



**APPEALS STANDING COMMITTEE
MINUTES
October 8, 2015**

PRESENT: Councillor Matt Whitman, Chair
Councillor Russell Walker
Councillor Gloria McCluskey
Councillor David Hendsbee
Councillor Brad Johns

REGRETS: Councillor Steve Adams, Vice Chair

STAFF: Mr. Randolph Kinghorne, Senior Solicitor
Ms. Sherryl Murphy, Deputy Clerk
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/151008asc-agenda.php>

The meeting was called to order at 10:00 a.m., and adjourned at 10:50 a.m.

1. CALL TO ORDER

The Chair called the meeting to order at 10:00 a.m.

2. APPROVAL OF MINUTES – September 10, 2015

MOVED by Councillor McCluskey, seconded by Councillor Walker,

THAT the minutes of the September 10, 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 October 8, 2015, regarding Demolition Orders issued by the Appeals Standing Committee on March 12, 2015 and August 5, 2015 was circulated to the Committee.

Deletions:

7.2 Case #254347, 2688 Old Sambro Road, Williamswood (*deferred from August 5, 2015*)

Ms. Tanya Phillips, Manager, By-Law Standards, Municipal Compliance advised that there was an error with issuing the order for Case #254347, and that the order will be reissued.

MOVED by Councillor Walker, seconded by Councillor McCluskey,

THAT the agenda be approved as amended.

MOTION PUT AND PASSED.

4. BUSINESS ARISING OUT OF THE MINUTES - NONE

5. MOTIONS OF RECONSIDERATION – NONE

6. MOTIONS OF RESCISSION – NONE

7. CONSIDERATION OF DEFERRED BUSINESS

7.1 Case #231273, 169 Wyse Road, Dartmouth (*deferred from May 14, 2015*)

The following was before the Committee:

- Staff report dated September 23, 2015
- Extract of the May 14, 2015 minutes of the Appeals Standing Committee

Mr. Alonzo MacDonald, Compliance Officer, presented Case #231273, an application by staff to request a Demolition Order.

At the request of the Committee, Mr. Shayne Vipond, Senior Planner, Planning and Development, provided an update on the development application for this property. He advised that as a result of a public information meeting that was held in June, the applicant was asked to make changes to the building envelope and provide a new site plan, which submitted last week. Mr. Vipond indicated that this matter will go forward with a recommendation to Community Council within the next six months.

Responding to questions from the Committee, Mr. Vipond advised that the existing structure is not intended to be used as a part of the proposed development.

Mr. Kenneth Anthony, part owner of 169 Wyse Road, Dartmouth, advised that they have been responsive to any concerns with the property, including immediately addressing an order to clean up debris and cut grass on the property. He indicated that they have done everything to try to expedite the planning application and be responsive to the neighbourhood, by making changes to the plans as a result of concerns raised at the public information meeting and meeting with a community group. Mr. Anthony advised that they do not wish to demolish the existing building before the development application is approved, because if the application is refused they intend to renovate the existing building.

Responding to questions from the Committee, Mr. Anthony indicated that they had painted the building once before, and are agreeable to painting it again. He advised that the building has been secured and there have been no safety issues raised with the property.

In response to further questions from the Committee, Mr. Anthony confirmed that if the development application is approved, the building will be demolished soon after.

MOVED by Councillor Johns, seconded by Councillor McCluskey,

THAT Case #231273 be deferred to the February 2016 meeting of the Appeals Standing Committee meeting.

Committee members indicated that in the meantime, they would like the property owner to have the building painted and remove the veterinary sign from the building.

Responding to questions from the Committee, Mr. Vipond advised that there is no height limit on the property, which is zoned C-2, although the development application for the property is for 10 storeys on Wyse Road, and 12 storeys at the back.

MOTION PUT AND PASSED.

7.2 Case #254347, 2688 Old Sambro Road, Williamswood (deferred from August 5, 2015)

This item was deleted from the agenda during the approval of the order of business. Refer to page 2.

8. CORRESPONDENCE, PETITIONS & DELEGATIONS

8.1 Correspondence

8.1.1 Correspondence from the Nova Scotia Advisory Council on the Status of Women dated September 18, 2015

The following was before the Committee:

- Correspondence from the Nova Scotia Advisory Council on the Status of Women dated September 18, 2015

The Committee agreed to refer the correspondence to Legal Services for a response.

8.2 Petitions - NONE

9. REPORTS

9.1 DANGEROUS OR UNSIGHTLY PREMISES: APPEALS - NONE

9.2 DANGEROUS OR UNSIGHTLY PREMISES: DEMOLITIONS

9.2.1 Case #255682, 6024 Compton Avenue, Halifax

The following was before the Committee:

- Staff report dated September 22, 2015

Mr. Robert Coolen, Compliance Officer, presented Case #255682, an application by staff to request a Demolition Order for a garage.

Responding to questions from the Committee, Mr. Coolen advised that the owner is not living in the house on the property, and he was earlier told by the owner that the property is for sale. Mr. Coolen noted that the phone number for the owner is disconnected and he has been unable to contact the property owner recently. Mr. Coolen further advised that the house has not been occupied for several years.

MOVED by Councillor Johns, seconded by Councillor McCluskey,

THAT the Appeals Standing 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 garage, 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 rights as set forth under Part XV(15) of the Charter.

In response to questions from the Committee, Ms. Phillips advised that when the Compliance Officer returns to the property, they can assess other debris in the yard as well as the broken front window of the house.

MOTION PUT AND PASSED.

9.3 TAXIS, ACCESSIBLE TAXIS AND LIMOUSINES APPEALS - NONE

10. MOTIONS - None

11. IN CAMERA

11.1 Approval of In Camera Minutes – September 10, 2015

MOVED by Councillor Johns, seconded by Councillor Walker,

THAT the In Camera minutes of September 10, 2015 be approved as circulated.

MOTION PUT AND PASSED.

The In Camera minutes were approved during the public session.

MOVED by Councillor Johns, seconded by Councillor Hendsbee,

THAT the Appeals Standing Committee move In Camera to address item 11.2.1 Legal Advice – Taxi License Appeals.

MOTION PUT AND PASSED.

The Committee recessed at 10:25 a.m. to move In Camera to address the following.

11.2 Legal Advice

11.2.1 Taxi License Appeals

This matter was addressed In Camera.

The public meeting reconvened at 10:49 a.m.

12. ADDED ITEMS - None

13. NOTICES OF MOTION - None

**14. DATE OF NEXT MEETING – November 12, 2015, 10:00 a.m., Council Chamber, City Hall,
1841 Argyle Street, Halifax**

15. ADJOURNMENT

The meeting was adjourned at 10:50 a.m.

Jennifer Weagle
Legislative Assistant