independent broker's licence or TNC License is suspended, revoked or cancelled by the Licensing Authority may appeal to the License Appeal Committee within 15 days after the refusal, suspension or cancellation by submitting their appeal in writing to the Municipal Clerk's Office.
- 48.2A An appeal will be heard by the License Appeal Committee.
- 48.3 The License Appeal Committee must hear the Appellant and may
 - (a) confirm or vary the decision of the Licensing Authority;
 - (b) order that a license be revoked and surrendered; or
 - (c) order that a license be granted or reinstated, with or without conditions.
- 48.4 The License Appeal Committee may order that a license be granted or reinstated subject to the appellant completing any mandatory training required in this By-law, or proving that the appellant meets the qualifications and requirements of this by-law, or subject to any conditions that the License Appeal Committee determines appropriate under the circumstances.
- 48.4A A person whose appeal of an application refusal, renewal refusal or a license revocation is not successful must wait one calendar year from the date of the hearing of the appeal before submitting a new application to the Licensing Authority.
- 48.5 The License Appeal Committee must not make any decision that the Licensing Authority could not have made under this by-law.

ATTACHMENTS

Attachment A: License Application Refusal Letter

Attachment B: Notice of Appeal from Applicant

Attachment C: Appeal Hearing Notification

Report Prepared by: Neala Matheson, License Administrator, Community Standards & Compliance 902.497.1839

EMAIL & REGISTERED LETTER

July 29, 2025

Ryan Livingstone
[REDACTED]
[REDACTED]
[REDACTED]

Dear Ryan Livingstone:

RE: Vehicle for Hire Driver License Application # BA-2025-002281

This letter is in reference to your recent application dated **July 28, 2025**, for a **Taxi Driver's License. By-law T-1000** - Respecting the Regulation of Taxis, Accessible Taxis, Limousines and Transportation Network Companies states:

14.0 DRIVERS' LICENSES

14.3 An applicant may be issued a driver's license if the applicant has met all other requirements of this by-law; and

After review of your application and documents for HRM taxi driver license by the Licensing Administrator, we noted the following charges on your criminal record check dated July 7, 2025.

The charges and convictions dated 2014 and 2019 are noted as follows:

- Charge: 266 CC – Assault.
- Charge: 320.14 (1)(A) CC– Operating a conveyance while impaired to any degree by blood alcohol concentration (BAC) or drug or a combination of both.

As part of the review of your taxi license applications, the License Administrator contacted you on July 28, 2025, to review the above charges.

Based on the above noted charges, your application for a taxi driver license has been **refused** at this time due to these charges.

By-law T-1000 - Respecting the Regulation of Taxis, Accessible Taxis, Limousines and Transportation Network Companies states:

44.1 The Licensing Authority may suspend or revoke the owner's license or driver's license, or both, the broker's or independent broker's license or the TNC License of any license holder, or refuse any applicant who

(b) is either charged or convicted pursuant to any municipal by-law, or provincial or federal legislation;

(c) has committed any act or acts that, in the opinion of the Licensing Authority, it is in the public interest that the person not hold either an owner's license, a driver's license, a broker's license, an independent broker's license or a TNC License;

(e) has been convicted within the last ten years of a criminal offence as set out in Schedule A to this By-law;

(g) has a driving record, criminal or provincial offence record or outstanding criminal charges that in the opinion of the Licensing Authority makes him or her unfit to operate a taxi, accessible taxi, or limousine, as the case may be;

In accordance with Section 48 of By-law T-1000, Respecting the Regulation of Taxis, Accessible Taxis, Limousines and Transportation Network Companies, **you have the right to appeal this decision within 15 days from the date of the refusal.**

48.2 A person whose application is refused or a person whose owner's license, driver's license, broker's license, independent broker's license or TNC License is suspended, revoked or cancelled by the Licensing Authority may appeal to the License Appeal Committee within 15 days after the refusal, suspension or cancellation by **submitting their appeal in writing to the Municipal Clerk's Office C/O Municipal Clerk, P.O. Box 1749, Halifax, NS, B3J 3A5**. Once filed, an appeals committee hearing will be scheduled.

Any questions concerning this correspondence should be directed to the undersigned at (902) 497-1839.

Sincerely,



Neala Matheson
License Administrator
Community Standards | Licensing
Community Safety

cc: *Municipal Clerk's Office*
Peter Nightingale, Manager License Standards

Attachment B: Notice of Appeal from Applicant

Lovasi-Wood, Andrea

Subject: FW: License refusal appeal

-----Original Message-----

From: Office, Clerks <clerks@halifax.ca>
Sent: Tuesday, July 29, 2025 9:58 AM
To: Lovasi-Wood, Andrea <lovasia@halifax.ca>
Subject: FW: License refusal appeal

This gent arrived upstairs to appeal the refusal of his license request.

Logging to LAC

-----Original Message-----

From: Ryan Livingstone [REDACTED]
Sent: Tuesday, July 29, 2025 9:36 AM
To: Office, Clerks <clerks@halifax.ca>
Subject: [External Email] License refusal appeal

[This email has been received from an external person or system]

Hi, I'm writing today concerning my license refusal appeal start process BA-2025-002281 Thanks Ryan Livingstone Cell [REDACTED] Sent from my iPhone

Attachment C: Appeal Hearing Notification

		REGISTERED DOMESTIC CUSTOMER RECEIPT	RECOMMANDÉ RÉGIME INTÉRIEUR REÇU DU CLIENT	
To		Destinataire		
Name		Nom		
Address		Adresse		
City / Prov. / Postal Code		Ville / Prov. / Code postal		
Declared Value		Déclaré \$		
33-086-584 (17-12)				
		FOR DELIVERY CONFIRMATION		
		CONFIRMATION DE LA LIVRAISON		
		canadapost.ca or /ut postescanada.ca		
		1 888 550-6333		
		GPO Tracking Number		
		Numéro de repérage de la GPO		

July 31, 2025

**REGISTERED MAIL
&
EMAIL -** [REDACTED]

Ryan Livingstone
[REDACTED]

Re: Appeal of Refusal of Taxi Driver License Application # BA-2025-002281

This is to advise that your appeal of the Licensing Authority's decision to **refuse** your Halifax taxi driver license # BA-2025-002281 will be heard by the License Appeal Committee on **Thursday, August 21, 2025**.

The hearing will be held virtually via Zoom and members of the public and media may request to attend the virtual meeting. Please join the virtual Zoom meeting for 4:30 p.m. but note that there may be other cases heard before yours on the agenda.

The staff report for this case will be posted online to the License Appeal Committee agenda page by end of day Friday, August 15, 2025 <https://www.halifax.ca/city-hall/agendas-meetings-reports> If you require a hard copy of the report, please contact our office.

Please 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. 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 committee and/or council members and staff, and will form part of the public record, but it will not be posted on-line. 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 Committee, you must notify me by end of day Tuesday, August 19, 2025 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 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 Committee's decision.

To assist with the running of the virtual meeting, please send the following information to me via return email by 4:30 p.m. Tuesday, August 19, 2025:

- Name(s) of the presenter(s) for the hearing;
- Name(s) of any witness(s) for the hearing;

HALIFAX

Halifax Regional Municipality
PO Box 1749, Halifax, Nova Scotia
Canada B3J 3A5

halifax.ca

- Phone number(s) that the presenter(s) and/or witness(s) may be reached at during the meeting for technical support;
- Email addresses for the presenter(s) and/or witness(s) so the meeting details can be shared;
- Any images, video or audio you wish to present*

During the hearing Municipal Clerk's Office staff will control the presentation for the appellant. The presenter(s) will need to verbally indicate when a slide should be advance by saying "next slide". **To assist please number your images.*

If you'd like, you can let us know how to say your name using simple, sound-it-out spelling. (For example: for Leila Nahirah say "Lay-ah Nah-HEE-rah").

The Zoom link for this meeting will be made available to you after 4:30pm the business day before the hearing.

If you have any questions regarding this process, please contact me at 902-240-7164 and lovasia@halifax.ca. Please note that I am on vacation from August 4-15, 2025 and my backups during this time are:

- August 4-8th – Simon Ross-Siegel at 902-292-3962 and rosssis@halifax.ca
- August 11-15th – Krista Vining at 902-223-1046 and viningk@halifax.ca

Sincerely,



Andrea Lovasi-Wood
Legislative Assistant
Office of the Municipal Clerk

cc: Peter Nightingale, Manager, License Standards
Julie Habib, Regional Licensing Supervisor
Neala Matheson, License Administrator
Karen MacDonald, Managing Solicitor, HRM Legal & Legislative Services

Enclosures:

- Order of Proceedings for License Appeal Committee – Virtual Hearings

Order of Proceedings for Licence Appeal Committee – Virtual Meetings

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

- The Chair will ask the Appellant 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 to the Clerk's Office three (3) days in advance of the hearing.
- The Chair will briefly explain the hearing will proceed (as follows):
- Staff Presentation: The HRM staff presenter explains the basis for the licensing decision under review and presents evidence in support of the licensing decision.
- 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 Appellant or their representative is then permitted up to 10 minutes to make a verbal submission in support of their case to reverse the licensing decision
- 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 put the motion on the floor. This required mover and seconder.
- 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

*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 Committee. Non-party witnesses will be given an appropriate amount of time to present their information.

Hearings of the Licence Appeal Committee are open to the public, including the media. For virtual meetings, members of the public can request to attend and any information, including personal information, which is provided or obtained in relation to your appeal, will be a matter of public record. Cases will be heard as they appear on the approved agenda.