



**APPEALS STANDING COMMITTEE
DRAFT MINUTES
January 16, 2025**

PRESENT: Councillor Becky Kent, Chair
Councillor Janet Steele, Vice Chair
Councillor Trish Purdy
Councillor Kathryn Morse
Councillor Nancy Hartling
Councillor Billy Gillis

STAFF: Tanya Phillips, Manager, By-law Standards
Karen MacDonald, Managing Solicitor
Andrea Lovasi-Wood, Legislative Assistant
Catie Campbell, Legislative Assistant

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

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.

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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 – December 4, 2025

MOVED by Councillor Steele, seconded by Councillor Morse

THAT the minutes of December 4, 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 Councillor Steele, seconded by Councillor Gillis

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

12.1.1 Case CF-2024-032219, 718 Old Sambro Road, Halifax

The following was before the Standing Committee:

- Staff report dated January 6, 2025
- Staff presentation dated January 16, 2025
- Handout dated January 16, 2025

The Chair confirmed the appellant was present.

Scott Hill, Supervisor, Regional Compliance gave a presentation, showing photographs of the property taken on January 13, 2025 and noted large amounts of recycling at the rear of the property. Hill outlined

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municipal and provincial mechanisms for removing recycling. Hill responded to questions of clarification from the Standing Committee regarding the timeline of the complaint and noted no previous complaints had been filed on the property.

Stephen Adams, on behalf of the appellant, provided a handout and spoke to the purpose of the recycling on the property and noted the recycling was not visible from the road. Adams referenced the Halifax Regional Municipality Charter and what would be deemed as unsightly. Adams noted comparisons between previous unsightly cases and displayed photos of the property. Adams responded to questions of clarification from the Standing Committee, clarifying the recycling would be sold in the future. Adams noted the appellant had limited knowledge of whether the Provincial government would increase the amount refunded for recyclable beverage containers and stated that transportation would be challenging due to the recycling bags being frozen into the ground. Adams sought a three-month extension for the appellant to remove the recycling from the property if it was deemed unsightly and noted the appellant had no future plans to continue collecting recycling after selling.

MOVED by Councillor Gillis, seconded by Councillor Steele

THAT the Appeals Standing Committee allow the appeal.

Karen MacDonald, Managing Solicitor provided an overview of the appeal process and noted the appeal motion had to be in the affirmative to allow the appeal. They outlined the options available to the Committee. The Committee could vote in the affirmative to allow the appeal if the Committee did not think the property was dangerously or unsightly. The Committee could defeat the appeal which would require the property owner to remedy the property within the timeframe listed in the Order to Remedy. Lastly, the Committee could defeat the appeal and put forward a motion to extend the amount of time for the property owner to comply with the Order to Remedy.

Adams responded to questions of clarification from the Standing Committee and requested a three-month extension.

MOTION PUT AND DEFEATED.

MOVED by Councillor Gillis, seconded by Councillor Steele

THAT the Appeals Standing Committee amend the compliance period in the Order to Remedy for Case CF-2024-032219, 718 Old Sambro Road, Halifax issued November 8, 2024, Appendix D of the staff report dated January 6, 2025 to thirty (30) days from the January 16, 2025 Appeal Standing Committee hearing.

MOTION PUT AND PASSED.

12.1.2 Case CF-2023-034905, 5 Wallace Street, Dartmouth

The following was before the Standing Committee:

- Staff report dated January 7, 2025
- Staff presentation dated January 16, 2025

The Chair confirmed the appellant was present.

Peter Popperl, Compliance Officer II gave a presentation, showing photographs of the property taken on January 10, 2025 and noted the storage of several items under tarps on the property's driveway, back patio and in the backyard and noted the removal of items previously on the property. Popperl responded to questions of clarification from the Standing Committee regarding the use of tarps to cover items and noted their inability to determine what was under the tarps. Popperl noted the timeline of the appeal and clean up progress.

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Tanya Phillips, Manager, By-law Standards responded to questions of clarification from the Standing Committee regarding the usage of tarps and how it was not considered a remedy.

Scott Hill, Supervisor, Regional Compliance responded to questions of clarification from the Standing Committee and referenced the Halifax Regional Municipality Charter, Part XV and recommended against tarping materials on properties. Hill noted reliance on property owner to disclose why they stored specific items and highlighted the case timeline was based on cooperation with the property owner.

Marcell Hall, appellant, spoke to collaboration with Compliance staff and provided a timeline of the case. Hall noted storage areas on the property and attempts to remedy the property were not considered sufficient by Compliance staff. Hall highlighted personal complications impacting the completion of remedy and intention to comply with the order. Phillip Hall, partner of Marcell Hall, and Hall responded to questions of clarification from the Standing Committee regarding purpose of tires, shingles and forklift on the property and noted tarps were being used to protect them. Phillip Hall noted the forklift would be used to re-roof the garage on the property in the spring. Marcell Hall highlighted desire to repair property personally and moving the forklift off the property would be costly and would be moved following completion of garage roof.

Phillips provided clarification on the implications of non-compliance and noted that after the expiration of the compliance period the Municipality could enter the property to complete the work, and the cost would be issued as an invoice to the property owner. If the property owner could not pay the invoice a payment plan would be available, or the cost would be placed as a lien on the property. Phillips stated no summary offence ticket would be issued to the property owner. Phillips clarified staging could be on the property if stored in a tidy manner.

MOVED by Councillor Steele, seconded by Councillor Morse

THAT the Appeals Standing Committee allow the appeal.

MOTION PUT AND DEFEATED.

Karen MacDonald, Managing Solicitor noted that if the Committee wished to permit the property owners more time to remedy the property a new motion would need to be put on the floor to amend the compliance period in the Order to Remedy and if no motion was moved the compliance period in the Order to Remedy would stand. They also stated that if a motion was moved to amend the compliance period the length of the extension would need to be specified in the number of days.

MOVED by Councillor Morse, seconded by Councillor Gillis

THAT the Appeals Standing Committee amend the compliance period in the Order to Remedy for Case CF-2023-034905, 5 Wallace Street, Dartmouth issued November 21, 2024, Appendix D of the staff report dated January 7, 2025 to one hundred eight (180) days from the January 16, 2025 Appeal Standing Committee hearing.

MOTION PUT AND DEFEATED.

12.1.3 Case CF-2024-035420, 115 Lake Loon Road, Lake Loon

The following was before the Standing Committee:

- Staff report dated January 6, 2025
- Staff presentation dated January 16, 2025

The Chair confirmed the appellant was present.

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Peter Popperl, Compliance Officer II gave a presentation, showing photographs of the property taken on January 10, 2025 and noted scrap wood, pallets, construction materials, metal and bins along the home. Popperl highlighted recyclables, propane tanks, household appliances, tarps, vehicle parts, scrap wood and scattered materials on the property that were visible from the road. Popperl responded to questions of clarification from the Standing Committee regarding debris accumulation on the property and previous compliance cases on the property.

Tanya Phillips, Manager, By-law Standards responded to questions of clarification from the Standing Committee regarding the original order issued June 2023 and the changed condition of the property. Phillips noted the commercial zoning of the property would not impact required remedies. Phillips also spoke to staff authority for determining violations and the timeline of the current order.

Melissa Sparks, appellant confirmed a family member lived on the property with a trailer and stated their lack of awareness about the state of the property. Sparks highlighted attempts to contact Compliance staff and challenges with order notification. Sparks noted discomfort with the state of the property and their intention to have the property remedied. Sparks clarified that items on the property were not under their ownership and noted direction from a family member to appeal the order to remedy. Sparks highlighted the inability to see order posted on property because they lived in a different province.

JD Beals, on behalf of the appellant, spoke to living on the property and clarified that items on property would not be considered scrap as they would be used for building. Beals noted specific items on the property and highlighted housing challenges. Beals noted cooperation with Compliance staff on previous cases and sought clarification on what would need to be remedied on the property.

Karen MacDonald, Senior Solicitor provided an overview of the appeal process and noted the appeal motion had to be in the affirmative to allow the appeal. They outlined the options available to the Committee including that the Committee could vote in the affirmative to allow the appeal if the Committee did not think clean up was required. The Committee could defeat the appeal which would require the property owner to clean up the property. Lastly, the Committee could defeat the appeal and put forward a motion to extend the amount of time for the property owner to comply with the Order to Remedy.

MOVED by Councillor Purdy, seconded by Councillor Steele

THAT the Appeals Standing Committee allow the appeal.

Phillips noted that in addition to the Order to Remedy being posted on the property the property owner was notified of the Order by email and phone, due to the impact of the postal strike which prevented the Order being sent via registered mail. Popperl confirmed violation notice was communicated to the appellant through email on November 27, 2024. MacDonald clarified that posting notice on the property was required under the Halifax Regional Municipality Charter and secondary notification was not required.

Sparks spoke to their intention to work with the person living on the property and Compliance staff to have the property remedied.

Phillips provided clarification on the implications of non-compliance and noted that after the expiration of the compliance period the Municipality could enter the property to complete the work, and the cost would be issued as an invoice to the property owner. If the property owner could work with Finance to develop a payment plan or the cost would be placed as a lien on the property.

MOTION PUT AND DEFEATED.

MOVED by Councillor Purdy, seconded by Councillor Morse

THAT the Appeals Standing Committee amend the compliance period in the Order to Remedy for Case CF-2024-035420, 115 Lake Loon Road, Lake Loon issued November 27, 2024, Appendix C of

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the staff report dated January 6, 2025 to ninety (90) days from the January 16, 2025 Appeals Standing Committee hearing.

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 – February 6, 2025

18. ADJOURNMENT

The meeting adjourned at 12:16 p.m.

Catie Campbell
Legislative Assistant