



**APPEALS STANDING COMMITTEE
MINUTES
September 10, 2020**

PRESENT: Councillor Steve Adams, Chair
Deputy Mayor Lisa Blackburn
Councillor David Hendsbee
Councillor Matt Whitman

REGRETS: Councillor Russell Walker, Vice Chair
Councillor Bill Karsten

STAFF: Karen MacDonald, Senior Solicitor
Tanya Phillips, Manager, By-law Standards
Krista Vining, Legislative Assistant

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.

The meeting was called to order at 10:03 a.m. The Standing Committee recessed at 10:20 a.m. and reconvened at 10:36 a.m. The Standing Committee recessed again at 10:56 a.m. and reconvened at 11:06 a.m. The meeting adjourned at 11:20 a.m.

1. CALL TO ORDER

The Chair called the special meeting to order at 10:00 a.m.

2. APPROVAL OF MINUTES – July 29, 2020 special

MOVED by Councillor Whitman, seconded by Deputy Mayor Blackburn

THAT the minutes of July 29, 2020 special meeting be approved as circulated.

MOTION PUT AND PASSED.

3. APPROVAL OF THE ORDER OF BUSINESS

The Legislative Assistant advised that the property owner for Case 339738 – 466 Herring Cove Road (Item 12.2.1) would not be attending and had submitted correspondence. The Committee agreed to deal with Case 339738 prior to Item 12.1.1 Case 339758.

MOVED by Deputy Mayor Blackburn, seconded by Whitman

THAT the agenda be approved as amended.

MOTION PUT AND PASSED.

4. BUSINESS ARISING OUT OF THE MINUTES – NONE

5. CALL FOR DECLARATION OF CONFLICT OF INTERESTS – NONE

6. CORRESPONDENCE, PETITIONS & DELEGATIONS

6.1 Correspondence

The Legislative Assistant noted that correspondence was received for item 12.2.1. This correspondence was circulated to the Standing Committee.

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

6.2 Petitions – None

11. INFORMATION ITEMS BROUGHT FORWARD – NONE

12. REPORTS

12.1 DANGEROUS OR UNSIGHTLY PREMISES: APPEALS

12.1.1 Case 339758: 1 Elizabeth Drive, Halifax

The following was before the Standing Committee:

- A staff recommendation report dated August 27, 2020

The Chair confirmed the appellant was in attendance.

Kevin Berrigan, Compliance Officer II gave an overview of Case 339758, property located at 1 Elizabeth Drive, Halifax, showing photographs of the property taken September 2, 2020.

Peter Palmer, Appellant spoke to the progress made on the property and estimated it would take approximately two weeks to bring the property into compliance. Palmer confirmed the items in question were gardening materials.

MOVED by Councillor Whitman, seconded by Councillor Hendsbee

THAT the Appeals Standing Committee allow the appeal.

MOTION PUT AND PASSED.

12.1.2 Case 344160: 2582 Prospect Road, Whites Lake

The following was before the Standing Committee:

- A Staff recommendation report dated August 31, 2020

The Chair confirmed the appellant was in attendance.

Trevor Oliver Compliance Officer II gave an overview of Case 344160, property located at 2582 Prospect Road, Whites Lake, showing photographs of the property taken September 6, 2020. Oliver responded to a question in relation to the materials on site. It was noted that there is a separate investigation on the land use pertaining to some of the storage.

Robert Thompson, Appellant spoke about their attempt to clean up the property. Thompson explained that their property was used for commercial and residential and confirmed they were on a drilled well. Thompson further added that the steel plates were ramps used for their business and the pipes were for a clothesline and they were under the impression the property was in compliance.

In response to a question raised, Tanya Phillips, Manager of By-law Standards commented on the land use case, noting that no permits had been issued for property to outline what the property owner's intentions are for the commercial component. Phillips suggested that if there were items of value, that the appellant place them in storage or in a neat and tidy fashion on the property.

MOVED by Deputy Mayor Blackburn, seconded by Councillor Hendsbee

THAT the Appeals Standing Committee allow the appeal.

Solicitor – clarification on options to extend the order and other amendments related to items identified as debris and steps to leave the property in a neat and tidy state. Appendix D.

MOTION PUT AND DEFEATED.

MOVED by Deputy Mayor Blackburn, seconded by Councillor

THAT the Appeals Standing Committee amend the Order to Remedy issued July 10, 2020 for the property located at 2582 Prospect Road, Whites Lake (Case 344160) to 30 days.

MOTION PUT AND PASSED.

12.1.3 Cases 344419 and 344335: 10720 Peggy's Cove Road, Glen Margaret

The following was before the Standing Committee:

- A Staff recommendation report dated August 31, 2020

The Chair confirmed the appellant was in attendance.

Trevor Oliver Compliance Officer II gave an overview of Cases 344419 and 344335, property located at 10720 Peggy's Cove Road, Glen Margaret, showing photographs of the property taken September 6, 2020. Oliver responded to a question on the progress, noting that some debris has been organized and cleaned but that it has been slow and not enough debris has been cleaned up. Trevor suggested that it would be possible to bring the property compliance.

John McShane, Appellant confirmed that International Loadstar had been removed from the property and the Chevrolet Silverado was ready to be towed. They explained that since Oliver's last site inspection additional cleanup had been done but noted the difficulties resulting from COVID-19. In response to a question raised, McShane indicated that they operated a marine business and estimated that they needed 30 days to bring the property into compliance.

MOVED by Councillor Whitman, seconded by Councillor Hendsbee

THAT the Appeals Standing Committee allow the appeal.

MOTION PUT AND PASSED.

MOVED by Deputy Mayor Blackburn, seconded by Councillor Hendsbee

THAT the Appeals Standing Committee amend the Orders to Remedy issued July 30, 2020 for the property located at 10720 Peggy's Cove Road, Glen Margaret (Cases 344419 and 344335) to 30 days.

MOTION PUT AND PASSED.

12.2 DANGEROUS OR UNSIGHTLY PREMISES: DEMOLITIONS

12.2.1 Case 339738: 466 Herring Cove Road, Halifax

The following was before the Standing Committee:

- A staff recommendation report dated August 20, 2020
- Correspondence from Wyatt Redmond

The Chair confirmed the property owner, nor a representative was not in attendance.

Kevin Berrigan, Compliance Officer II gave an overview of Case 339738, property located at 466 Herring Cove Road, showing photographs of the property taken September May 13, 2020.

MOVED by Councillor Whitman, seconded by Deputy Mayor 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.

13. MOTIONS – NONE

14. IN CAMERA (IN PRIVATE) – NONE

15. ADDED ITEMS – NONE

16. NOTICES OF MOTION – NONE

17. DATE OF NEXT MEETING – November 12, 2020

18. ADJOURNMENT

The meeting adjourned at 11:20 a.m.

Krista Vining
Legislative Assistant