



**APPEALS STANDING COMMITTEE  
MINUTES  
May 14, 2015**

**PRESENT:** Councillor Matt Whitman, Chair  
Councillor Steve Adams, Vice Chair  
Councillor Russell Walker  
Councillor Gloria McCluskey  
Councillor David Hendsbee  
Councillor Brad Johns

**OTHERS PRESENT:** Councillor Tim Outhit (non-member)

**STAFF:** Mr. Randolph Kinghorne, Senior Solicitor  
Ms. Tanya Phillips, Manager, By-law Standards, Municipal Compliance  
Mr. Kevin Hindle, Supervisor, Regional Licensing, Municipal Compliance  
Ms. Jennifer Weagle, Legislative Assistant

*The following does not represent a verbatim record of the proceedings of this meeting.*

*The agenda, supporting documents, and information items circulated to the Committee are available online: <http://www.halifax.ca/boardscom/SCappeals/ASCagenda150514.php>*

*The meeting was called to order at 10:05 a.m., and adjourned at 11:57 a.m.*

**1. CALL TO ORDER**

The Chair called the meeting to order at 10:05 a.m.

**2. APPROVAL OF MINUTES – April 9, 2015**

**MOVED by Councillor McCluskey, seconded by Councillor Johns, that the minutes of the April 9, 2015 Appeals Standing Committee meeting be approved as circulated. MOTION PUT AND PASSED.**

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

An Information Update from Municipal Compliance staff dated May 14, 2015 regarding Demolition Orders issued by the Appeals Standing Committee on January 8 and February 12, 2015 was circulated to the Committee.

Deletion:

9.1.1 Case #245414, 1358 Shore Drive, Bedford

At the request of the Applicant, the appeal for Case 245414 has been rescheduled to the next regular meeting on June 11, 2015 meeting.

Responding to questions from members, Mr. Randolph Kinghorne, Senior Solicitor, indicated that this is a scheduling matter, subject to the Clerk's Office, not the Committee. He noted that scheduling takes into consideration the availability of all parties.

With the permission of the Committee, Councillor Outhit commented that the situation at this address has gone on for several years, with the house not being completed and vandalism taking place due to inadequate fencing. He questioned whether a special meeting could be held to address this property earlier than June 11th. Mr. Kinghorne noted that if something is a danger to the public, then the Municipality can intervene immediately. Ms. Phillips concurred, and noted that staff will address anything of a dangerous manner in the interim, and speak with Councillor Outhit about his concerns regarding the fencing.

**MOVED by Councillor Johns, seconded by Councillor McCluskey, that the agenda be approved as amended.**

2/3 vote was required.

**MOTION PUT AND PASSED.**

Councillor Outhit left the meeting at this time.

**4. BUSINESS ARISING OUT OF THE MINUTES - NONE**

**5. MOTIONS OF RECONSIDERATION – NONE**

**6. MOTIONS OF RESCISSION – NONE**

**7. CONSIDERATION OF DEFERRED BUSINESS – NONE**

**8. CORRESPONDENCE, PETITIONS & DELEGATIONS**

8.1 Correspondence - NONE

8.2 Petitions - NONE

8.3 Presentation - NONE

9. REPORTS

9.1 DANGEROUS OR UNSIGHTLY PREMISES: APPEALS

9.1.1 Case #245414, 1358 Shore Drive, Bedford

At the request of the Applicant, this appeal was rescheduled to the June 11, 2015 meeting.

9.2 DANGEROUS OR UNSIGHTLY PREMISES: DEMOLITIONS

9.2.1 Case #231273, 169 Wyse Road, Dartmouth

The following was before the Committee:

- A staff recommendation report dated April 29, 2015

Mr. Alonzo MacDonald, Compliance Officer, presented Case #231273, requesting a Demolition Order for the building located at 169 Wyse Road, Dartmouth.

Mr. MacDonald responded to questions from members.

Mr. Ken Anthony, property owner of 169 Wyse Road, indicated he has owned the property for five years. He explained that he originally purchased the property to do a major retrofit although he is currently exploring options for a 10 storey development on the site. If the larger development is not feasible, he will return to plans to retrofit the existing building, so it would be premature to demolish the building. Mr. Anthony indicated that a public information meeting is scheduled next month to meet with the community on the proposal for the 10 storey building. He discussed the state of the current building, noting that electricity and water have been shut-off, the building has been gutted from the inside, has a new roof and is structurally sound. He clarified that the current building has no part in the plans for the 10 storey building. Mr. Anthony acknowledged that the current building is an eyesore, although he has responded immediately to orders from compliance officers to remedy any dangerous or unsightly issues on the property, including boarding of doors and windows and painting. He indicated that the cost of demolition would be \$150,000 - \$200,000.

Ms. Tanya Phillips, Manager, By-law Standards, Municipal Compliance, clarified that the Appeals Standing Committee will be making the decision on whether to order the demolition of the building, and the property owner has not been order to demolish the building yet. She further clarified that no date has been identified to demolish the building.

The Committee discussed their options.

**MOVED by Councillor McCluskey, seconded by Councillor Johns, that Case #231273, 169 Wyse Road, Dartmouth, be deferred for 120 days.**

At the request of the Committee, Mr. Mitch Dickey, Planner, Development Approvals, discussed the development application for the site referred to by Mr. Anthony. He indicated that this is a matter that will eventually come forward to Harbour East-Marine Drive Community Council, and that a public information meeting is scheduled to be held in two weeks. With regard to the timeline of the application, Mr. Dickey indicated that a typical application would take approx. 8 months, noting that staff are aware of issues and concerns with this property and are moving the application forward as soon as possible.

At the request of the Committee, Mr. Kinghorn clarified that should the Committee defer this matter for 120 days, staff would then report an update at that time, and the Committee would have the option of deferring the matter further. Ms. Phillips indicated that extending the deferral until September or October would allow the development agreement process to be further along, and planning staff would be able to provide a full update with time estimate at that time.

**MOVED by Councillor McCluskey, seconded by Councillor Johns, the amendment be amended that Case #231273, 169 Wyse Road, Dartmouth, be deferred to October 2015.**

At the request of the Committee, Mr. Anthony agreed to secure the crawl space and top floor exterior door.

**MOTION PUT AND PASSED.**

**9.3 TAXIS, ACCESSIBLE TAXIS AND LIMOUSINES APPEALS**

**9.3.1 Appeal of Douglas MacDonald – Cancellation of Taxi Owner’s License**

The following was before the Committee:

- A staff recommendation report dated March 16, 2015

Councillor Johns inquired why this matter was not being held In Camera. Mr. Kinghorne advised that licences issued are a matter of public record, and are not considered a personnel issue. The process for taxi appeals is that they should be dealt with in public unless it involves a criminal or legal matter.

The Chair indicated that if the Appellant requested to go In Camera, the Committee could choose to do so.

Mr. Douglas MacDonald requested that this matter be held In Camera, to respect his privacy for medical reasons.

**MOVED by Councillor Johns, seconded by Councillor Adams, that the Appeals Standing Committee move to an In Camera session for consideration of the taxi appeal of Douglas MacDonald. MOTION PUT AND PASSED.**

The public session recessed at 11:08 a.m. to move In Camera.

The Committee returned to the public session at 11:55 a.m.

**10. MOTIONS - None**

**11. IN CAMERA**

The In Camera session was held earlier in the meeting (refer to item 9.3.1).

**11.1 Approval of In Camera Minutes – April 9, 2015**

**MOVED by Councillor Johns, seconded by Councillor Walker, that the In Camera minutes of April 9, 2015 be approved as circulated. MOTION PUT AND PASSED.**

The In Camera minutes were approved during the public session.

**12. ADDED ITEMS - None**

**13. NOTICES OF MOTION - None**

14. **DATE OF NEXT MEETING – June 11, 2015, 10:00 a.m., Council Chamber, City Hall, 1841 Argyle Street, Halifax**

15. **ADJOURNMENT**

The meeting was adjourned at 11:57 a.m.

Jennifer Weagle  
Legislative Assistant