



**APPEALS STANDING COMMITTEE
MINUTES
January 14, 2016**

PRESENT: Deputy Mayor Matt Whitman, Chair
Councillor Stephen Adams, Vice Chair
Councillor Russell Walker
Councillor Gloria McCluskey
Councilor David Hendsbee
Councillor Brad Johns

STAFF: Mr. Randolph Kinghorne, Senior Solicitor
Ms. Tanya Phillips, Manager, By-law Standards
Ms. Cathy Collett, Legislative Assistant

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

The agenda, supporting documents, and information items circulated to the Appeals Standing Committee are available online: <http://www.halifax.ca/boardscom/SCappeals/index.php>

The meeting was called to order at 10:03 a.m., the meeting recessed at 11:35 a.m. and resumed at 11:39 a.m. The meeting adjourned at 11:52 a.m.

1. CALL TO ORDER

The Chair called the meeting to order at 10:03 a.m.

2. APPROVAL OF MINUTES – November 12, 2015 and December 10, 2015

Councillor Adams commented that he was present and chaired the meeting on November 12, 2015 and that he was also present on December 10, 2015.

MOVED by Councillor McCluskey, seconded by Councillor Johns

THAT the minutes of November 12, 2015 and December 10, 2015 be approved as amended.

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

MOVED by Councillor Johns, seconded by Councillor Hendsbee

THAT the order of business be approved as presented.

MOTION PUT AND PASSED.

4. BUSINESS ARISING OUT OF THE MINUTES - NONE

5. CALL FOR DECLARATION OF CONFLICT OF INTERESTS

6. MOTIONS OF RECONSIDERATION – NONE

7. MOTIONS OF RESCISSION – NONE

8. CONSIDERATION OF DEFERRED BUSINESS – NONE

9. NOTICES OF TABLED MATTERS – NONE

10. CORRESPONDENCE, PETITIONS & DELEGATIONS - NONE

10.1 Correspondence

10.2 Petitions

10.3 Presentation

11. INFORMATION ITEMS BROUGHT FORWARD – NONE

12. REPORTS

12.1 DANGEROUS OR UNSIGHTLY PREMISES: APPEALS

12.1.1 Case #259023, 9567 St. Margaret's Bay Road, Queensland

The following was before the Committee:

- A staff recommendation report date December 16, 2016 re: vehicles

The Chair confirmed that the property owner was present. Mr. Gary MacKenzie informed the Standing Committee that he held the power of attorney for his son, Mr. Jacob MacKenzie, property owner.

Mr. Trevor Oliver, Compliance Officer, gave a brief presentation providing background for the case and showing pictures of the vehicles on the property.

Mr. Pat MacKenzie, occupant of the property, spoke briefly to the condition of the property and his plans for remedying the issues identified by staff.

Mr. Pat MacKenzie responded to questions of clarification from Standing Committee members regarding the vehicles on the property.

MOVED by Councillor Johns, seconded by Councillor McCluskey

THAT the Appeals Standing Committee allow the appeal

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

12.1.2 Case #259573, 9567 St. Margaret's Bay Road, Queensland

The following was before the Committee:

- A staff recommendation report dated December 16, 2015 re: debris

Mr. Trevor Oliver, Compliance Officer, gave a brief presentation providing background for the case and showing pictures of the debris on the property.

Mr. Patrick MacKenzie responded to questions of clarification from Standing Committee members.

MOVED by Councillor Johns, seconded by Councillor Adams

THAT the Appeals Standing Committee allow the appeal

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

12.1.3 Case #260082 and #260083, PID #00421834, Hammonds Plains Road

The following was before the Committee:

- A staff recommendation report dated December 23, 2015

Deputy Mayor Whitman recused himself due to a perceived conflict of interest. He left the meeting at 10:58 a.m.

Councillor Adams assumed the position of Chair.

Mr. Trevor Oliver, Compliance Officer, gave a brief presentation outlining the background of the cases and showing pictures of the debris and vehicles on the property.

Mr. Thomas Moore, appellant, spoke briefly to his plans for remedying the issues identified by staff.

Responding to questions of clarification from members of the Standing Committee, Mr. Oliver acknowledged that Mr. Moore had made progress with addressing the debris, but not the derelict vehicles.

Mr. Thomas Moore explained the difficulty that the weather caused for addressing the outstanding compliance issues and indicated that he believes he could have it remedied by the spring.

The members of the Standing Committee discussed what a reasonable timeline for compliance on the outstanding issues would be.

MOVED by Councillor Johns, seconded by Councillor McCluskey

THAT Case #260082 be deferred until the first meeting of the Appeals Standing Committee occurring after April 31, 2016.

MOTION PUT AND PASSED

MOVED by Councillor Johns, seconded by Councillor McCluskey

THAT Case #260083 be deferred until the first meeting of the Appeals Standing Committee occurring after April 31, 2016.

MOTION PUT AND PASSED

12.1.4 Case #261584, 2516 Beech Street, Halifax

The following was before the Committee

- A staff recommendation report dated December 15, 2015

Mr. Alonzo MacDonald, Compliance Officer, provided a brief presentation giving background for the case and showing pictures of the vehicle that was the subject of the complaint.

Mr. Frank Hickey, appellant, explained his intent to have the car fixed when possible and showed photographs of the work he had undertaken to the portion of the car visible from the street.

Mr. Hickey responded to questions of clarification from Standing Committee members.

MOVED by Councillor Johns, seconded by Councillor McCluskey

THAT the Appeals Standing Committee allow the appeal

MOTION PUT AND PASSED.

12.3 TAXIS, ACCESSIBLE TAXIS AND LIMOUSINES: APPEALS - NONE

12.4 RESIDENTIAL OCCUPANCY APPEALS (By-law M-100) - NONE

12.5 STREETS BY-LAW - NONE

12.6 STAFF - NONE

13. MOTIONS - NONE

14. IN CAMERA (IN PRIVATE) - NONE

15. ADDED ITEMS - NONE

16. NOTICES OF MOTION

17. DATE OF NEXT MEETING – February 18, 1:00 p.m. (*note change in time*), Council Chambers, 3rd Floor, City Hall, 1841 Argyle Street, Halifax.

18. ADJOURNMENT

The meeting adjourned at 11:52 a.m.

Cathy Collett
Legislative Assistant