



P.O. Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Item No. 12.1.3
Appeals Standing Committee
April 9, 2026

TO: Chair and Members of Appeals Standing Committee

SUBMITTED BY: Original Signed
Tanya Phillips, Director, Community Standards & Compliance

DATE: March 20, 2026

SUBJECT: **Appeal Report – CF-2025-035010 3 Shore Rd., Herring Cove**

ORIGIN

Appeal of Order to Remedy the condition of properties pursuant to the Dangerous or Unsightly provisions of the *Halifax Regional Municipality Charter* (the “Charter”).

LEGISLATIVE AUTHORITY

Sections 355, 356 and 3(q) of the *Halifax Regional Municipality Charter*, S.N.S., 2008 C.39.

MOTION FOR CONSIDERATION

In accordance with Section 58 of Administrative Order One, the motion before the Appeals Standing Committee is to allow the appeal.

RECOMMENDATION

It is recommended that the Appeals Standing Committee uphold the Order of the Administrator and thereby deny the appeal.

BACKGROUND:

There have been no previous dangerous or unsightly cases on the property.

The property is zoned F-1 (Fishing Village) under the Planning District 5 Land Use By-Law Information.

A review of the HRM database system shows one permit has been issued for the property for renovation of a single unit dwelling/addition.

A complaint, CM-2025-035008, was received on November 12, 2025, stating that there is an accumulation of debris and other waste on the property. The complainant said that there are wood planks scattered near the shoreline at the back of the property and they fear they will fall into the waterway.

CHRONOLOGY OF CASE ACTIVITIES:

- 13-Nov-2025 The Compliance Officer attended 3 Shore Road, Herring Cove, hereinafter referred to as “the property” (attached as Appendix B). The Compliance Officer noted that the property appeared to have been recently renovated or was still being renovated. There were piles of debris consisting of tar paper, scrap wood, cut branches, logs, bagged waste, plastic, and other scattered debris.
- The Compliance Officer spoke to a property owner at the front door. The property owner advised that the neighbour had recently put up a fence on the property line which limited the ability to get a dumpster onto the property to remove debris. She advised her husband was currently in the backyard working. The Compliance Officer walked to the backyard, spoke to the property owner about the violations and issued a 14-day Notice of Violation (attached as Appendix C).
- 27-Nov-2025 The Compliance Officer conducted a site inspection and noted progress had been made on removing some violations. There were still debris violations present which needed to be addressed including piles of discarded materials and scrap wood.
- At the rear of the property, the Compliance Officer was met by the property owner, who advised that he had already taken a load of 750kg to the dump and understood there was more debris to remove but the weather had not been cooperative. The Compliance Officer advised the property owner they would conduct a reinspection on December 1st, 2025.
- 04-Dec-2025 The Compliance Officer conducted a site inspection and noted debris was still on site, including but not limited to black bags, scrap wood, scrap shingles, buckets, cut branches, the staircase for the front of the house, and other scattered debris.
- A 30-day Order to Remedy (attached as Appendix D), was posted at the front door of the property and a copy was sent via registered mail to the property owner.
- 10-Dec-2025 The Municipal Clerk’s Office received a Notice of Appeal from the property owner (attached as Appendix E), dated December 10, 2025
- 12-Dec-2025 The Municipal Clerk’s Office sent the property owner a letter advising the appeal was scheduled for the February 26, 2026, Appeals Standing Committee meeting.
- 11-Feb-2026 The Municipal Clerk’s Office sent the property owner a letter advising that the appeal has been rescheduled to the March 12, 2026, Appeals Standing Committee meeting.
- 26-Feb-2026 The Municipal Clerk’s Office sent the property owner a letter advising that the appeal has been rescheduled to the April 9, 2026, Appeals Standing Committee meeting (Attached as Appendix F).
- 19-Mar-2026 The Compliance Officer conducted a site inspection and noted that progress has been made, and debris violations were removed from the property. The Officer observed that black bags and other debris was placed by the driveway. In addition, the other materials appeared to be sorted.

The Compliance Officer spoke to the property owner via telephone. The property owner stated that they believe the work would be completed by the April 9 meeting date. The Compliance Officer asked the property owner to contact him when the work is completed so that a reinspection can be completed.

FINANCIAL IMPLICATIONS

There are no financial implications if the owner complies with the Order. If the Municipality is required to complete the work, the costs will form a debt against the property which may be collected in the same manner as taxes pursuant to the Halifax Regional Municipality Charter, S.N.S., 2008, C.39.

RISK CONSIDERATIONS

There are no significant risks associated with the recommendations in this report. The risk consideration rates low.

ENVIRONMENTAL IMPLICATIONS

No environmental impacts identified.

ALTERNATIVES

The Appeals Standing Committee may vary or overturn the Order to Remedy and in doing so, must provide reasons to be recorded in the minutes of the committee meeting.

ATTACHMENTS

- Appendix A: Legislative Authority – Halifax Regional Municipality Charter
- Appendix B: Copy of the Nova Scotia Property Records Map
- Appendix C: Copy of the Notice of Violation dated Nov 13, 2025
- Appendix D: Copy of Order to Remedy dated Dec 4, 2025
- Appendix E: Copy of the Notice of Appeal dated Dec 10, 2025
- Appendix F: Copy of the letter from the Clerk's Office dated Feb 26, 2026

A copy of this report can be obtained online at Halifax.ca or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared For: Tristan Zinck, Compliance Officer II, Community Standards & Compliance, 902-292-5146

Halifax Regional Municipality Charter ('HRM Charter') Subsection 355 (1) 356 and 3 (q)

HRM Charter, subsection 355(1) as follows:

- 355 (1) The Council may, by policy, delegate some or all of its authority pursuant to this Part, except the authority to order demolition, to the Administrator.

HRM Charter, subsection 356(1) as follows:

- 356 (1) Where a property is dangerous or unsightly, the Council may order the owner to remedy the condition by removal, demolition or repair, specifying in the order what is required to be done.

HRM Charter, subsections 356(2), (3A), as follows:

- 356 (2) An owner may appeal an order of the Administrator to the Council or to the committee to which the Council has delegated its authority within seven days after the order is made.
- (3A) Where the Council or the committee varies or overturns the order of the Administrator, the Council or committee shall provide reasons to be recorded in the minutes of the Council or committee meeting.

HRM Charter, subsection 3(q) as follows:

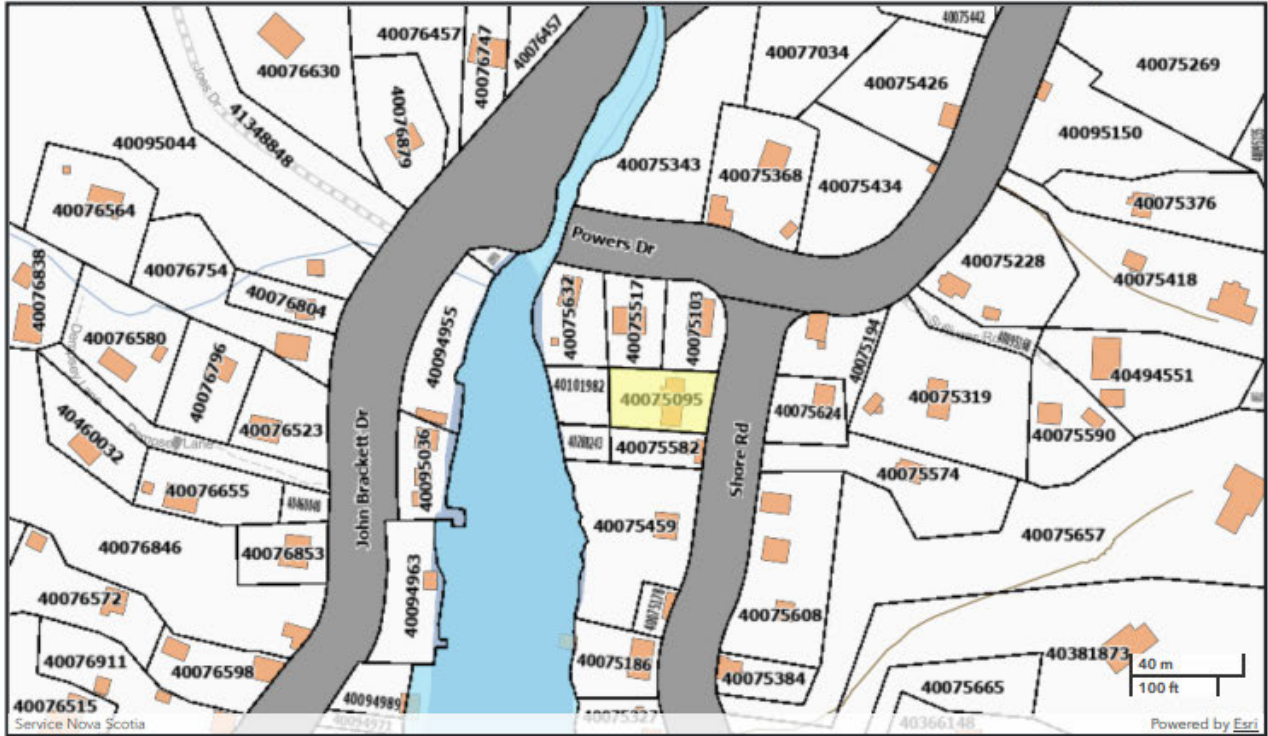
- (q) "dangerous or unsightly" means partly demolished, decayed, deteriorated or in a state of disrepair so as to be dangerous, unsightly or unhealthy, and includes property containing
- (i) ashes, junk, cleanings of yards or other rubbish or refuse or a derelict vehicle, vessel, item of equipment or machinery, or bodies of these or parts thereof,
 - (ii) an accumulation of wood shavings, paper, sawdust, dry and inflammable grass or weeds or other combustible material,
 - (iia) an accumulation or collection of materials or refuse that is stockpiled, hidden or stored away and is dangerous, unsightly, unhealthy or offensive to a person, or
 - (iii) any other thing that is dangerous, unsightly, unhealthy or offensive to a person, and includes property or a building or structure with or without structural deficiencies
 - (iv) that is in a ruinous or dilapidated condition,
 - (v) the condition of which seriously depreciates the value of land or buildings in the vicinity,
 - (vi) that is in such a state of non-repair as to be no longer suitable for human habitation or business purposes,
 - (vii) that is an allurement to children who may play there to their danger,
 - (viii) constituting a hazard to the health or safety of the public,
 - (ix) that is unsightly in relation to neighbouring properties because the exterior finish of the building or structure or the landscaping is not maintained,
 - (x) that is a fire hazard to itself or to surrounding lands or buildings,
 - (xi) that has been excavated or had fill placed on it in a manner that results in a hazard, or
 - (xii) that is in a poor state of hygiene or cleanliness;

Appendix B



Property Online Map

Date: January 27, 2026 15:23:26



PID:	40075095	Address:	3 SHORE ROAD HERRING COVE LOT A-1	AAN:	00385751
County:	HALIFAX COUNTY	Owner:	TERRY JOSEPH DEVEAU BEATRICE ELIZABETH DEVEAU	Value:	\$403,600.00 (2026 RESIDENTIAL TAXABLE)
LR:	LAND REGISTRATION				

The Provincial mapping is a graphical representation of property boundaries which approximate the size, configuration and location of parcels. Care has been taken to ensure the best possible quality, however, this map is not a land survey and is not intended to be used for legal descriptions or to calculate exact dimensions or area. The Provincial mapping is not conclusive as to the location, boundaries or extent of a parcel [Land Registration Act subsection 21(2)]. THIS IS NOT AN OFFICIAL RECORD.

Property Online Version 1.0

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 If you have comments regarding our site please direct them to: propertyonline@novascotia.ca
 Please feel free to [Submit Problems](#) you find with the Property Online web site.

HALIFAX

Buildings and Compliance

Notice of Violation

Notice Served Upon: _____

Address: 3 Shore Rd, Herring Cove, NS, B3V 2G6

This is to advise that you are in violation of the following municipal and/or provincial legislation:

- HRM By-law A-700 Animals
- HRM By-law C-300 Civic Addressing
- HRM By-law C-501 Vending
- HRM Charter, Part XV Respecting Dangerous or Unsightly Premises
- HRM By-law N-300 Nuisances
- HRM By-law S-300 Streets
- HRM By-law S-600 Solid Waste
- HRM By-law S-801 Temporary Signs
- HRM By-law S-1000 Sidewalk Cafes
- HRM By-law T-1000 Taxi & Limousine
- Other: _____

Details of violation(s):

an accumulation of debris including but not limited to: scrap wood, cut branches, windows, buckets, boxes, plastic, bagged waste, and other scattered debris

Violation(s) to be rectified as per the following:

removing the above noted items from the property

Notice of Re-inspection:

Re-inspection will be performed on November 27/25 to confirm the above noted violations have been rectified. If you have any queries regarding this matter, please contact the issuing Officer prior to the re-inspection date.

Issuing Officer: Justin Zwick

Date (dd/mm/yy): 15/11/24

Issuing Officer Phone Number: 902 292 5146

Time (hh/mm): 1600hrs

Issuing Officer: [Redacted]

Case Number: CF-2025-035010

HALIFAX

ORDER TO REMEDY DANGEROUS OR UNSIGHTLY PREMISES

IN THE MATTER OF: Section 356 of The Halifax Regional Municipality Charter, S.N.S., 2008 , C.39
Hereinafter referred to as the "Charter"

- and -

IN THE MATTER OF: Property located at 3 SHORE RD, HERRING COVE, NS B3V1G6;

Case # CF-2025-035010;
Hereinafter referred to as the "Property"

TO: **BEATRICE ELIZABETH DEVEAU, TERRY JOSEPH DEVEAU**

WHEREAS you are the owner(s) of the Property;

AND WHEREAS located on the Property is an unsightly or dangerous condition due to an accumulation of debris including but not limited to scrap wood, shingles, cut branches, materials from renovations, scrap metal, and other scattered debris, in accordance with Section 3(q) of the Charter;

TAKE NOTICE that you are hereby Ordered to remedy the condition of the Property by removing the accumulation of debris including but not limited to scrap wood, shingles, cut branches, materials from renovations, scrap metal, and other scattered debris, so as to leave the Property in a neat, tidy, environmentally compliant and safe condition;

TAKE FURTHER NOTICE that you have the right to appeal this Order to the Appeals Standing Committee of the Halifax Regional Municipality ("HRM") by filing a Notice of Appeal with the Municipal Clerk by mail at City Hall, P.O. Box 1749, Halifax, NS, B3J 3A5 or by fax to (902) 490-4208, within seven (7) days after the Order is posted in a conspicuous place upon the Property or served upon you;

AND FURTHER TAKE NOTICE that your failure to comply with the requirements of this Order within thirty (30) days after service, the Administrator, or any person authorized by the Administrator, may enter upon the Property without warrant or other legal process and carry out the work specified in this Order.

AND FURTHER TAKE NOTICE that the costs of complying with this Order, including the cost of completing the work specified herein, incurred by the Halifax Regional Municipality ("HRM") or its agents, is a debt payable by you to HRM and that HRM has a first lien on the Property in the amount of the debt which may be collected in the same manner and with the same rights and remedies as rates and taxes pursuant to the Charter;

AND FURTHER TAKE NOTICE that upon service of this Order any person who aids, assists, permits or causes a dangerous or unsightly condition or fails to comply with the terms of this Order is liable on summary conviction to a penalty of not less than One Hundred Dollars (\$100.00) and not more than Ten Thousand Dollars (\$10,000.00) and every day during which the condition is not remedied is a separate offense.

DATED at Halifax, Nova Scotia this December 4, 2025.

TRISTAN ZINCK
COMPLIANCE OFFICER
Phone: (902) 292-5146


SCOTT HILL
Administrator
Halifax Regional Municipality

Appendix E

To: The Appeals Standing Committee of the Halifax Regional Municipality

From: Terry and Elizabeth Deveau

Address: 3 Shore Road, Herring Cove, NS, B3V 1G6

████████████████████
████████████████████
Regarding: Case # CF-2025-035010

Matter of: Order to Remedy Dangerous or Unsightly Premises

(see order to follow)

Dear Appeals Standing Committee,

We hereby make an appeal for an extension to the due date on this order to make it April 30, 2026.

The current due date of January 3, 2026 is too soon for us to complete the work as specified in the order.

We have been making every effort to comply with the order, and have already taken 700 kg (1500 lbs) to the C&D disposal site in Goodwood.

However, the weather has been difficult, with many days of rain in November and now snow and frozen ground on many days in December. This is compounded by the reduced hours of daylight at this time of year.

We will be making every effort to get the property completely cleaned up, as specified in the order, as quickly as possible, as we very much want the same thing ourselves. But it is likely that the frozen ground and snow cover could mostly persist through December, January, February, and March.

We ask that the due date be extended to April 30, just to give us ample time to complete the work. We will of course, make every effort to complete the job well before that date, actually as soon as possible, but in case of very difficult winter weather, which is possible, we request an extension of the due date to April 30.

If the weather is mild, we will of course get the work completed much sooner.

Thank you for your consideration in this matter.

Sincerely,

Terry and Elizabeth Deveau

HALIFAX

ORDER TO REMEDY DANGEROUS OR UNSIGHTLY PREMISES

IN THE MATTER OF: Section 356 of The Halifax Regional Municipality Charter, S.N.S., 2008 , C.39
Hereinafter referred to as the "Charter"

- and -

IN THE MATTER OF: Property located at 3 SHORE RD, HERRING COVE, NS B3V1G6;

Case # CF-2025-035010;
Hereinafter referred to as the "Property"

TO: **BEATRICE ELIZABETH DEVEAU, TERRY JOSEPH DEVEAU**

WHEREAS you are the owner(s) of the Property;

AND WHEREAS located on the Property is an unsightly or dangerous condition due to an accumulation of debris including but not limited to scrap wood, shingles, cut branches, materials from renovations, scrap metal, and other scattered debris, in accordance with Section 3(q) of the Charter;

TAKE NOTICE that you are hereby Ordered to remedy the condition of the Property by removing the accumulation of debris including but not limited to scrap wood, shingles, cut branches, materials from renovations, scrap metal, and other scattered debris, so as to leave the Property in a neat, tidy, environmentally compliant and safe condition;

TAKE FURTHER NOTICE that you have the right to appeal this Order to the Appeals Standing Committee of the Halifax Regional Municipality ("HRM") by filing a Notice of Appeal with the Municipal Clerk by mail at City Hall, P.O. Box 1749, Halifax, NS, B3J 3A5 or by fax to (902) 490-4208, within seven (7) days after the Order is posted in a conspicuous place upon the Property or served upon you;

AND FURTHER TAKE NOTICE that your failure to comply with the requirements of this Order within thirty (30) days after service, the Administrator, or any person authorized by the Administrator, may enter upon the Property without warrant or other legal process and carry out the work specified in this Order.

AND FURTHER TAKE NOTICE that the costs of complying with this Order, including the cost of completing the work specified herein, incurred by the Halifax Regional Municipality ("HRM") or its agents, is a debt payable by you to HRM and that HRM has a first lien on the Property in the amount of the debt which may be collected in the same manner and with the same rights and remedies as rates and taxes pursuant to the Charter;

AND FURTHER TAKE NOTICE that upon service of this Order any person who aids, assists, permits or causes a dangerous or unsightly condition or fails to comply with the terms of this Order is liable on summary conviction to a penalty of not less than One Hundred Dollars (\$100.00) and not more than Ten Thousand Dollars (\$10,000.00) and every day during which the condition is not remedied is a separate offense.

DATED at Halifax, Nova Scotia this December 4, 2025.

TRISTAN ZINCK
COMPLIANCE OFFICER
Phone: (902) 292-5146



SCOTT HILL
Administrator
Halifax Regional Municipality

Appendix F

February 26, 2026

EMAIL – [REDACTED]

Terry and Elizabeth Deveau
3 Shore Road
Herring Cove, NS B3V 1G6

Re: Case CF-2025-035010, 3 Shore Road, Herring Cove

This is to advise that your appeal is being rescheduled because the accumulation of snow and winter weather prevents staff from assessing compliance with the terms of the Order to Remedy issued in this matter. The hearing is now scheduled to be heard by the Appeals Standing Committee on **Thursday, April 9, 2026**

The hearing will be held in the Council Chamber, 3rd Floor, City Hall, 1841 Argyle Street, Halifax, in a public session, open to the public and media.

Enhanced security processes to access the building, including security screening with X-ray and metal detection, as well as sign-in with government-issued photo ID, are in place. Please allow for ample time to complete these processes before your meeting start time. More detail is attached.

Please arrive for 10:00 a.m. but note that there may be other cases heard before yours on the agenda.

If you'd like, you can let us know how to say your name using simple, sound-it-out spelling. (For example: for Leila Nahirah say "Lay-ah Nah-HEE-rah").

If you cannot attend in person and must participate using Zoom, please let me know no later than 4:30pm on the business day prior to the meeting.

The staff report for this matter will be posted online to the Appeals Standing Committee web page at Halifax.ca by end of day Thursday, April 2, 2026. If you require a hard copy of the report, please contact our office.

If filing an appeal, be advised that your submission and appeal documents will form part of the public record, and will be posted on-line at www.halifax.ca. If you feel that information you consider to be personal is necessary for your appeal, please attach that as a separate document, clearly marked "PERSONAL". It will be provided to the Standing Committee and/or council members and staff, and will form part of the public record, but it will not be posted online. You will be contacted if there are any concerns.

Should you wish to include images, video or audio as part of your appeal presentation to the Standing Committee, you must notify me by end of day Tuesday, April 7, 2026 to allow for technical preparation and testing.

Should you be unable to attend, you may have a representative attend to present the appeal to the Standing Committee. Please note that your representative is required to have a letter signed by you giving permission. You or your representative may have witnesses or other evidence in support of the appeal

HALIFAX

Halifax Regional Municipality
PO Box 1749, Halifax, Nova Scotia
Canada B3J 3A5

halifax.ca

Appendix F

and will be permitted up to 10 minutes to make a verbal submission. A copy of the appeals process is attached. If neither you nor a representative appears, the hearing will proceed and you will be advised of the Standing Committee's decision.

If you have any questions regarding this process, please contact me at 902.240.7164 and lovasia@halifax.ca.

Sincerely,



Andrea Lovasi-Wood
Legislative Assistant
Office of the Municipal Clerk

cc: Tanya Phillips, Manager, By-law Standards
Steven Berkman, Manager, Community Safety Program
Scott Hill, Supervisor, Regional Compliance
Stephen Rice, Supervisor, Regional Compliance
Lori Scolaro, Supervisor, Regional Compliance
Vicki Aguinaga, Supervisor, Support Services
adjudication@halifax.ca
bylawremedy@halifax.ca
Tristan Zinck, Compliance Officer

Enclosures:

- Information – Attending In Person Meetings
- Order of Proceedings for Appeals Standing Committee

Attending In-Person Meetings

There are security procedures in place for everyone visiting Halifax City Hall for all meetings and events. Please allow ample time to complete these processes before your meeting or event.

Identification and sign in required

All visitors, including media, must sign in and complete security screening at the security desk at the main (Grand Parade) entrance of City Hall. Visitors who use the accessible entrance on Argyle Street will be escorted to the security desk by staff.

All visitors must present federal, provincial or territorial government-issued photo ID to security. They must also provide their first and last name and the reason for their visit. If a visitor does not have government issued photo ID, they may present two pieces of federal, provincial or territorial government-issued ID, two pieces of documentation (e.g. bills) or a combination of two pieces of government-issued ID/documentation as long as both pieces include their first and last name.

For children younger than 18, one piece of government-issued identification, such as an original birth certificate, health card, passport or non-government-issued ID (e.g. student card) is recommended but not mandatory as long as the child is accompanying a parent/guardian.

X-ray and metal detection screening

"Airport-style" security screening is required to enter City Hall. This ensures a safe environment for all visitors and employees. You will be asked to remove jackets and place all personal items and electronics into the trays provided. City Hall security personnel will guide you through the screening process.

For the safety of all, the following items are prohibited:

- amplification devices and noisemakers (e.g. megaphones, air horns etc.);
- signs, placards and banners;
- sharp or piercing objects (e.g. scissors, razor blades, knitting needles, multi-tools with blades, corkscrews, knives, box cutters etc.) except medical use (e.g. insulin needles, EpiPen etc.);
- striking implements or tools (e.g. batons, hammers or other blunt force items);
- compressed gas containers (except medical use), aerosol sprays, pepper spray or non-sealed batteries;
- explosive or flammable materials (e.g. fireworks, ammunition, fuel, cooking gas, matches or non-disposable lighters) – disposable lighters are permitted;
- firearms of any kind, including imitation, replicas or toy weapons; and
- illegal or restricted items (e.g. brass knuckles, bear spray or other animal repellents etc.)

Once signed in, visitors will be given a visitor badge to wear while they're in City Hall. This badge must be visible during their entire visit and returned to security staff as they're leaving the building.

If visitors require the use of an elevator, they can notify a member of staff who can assist.

For questions about attending a meeting in City Hall, contact the Municipal Clerk's Office.

<https://www.halifax.ca/visitingcityhall>

Appendix F

Order of Proceedings for Appeals Standing Committee

The Chair will open each of the hearings and address the following:

- The Chair will ask the Appellant (property owner) to identify themselves and provide their contact information
- If a person is appearing on behalf of an Appellant who is not present (legal counsel, family member, friend), they must provide written authorization to act on the Appellant's behalf
- The Chair will briefly explain the hearing will proceed (as follows):
- Staff Presentation: The HRM staff presenter explains the basis for the order under review and presents evidence in support of the order (including any documents or recent photos of the property, if applicable)
- The Committee may ask questions of the HRM staff presenter for clarification
- The Appellant may ask questions of the HRM staff presenter for clarification
- Non-party witnesses* may be permitted to provide factual evidence relevant to the appeal
- The Appellant may ask questions of non-party witnesses for clarification
- Appellant's Presentation: The Appellant is granted reasonable time to present evidence in support of the appeal (documents/photos/witnesses)
- The Committee may ask questions to the Appellant and/or their witnesses
- The Appellant or their representative is then permitted up to 10 minutes to make a verbal submission in support of their case to reverse the order
- The Committee may ask questions to the Appellant and also further questions of HRM staff (subject to Appellant's response to the answers)
- Staff may ask questions to the Appellant (subject to Appellant's response to the answers)
- The Committee then debates their decision and renders a decision with the Appellant or their representative present
- Upon motion the Committee may move In Camera (In Private) to obtain confidential legal advice at any time during the process
- The Committee has four (4) options:
 - cancel the order (allow the appeal)
 - amend the order (change the conditions)
 - keep the order as is (appeal dismissed)
 - continue the hearing at a later date (defer)

*Non-Party Witnesses

Persons who are not parties to the appeal may be permitted to provide relevant evidence of factual matters within their personal knowledge to the Appeals Standing Committee. Non-party witnesses will be given an appropriate amount of time to present their information.

Hearings of the Appeals Standing Committee are open to the public and any information, including personal information, which is provided or obtained in relation to your appeal, will be a matter of public record.

The Appeals Standing Committee meetings begin at 10:00 a.m. and cases will be heard as they appear on the approved agenda.