



**LICENSE APPEAL COMMITTEE
DRAFT MINUTES
August 21, 2025**

PRESENT: John Boddie, Chair
Martin Zwicker, Vice Chair
Joslin Nfonyelle

REGRETS: Ryan Baxter
James Jamieson

STAFF: Peter Nightingale, Manager, License Standards
Karen MacDonald, Managing Solicitor
Andrea Lovasi-Wood, Legislative Assistant

These minutes are considered draft and will require approval by License Appeal Committee at a future meeting.

The following does not represent a verbatim record of the proceedings of this meeting.

The agenda, reports, supporting documents, and information items circulated are online at halifax.ca.

1. CALL TO ORDER AND LAND ACKNOWLEDGEMENT

The Chair called the meeting to order at 4:41 p.m. and acknowledged that the meeting took place in the traditional and ancestral territory of the Mi'kmaq people, and that we are all treaty people.

2. APPROVAL OF MINUTES – March 5, 2025

MOVED by Martin Zwicker, seconded by Joselin Nfonyelle

THAT the minutes of March 5, 2025 be approved as circulated.

MOTION PUT AND PASSED.

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

Additions: None

Deletions: None

MOVED by Martin Zwicker, seconded by Joselin Nfonyelle

THAT the agenda be approved as presented.

MOTION PUT AND PASSED.

4. BUSINESS ARISING OUT OF THE MINUTES – NONE

5. CALL FOR DECLARATION OF CONFLICT OF INTERESTS – NONE

6. CONSIDERATION OF DEFERRED BUSINESS – NONE

7. CORRESPONDENCE, PETITIONS & DELEGATIONS

7.1 Correspondence

Correspondence was received and circulated for item 9.1.1.

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

7.2 Petitions – None

7.3 Presentation – None

8. INFORMATION ITEMS BROUGHT FORWARD – NONE

9. REPORTS

9.1 TAXI, LIMOUSINE & TRANSPORTATION NETWORK COMPANY LICENSING APPEALS

9.1.1 Refusal to Issue Taxi Driver License

The following was before the Committee:

- Staff report dated August 11, 2025
- Correspondence from Ryan Livingstone
- Staff presentation dated August 21, 2025

The Chair reviewed the rules of procedure for appeal hearings and confirmed the appellant was present. The appellant confirmed they were aware of the option to be represented by a lawyer, and they were prepared to represent themselves.

Peter Nightingale, Manager, License Standards gave a presentation and responded to questions of clarification from the Committee. Nightingale clarified section 44.1(e) of By-law T-1000, *Halifax Regional Municipality Taxi, Limousine and Transportation Network Companies By-law* gave the License Administrator discretion to refuse a license application for the offences listed in Schedule A and did not prevent the License Administrator or the Committee to grant a license based upon the merits of the individual application. Nightingale confirmed that it was not without precedent to grant a license if there was a criminal conviction within ten years, especially after receipt of an explanation from the appellant and determination whether appropriate weight was given to an appellant's criminal conviction.

Ryan Livingstone, appellant spoke to their plan to start a chauffeuring business and the self work they completed since 2019. Livingstone spoke to their stable personal life, employment and maturity. Livingstone referred to their written submissions to the Committee including a letter confirming their employment and three character references. Livingstone spoke to how their current life proved that the past criminal convictions did not reflect upon who they currently were, they took responsibility for previous actions and understood the impacts of poor decision-making. Livingstone responded to questions of clarification from the Committee and confirmed the 2019 conviction was for an incident in 2019 and that they completed a one year driving suspension. Livingstone provided details of their current employment which was in a secure facility that required a lengthy and thorough security clearance prior to the start of employment. Livingstone confirmed that all of their character references were familiar with their conviction, their life now including driving ability, and that one of the references granted them permission to drive commercial vehicles at work overnight at a previous job. Livingstone confirmed the completion of drug and alcohol testing when hired by current employer and explained that they learned from their community volunteer work that they could do better and learn from their mistakes. Livingstone further explained their reasons to pursue a chauffeur business, that they made substantial changes to their life and asked they be granted a taxi drivers license.

Karen MacDonald, Managing Solicitor spoke to the Administrative Order One, *Respecting the Procedures of the Council* requirement that appeal motions before the Committee were to be expressed in the positive. Once the appeal motion was placed on the floor the Committee then had two options. If they wanted to grant the appellant's taxi driver license, they would vote in favour of the motion and if the Committee did not want to grant the license, they would vote to defeat the appeal.

MOVED by Martin Zwicker, seconded by Joselin Nfonyelle

THAT the License Appeal Committee allow the appeal.

MacDonald responded to questions of clarification from the Committee. MacDonald explained that when the Committee considered an appeal of a discretionary decision under the By-law, the Committee could do whatever the License Administrator could do when they considered the taxi driver license application, including granting the license subject to the appellant's completion of the mandatory training. MacDonald confirmed that the consideration of a criminal conviction within the last ten years did not mean an automatic refusal of a license but was just one factor to be considered along with the evidence presented by the appellant to the Committee.

The Committee indicated that the factors related to the appellant's fitness to be granted a taxi drivers license included the 2019 conviction, the appellant's full time employment and the appellant's successful security clearance for their current job. The Committee indicated that the 2014 conviction was no longer relevant to the public interest. The Committee indicated that the detailed character references spoke to the appellant's reliability and safety consciousness in safety sensitive work environments and to the appellant's significant amount of community engagement. The Committee noted the 2019 conviction was six years old and that the Committee should focus on the appellant's current fitness and current public

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interest. The Committee spoke to how the evidence of the appellant's character over the past six years mitigated any public safety concerns. The Committee noted the appellant's behaviour had improved, the appellant overcame past difficulties, were involved in their community and that these various circumstances warranted the appellant being granted a taxi drivers license.

MacDonald and Nightingale clarified that if the Committee approved the appeal the appellant would need to complete the mandatory training and any other licensing requirements. Nightingale spoke to the separate licenses needed for taxi drivers and taxi owners and that taxi owners needed to have a taxi driver license. Nightingale indicated that if the Committee allowed the appeal the appellant would be granted a taxi driver license, subject to completion of mandatory training, and that licensing staff would not consider the 2019 conviction if the appellant were to apply for a taxi owner license.

MOTION PUT AND PASSED.

Decision of the Licensing Authority overturned.

10. ADDED ITEMS – NONE

11. IN CAMERA (IN PRIVATE) – NONE

12. ADJOURNMENT

The meeting adjourned at 5:44 p.m.

Andrea Lovasi-Wood
Legislative Assistant