



**APPEALS STANDING COMMITTEE
MINUTES
September 12, 2019**

PRESENT: Councillor Steve Adams, Chair
Councillor Matt Whitman, Vice Chair
Councillor Lisa Blackburn
Councillor Russell Walker

REGRETS: Councillor Bill Karsten
Councillor David Hendsbee

STAFF: Karen MacDonald, Senior Solicitor
Tanya Phillips, Manager, By-law Standards
Simon Ross-Siegel, Legislative Assistant

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

The agenda, reports, supporting documents, information items circulated, and video (if available) are online at halifax.ca.

The meeting was called to order at 10:00 a.m. The meeting adjourned at 10:30 a.m.

1. CALL TO ORDER

The Chair called the meeting to order at 10:00 a.m. in Council Chamber, 3rd Floor City Hall, 1841 Argyle Street, Halifax.

2. APPROVAL OF MINUTES – July 11, 2019

MOVED by Councillor Blackburn, seconded by Councillor Whitman

THAT the minutes of July 11, 2019 be approved as circulated.

MOTION PUT AND PASSED.

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

The agenda was approved as circulated.

4. BUSINESS ARISING OUT OF THE MINUTES – NONE

5. CALL FOR DECLARATION OF CONFLICT OF INTERESTS – NONE

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

11. INFORMATION ITEMS BROUGHT FORWARD – NONE

12. REPORTS

12.1 DANGEROUS OR UNSIGHTLY PREMISES: APPEALS

12.1.1 Case 322889 Property located at 236 Herring Cove Road, Halifax

Staff indicated that, in consultation with the property owners, this matter was rescheduled to the November 14, 2019 meeting of the Appeals Standing Committee.

12.1.2 Case 328298 Property located at 185 Tanner Frederick Road, French Village

The following was before the Standing Committee:

- A staff recommendation report dated September 6, 2019
- A staff presentation

Kim Northrop, Compliance Officer II, By-law Standards spoke before the Committee as to the state of the structure and the history of compliance staff's involvement. Since September of 2019, the property owner installed a gate and advised staff not to enter past the gate further onto the property, so staff was unable to obtain updated photos of derelict vehicles and debris in the rear or the property. On July 31, staff visited the property with police attendance and took photographs of seven derelict vehicles. Staff noted at that time that much of the debris had been removed and closed the debris order on this basis.

Craig Covey, the property owner, addressed the Committee regarding the appeal. Since July 31, the property owner has removed the two four-wheelers. The property owner is a mechanic who works on vehicles in their personal interest and chose to live in the property in question in part due to the ability to obtain seclusion. In reply to questions, the property owner clarified that they are currently working as a mechanic in a personal capacity and are not operating a business.

MOVED by Councillor Whitman, seconded by Councillor Walker

THAT in accordance with Section 58 of Administrative Order One, the Appeals Standing Committee allow the appeal.

Following discussion, Councillor Walker suggested deferring the matter for thirty (30) days in order to enable the appellant and compliance staff to coordinate a follow up visit to take photographs of the property and details regarding any work which has been completed since July of 2019 toward compliance.

MOVED by Councillor Walker, seconded by Councillor Blackburn

THAT the Appeals Standing Committee defer consideration of Case 328298 Property located at 185 Tanner Frederick Road, French Village for thirty (30) days.

THAT the matter be deferred for thirty (30) days.

MOTION PUT AND PASSED.

12.2 DANGEROUS OR UNSIGHTLY PREMISES: DEMOLITIONS

12.2.1 Case 329360 Property located at 34 Cranton Drive, Porters Lake

The following was before the Standing Committee:

- A staff recommendation report dated September 6, 2019
- A staff presentation

The Committee confirmed that the property owner was not present to address the Committee.

Brennen Hartling, Compliance Officer II, Building and Compliance spoke before the Committee as to the state of the structure and the history of by-law services' involvement. The demolition order relates to an accessory structure located in the rear of the property. Staff showed photographs showing issues with the structure including a deteriorating door, bending suggesting a compromised roof, and evidence that the walls were bowing out from the structure. Staff noted that the building official who made the report was in attendance.

MOVED by Councillor Blackburn, seconded by Councillor Walker

THAT the Appeals Standing Committee find the property to be dangerous or unsightly as per section 3(q) of the Charter and as per section 356 of the Charter, orders demolition of the accessory structure including but not limited to, the removal of all demolition debris, backfilling of any foundation or crawl space, and disconnecting any and all utility connections to the standard set by each respective utility service provider, so as to leave the property in a neat, tidy, environmentally compliant and safe condition within thirty (30) days after the Order is posted in a conspicuous place upon the property or personally served upon the owner. Otherwise, the Municipality will exercise its rights as set forth under Part XV (15) of the Charter.

MOTION PUT AND PASSED.

12.2.2 Case 320978 Property located at 980 North Preston Road, North Preston

The following was before the Standing Committee:

- A staff recommendation report dated September 6, 2019
- A staff presentation

The Committee confirmed that the property owner was not present to address the Committee.

Brennen Hartling, Compliance Officer II, Building and Compliance spoke before the Committee as to the state of the structure and the history of by-law services' involvement. The demolition order relates to an accessory structure located near some trees on the property. Staff showed photographs showing issues with the structure including evidence of roof deterioration, holes permitting access to the structure, walls bowing out from the structure and water damage. Staff stated that staff boarded entrances to the building in order to protect children from gaining access.

Staff noted that the building official who made the report was in attendance.

MOVED by Councillor Whitman, seconded by Councillor Blackburn

THAT the Appeals Standing Committee find the property to be dangerous or unsightly as per section 3(q) of the Charter and as per section 356 of the Charter, orders demolition of the accessory structure including but not limited to, the removal of all demolition debris, backfilling of any foundation or crawl space, and disconnecting any and all utility connections to the standard set by each respective utility service provider, so as to leave the property in a neat, tidy, environmentally compliant and safe condition within thirty (30) days after the Order is posted in a conspicuous place upon the property or personally served upon the owner. Otherwise, the Municipality will exercise its rights as set forth under Part XV (15) of the Charter.

MOTION PUT AND PASSED.

12.3 TAXIS, ACCESSIBLE TAXIS AND LIMOUSINES: APPEALS – NONE

13. MOTIONS – NONE

14. IN CAMERA (IN PRIVATE) – NONE

15. ADDED ITEMS

16. NOTICES OF MOTION

17. DATE OF NEXT MEETING – November 14, 10:00 a.m. Council Chamber, 3rd Floor City Hall, 1841 Argyle Street, Halifax

18. ADJOURNMENT

The meeting adjourned at 10:30 a.m.

Simon Ross-Siegel
Legislative Assistant