

HALIFAX REGIONAL MUNICIPALITY

APPEALS STANDING COMMITTEE  
MINUTES

January 13, 2011

PRESENT:

Councillor Brad Johns, Chair  
Deputy Mayor Smith, Vice Chair  
Councillor Gloria McCluskey  
Councillor Mary Wile  
Councillor Dawn Sloane  
Councillor Steve Adams  
Councillor Bob Harvey

REGRETS:

Councillor David Hendsbee

STAFF:

Ms. Tanya Phillips, Manager of By-law Services  
Mr. Kevin Hindle, Regional Coordinator of Taxi and Limousine  
Services  
Mr. Randolph Kinghorne, Senior Solicitor  
Ms. Angela Jones-Rieksts, Solicitor  
Ms. Cathy Mellett, Municipal Clerk  
Ms. Melody Campbell, Legislative Assistant  
Ms. Shawnee Gregory, Legislative Assistant

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**1. CALL TO ORDER**

The Legislative Assistant called the meeting to order at 1:05 p.m. in the Council Chamber, City Hall.

**Appointment of Chair and Vice Chair of the Appeals Standing Committee**

As Deputy Mayor Smith, Councillor Sloane and Councillor Johns were interested in being Chair of the Appeals Standing Committee; a secret ballot vote was taken.

There was a tie vote between Deputy Mayor Smith and Councillor Johns so a name was drawn from the ballot box by Ms. Cathy Mellett, Municipal Clerk.

Councillor Johns was declared Chair of the Appeals Standing Committee for 2011.

The Chair called for nominations for Vice Chair.

Councillor McCluskey nominated Deputy Mayor Smith and as there were no further nominations; Deputy Mayor Smith was declared Vice Chair of the Appeals Standing Committee for 2011.

**Approval of 2011 Meeting Dates**

The Committee agreed to meet on the second Thursday of the month from 10:00 a.m. to 12:00 p.m.

A schedule will be submitted at the January 20, 2011 meeting which was previously scheduled prior to the approval of a regular meeting date.

It was noted that meetings would be held monthly, as needed, and that quorum was four.

**2. APPROVAL OF MINUTES – NONE**

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

The order of business was accepted as presented.

**4. CORRESPONDENCE, PETITIONS & DELEGATIONS**

**4.1 Presentations/Discussion**

**4.1.1 Review of Committee & Administrator Authority**

The Dangerous and Unsightly Premises Committee Reference Portfolio was submitted.

Ms. Tanya Phillips, Manager of By-law Services, provided an overview of Dangerous and Unsightly Services as outlined in the Reference Portfolio.

Ms. Phillips provided definitions as they relate to the Charter and Committee and advised that Mr. Jeff Rogers, Regional Coordinator of Enforcement, was the administrator.

In closing, Ms. Phillips provided an overview of what had come to the Committee as volume in 2010 to illustrate what anticipated demands would be for 2011.

#### **4.1.2 Review of Dangerous or Unsightly Legislation, Process & Statistics**

A document titled Regarding Dangerous or Unsightly Premises – Tips for the Committee was submitted.

Ms. Angela Jones-Rieksts, Solicitor, provided the Review of Dangerous or Unsightly Legislation, Process & Statistics.

Ms. Jones-Rieksts then answered questions of clarification from the Committee.

She advised that the Committee's decisions were not precedence setting as they should be based on the facts presented on a case by case basis.

#### **4.1.3 Review of M-100 Appeals**

A copy of By-law M-100: Respecting Standards for Residential Occupancies was submitted.

Mr. Rick Brown, Supervisor of Building Permits, provided a presentation on M-100 Appeals. He stated that By-law M-100 applies to all residential occupancies in HRM and that the building owner and any other interested parties may speak at the appeal hearing.

Mr. Brown then answered questions of clarification from the Committee.

Councillor Sloane requested that it be ensured that building officials and Fire Services staff provide the property owner with a list of deficiencies.

It was noted that most M-100 complaints are made by tenants; however, appeals may also be generated if there is community concern regarding a building.

In response to a question posed by Deputy Mayor Smith, Ms. Mellett advised that the Committee could suggest policy changes to Regional Council for consideration.

#### **4.1.4 Appeals Process**

An executive summary of Taxi and Limousine Services, including By-law T-108, By-law A-100 and Administrative Order 39 was submitted.

Mr. Kevin Hindle, Regional Coordinator of Taxi and Limousine Services, provided the presentation on the Taxi and Limousine Appeals Process. He indicated that By-law A-100 would have to be amended to include 8 rather than 5 Committee members. Mr. Hindle also advised that Council had approved an amendment to reduce the waiting period to rewrite the taxi and limousine licencing exam from one year to three months and that staff expect appeals to decrease dramatically based on this change. He stated that the amendment also allowed for more discretion regarding the cancellation of licences based on lapsed or expired insurance.

In closing, Mr. Hindle introduced Superintendent Colleen Kelly, Halifax Regional Police, to the Committee.

**5. REPORTS - NONE**

**6. ADDED ITEMS - NONE**

**7. ADJOURNMENT**

The meeting was adjourned at 2:27 p.m.

Shawnee Gregory  
Legislative Assistant