



**APPEALS STANDING COMMITTEE
MINUTES
October 13, 2022**

PRESENT: Councillor David Hendsbee, Chair
Councillor Lisa Blackburn, Vice Chair
Councillor Cathy Deagle Gammon
Councillor Becky Kent
Councillor Iona Stoddard

REGRETS: Councillor Patty Cuttell

STAFF: Karen MacDonald, Senior Solicitor
Tanya Phillips, Manager, By-Law Services
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 10:01 a.m. The Standing Committee adjourned at 10:27 a.m.

1. CALL TO ORDER AND LAND ACKNOWLEDGEMENT

The Chair called the meeting to order at 10:01 a.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 – August 11, 2022

MOVED by Councillor Stoddard, seconded by Councillor Kent

THAT the minutes of August 11, 2022 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 Councillor Deagle Gammon, seconded by Councillor Stoddard

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. 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

10.1 Correspondence – None

10.2 Petitions – None

10.3 Presentation – None

11. INFORMATION ITEMS BROUGHT FORWARD – NONE

12. REPORTS

12.1 DANGEROUS OR UNSIGHTLY PREMISES: APPEALS – NONE

12.2 DANGEROUS OR UNSIGHTLY PREMISES: DEMOLITIONS

12.2.1 Case 363433, 2307 Cow Bay Road, Cow Bay

The following was before the Standing Committee:

- Staff recommendation report dated October 2, 2022
- Staff presentation dated October 13, 2022
- Statement of confirmation of representation

The Chair confirmed the property owner was not in attendance, noting that Shawn Morton was present and had a signed statement by James Sawler, the property owner, consenting to recognize Morton as a representative.

Kim Northop, Compliance Officer II gave a presentation on Case 363433, property located at 2307 Cow Bay Road, Cow Bay, showing photographs of the property taken October 11, 2022, and responded to questions of clarification from the Standing Committee.

Shawn Morton, an appointed representative of the property owner provided a statement and responded to questions of clarification from the Standing Committee regarding the accessory structure and demolition orders. Morton stated they are in the process of purchasing the property from Sawler and have obtained a building permit from the municipality which enables them to satisfy the remaining conditions on an agreement of purchase and sale with an anticipated closing date of October 14, 2022. Morton requested a time extension to complete the demolition of both the main and accessory structures as the new owner.

David Brettel, Supervisor of Building Standards responded to questions of clarification from the Standing Committee. Brettel noted that with construction delays and challenges associated with seasonal construction, a reasonable timeline for the completion of demolition work would be sixty or ninety days.

Tanya Phillips, Manager of By-Law Services, responded to questions of clarification from the Standing Committee. Phillips noted that if the order was issued and future barriers to completion of the demolition work arose, staff would work with property owner and provide flexibility regarding enforcement of the order if evidence of good faith efforts were apparent.

MOVED by Councillor Kent, seconded by Councillor Blackburn

THAT the Appeals Standing Committee finds 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 main and accessory structures 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.

Councillor Kent proposed the Appeals Standing Committee amend the motion to extend the timeline for the enforcement of the order from thirty days to ninety days after the Order is posted. As provided for in section 53 (2) of Administrative Order One, Respecting the Procedures of the Council, the amendment was accepted as friendly.

The motion now read:

THAT the Appeals Standing Committee finds 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 main and accessory structures 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 ninety (90) 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

17. DATE OF NEXT MEETING – November 10, 2022

18. ADJOURNMENT

The meeting adjourned at 10:27 a.m.

Simon Ross-Siegel
Legislative Assistant