

HALIFAX REGIONAL MUNICIPALITY

APPEALS STANDING COMMITTEE
MINUTES

November 10, 2011

- PRESENT: Councillor Brad Johns, Chair
Deputy Mayor Jim Smith, Vice Chair
Councillor Steve Adams
Councillor Dawn Sloane
Councillor Bob Harvey
Councillor Gloria McCluskey
- REGRETS: Councillor Mary Wile
Councillor David Hendsbee
- STAFF: Ms. Tanya Phillips, Manager of By-law Services
Ms. Danielle Banks, Orders Assistant, By-law Services
Mr. Stephan Jedynek, Solicitor
Ms. Shawnee Gregory, Legislative Assistant

TABLE OF CONTENTS

1.	CALL TO ORDER.....	3
2.	ELECTION OF CHAIR AND VICE CHAIR.....	3
3.	APPROVAL OF MINUTES – August 11, 2011	3
4.	APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS.....	3
5.	CONSIDERATION OF ADJOURNED BUSINESS	3
5.1	Case # 157494, 33 Bayberry Dr., Middle Musquodoboit.....	3
6.	DANGEROUS OR UNSIGHTLY PREMISES	4
6.1	Demolitions	4
6.1.1	Case # 157494, 33 Bayberry Dr., Middle Musquodoboit.....	4
6.1.2	Case # 155628, 34 Daventry Lane, Dartmouth.....	4
6.1.3	Case # 170828, PID # 40869851 - Anderson Court, Hammonds Plains	4
7.	BY-LAW M-100 - RESPECTING STANDARDS FOR RESIDENTIAL OCCUPANCIES - NONE.....	5
8.	ADDED ITEMS	5
8.1	80 Fairbanks Street – Verbal Update.....	5
9.	NEXT MEETING DATE – December 8, 2011.....	5
10.	ADJOURNMENT	5

1. CALL TO ORDER

The Chair called the meeting to order at 10:04 a.m. in the Council Chamber, City Hall.

2. ELECTION OF CHAIR AND VICE CHAIR

MOVED by Councillor Adams, seconded by Councillor Harvey that Councillor Johns be elected Chair of the Appeals Standing Committee for 2012. MOTION PUT AND PASSED.

MOVED by Councillor Harvey, seconded by Councillor Adams that Councillor Smith be elected Vice Chair of the Appeals Standing Committee for 2012. MOTION PUT AND PASSED.

3. APPROVAL OF MINUTES – August 11, 2011

MOVED by Councillor Smith, seconded by Councillor Adams that the minutes of August 10, 2011 be approved as presented. MOTION PUT AND PASSED.

4. APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS

Addition:

8.1 80 Fairbanks Street – Verbal Update

Deletion:

6.1.2 Case # 155628, 34 Daventry Lane, Dartmouth

Amendment:

5.1 Case # 157494, 33 Bayberry Dr., Middle Musquodoboit

MOVED by Councillor McCluskey, seconded by Councillor Smith that the agenda be accepted as amended. MOTION PUT AND PASSED.

5. CONSIDERATION OF ADJOURNED BUSINESS

5.1 Case # 157494, 33 Bayberry Dr., Middle Musquodoboit

A report dated October 31, 2011 was before the Committee.

Mr. Alonzo MacDonald for Mr. Trevor Oliver, By-law Enforcement Officer, presented the report, including photographs of the property in question.

A discussion ensued with staff responding to questions of clarification.

Ms. Angie Stewart indicated that she was the niece of Mr. Hollis Ryan, property owner of 33 Bayberry Drive, who passed away in 2002. She advised that she lived next door to the property and requested an extension for the legal process to be completed, as per her request for the property, so the family and public trustee could be asked to have their responses back by November 25, 2011. She noted that she planned to demolish the building and plant a flower garden.

A discussion ensued.

MOVED by Councillor McCluskey, seconded by Councillor Sloane that the Appeals Standing Committee pass the following resolution:

The 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 Building, 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 sixty (60) 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 right as set forth under Part XV of the Charter.

MOTION PUT AND PASSED.

6. DANGEROUS OR UNSIGHTLY PREMISES

6.1 Demolitions

6.1.1 Case # 157494, 33 Bayberry Dr., Middle Musquodoboit

This item was dealt with earlier in the meeting. Please see page 3.

6.1.2 Case # 155628, 34 Daventry Lane, Dartmouth

This item was deleted under the Approval of the Order of Business as the owner has complied with their Order.

6.1.3 Case # 170828, PID # 40869851 - Anderson Court, Hammonds Plains

A report dated October 31, 2011 was before the Committee.

Mr. Alonzo MacDonald, By-law Enforcement Officer, presented the report, including photographs of the property in question.

There was no one present representing the property in question to speak to this matter.

MOVED by Councillor Sloane, seconded by Councillor McCluskey that the Appeals Standing Committee pass the following resolution:

The 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 Building, 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 right as set forth under Part XV of the Charter.

MOTION PUT AND PASSED.

7. BY-LAW M-100 - RESPECTING STANDARDS FOR RESIDENTIAL OCCUPANCIES - NONE

8. ADDED ITEMS

8.1 80 Fairbanks Street – Verbal Update

Ms. Tanya Phillips, Manager of By-law Services, provided an update on the matter of 80 Fairbanks Street, adjourned by the Committee earlier in the year; noting that the property owner was now working with staff and there was no need for it to be brought back to the Committee.

9. NEXT MEETING DATE – December 8, 2011

Regarding the proposed 2012 schedule, it was noted that a meeting would be held on April 19, 2012 rather than April 12.

10. ADJOURNMENT

The meeting was adjourned at 10:22 a.m.

Shawnee Gregory
Legislative Assistant

Information Item:

1. Proposed 2012 Meeting Schedule