

APPEALS STANDING COMMITTEE
MINUTES

June 13, 2013

PRESENT: Councillor Matt Whitman, Vice Chair
Councillor David Hendsbee
Councillor Gloria McCluskey
Councillor Bill Karsten
Councillor Linda Mosher

REGRETS: Councillor Brad Johns, Chair
Councillor Steve Adams
Councillor Steve Craig

STAFF: Ms. Tanya Phillips, Manager of By-law Services
Mr. Scott Hill, Regional Coordinator, By-law Services
Ms. Laurie Lauder, Orders Assistant, By-law Services
Mr. Randolph Kinghorne, Solicitor
Mr. Quentin Hill, Legislative Assistant

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1. CALL TO ORDER

The Chair called the meeting to order at 10:00 am in the Council Chamber, Halifax City Hall.

2. APPROVAL OF MINUTES – March 28, 2013

MOVED by Councillor Karsten, seconded by Councillor Mosher that the minutes of March 28, 2013 be approved as presented. MOTION PUT AND PASSED.

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

The Committee agreed to move item 5.2.1 after item 4.

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

4. BUSINESS ARISING OUT OF THE MINUTES- NONE

5. DANGEROUS OR UNSIGHTLY PREMISES

5.1 Appeals

5.1.1 Case 207089, 9567 St. Margaret's Bay Road, Queensland

This item was addressed after item 5.2.1. See page 4.

5.2 Demolitions

5.2.1 Case 199345 521 River Road, Terrence Bay

A report dated May 27, 2013 was before the Committee.

Mr. Robert Coolen, By-law Enforcement Officer, presented the report, including photographs of the property in question. Mr. Coolen advised that the family agreed that the building needs to be demolished and did not feel the need to attend the meeting. He noted that they are an older family and do not have the means to dismantle it on their own.

MOVED by Councillor Karsten, seconded by Councillor McCluskey that the Appeals 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

Main and Accessory Buildings, 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.

A discussion ensued.

MOTION PUT AND PASSED.

5.1 Appeals

5.1.1 Case 207089, 9567 St. Margaret's Bay Road, Queensland

A staff report dated May 24, 2013 was before the Committee.

Mr. Robert Coolen, By-law Enforcement Officer, presented the report, including photographs of the property in question. He noted that since 2010 there had been eleven valid cases on the property. He also advised that the property is adjacent to Queensland Beach.

A discussion ensued with staff responding to questions of clarification.

Mr. Patrick McKenzie indicated that he lives on the property in question. He stated that he has complied every time there has an Order placed on the property. He explained that he did not know he was required to have a permit for the shed. He stated that the fencing was not his and was part of a fence that his neighbour had installed. Mr. McKenzie read from the Order that he was served and submitted pictures as part of the record, to show that he had cleaned up the items listed on the Order. Mr. McKenzie noted that he has yard sales on the property as a means of self-employment.

A discussion ensued with Mr. McKenzie responding to questions of clarification.

MOVED by Councillor Karsten, seconded Councillor McCluskey that the Appeals Standing Committee allow the appeal of case # 207089, 9567 St. Margaret's Bay Road, Queensland, NS.

A discussion ensued on the motion.

MOTION DEFEATED.

The decision of the By-law Officer to Remedy Dangerous or Unsightly property was upheld.

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

7. ADDED ITEMS- NONE

8. IN CAMERA

8.1 In Camera Minutes – December 13, 2012

This item was dealt with at a later In Camera session.

8.2 Personnel Matter - Appeal of Taxi Driver/Owner License Revocation

This item was dealt with at a later In Camera session.

8.3 Personnel Matter - Appeal of Taxi Vehicle Size Restrictions

This item was dealt with at a later In Camera session.

9. NEXT MEETING DATE – July 25, 2013

10. ADJOURNMENT

The meeting was adjourned at 12:10 p.m.

Quentin Hill
Legislative Assistant