



**APPEALS STANDING COMMITTEE  
MINUTES  
June 8, 2023**

PRESENT: Councillor David Hendsbee, Chair  
Councillor Iona Stoddard, Vice Chair  
Councillor Cathy Deagle Gammon  
Councillor Trish Purdy  
Councillor Lisa Blackburn

REGRETS: Councillor Lindell Smith

STAFF: Tanya Phillips, Manager, By-law Services  
Karen MacDonald, Solicitor  
Andrea Lovasi-Wood, Legislative Assistant  
Lama Farhat, Legislative Assistant

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

*The agenda, reports, supporting documents, information items circulated, and video (if available) are online at [halifax.ca](http://halifax.ca).*

*The meeting was called to order at 10:00 a.m., and adjourned at 11:01 a.m.*

## **1. CALL TO ORDER AND LAND ACKNOWLEDGEMENT**

The Chair called the meeting to order at 10:00 a.m. and acknowledged that the meeting took place in the traditional and ancestral territory of the Mi'kmaq people, and that we are all treaty people.

## **2. APPROVAL OF MINUTES – May 11, 2023**

MOVED by Councillor Deagle Gammon, seconded by Councillor Stoddard

**THAT the minutes of May 11, 2023 be approved as circulated.**

**MOTION PUT AND PASSED.**

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

Additions: None

Deletions: None

MOVED by Councillor Stoddard, seconded by Councillor Deagle Gammon

**THAT the agenda be approved as presented.**

**MOTION PUT AND PASSED.**

## **4. BUSINESS ARISING OUT OF THE MINUTES – NONE**

## **5. CALL FOR DECLARATION OF CONFLICT OF INTERESTS – NONE**

## **6. MOTIONS OF RECONSIDERATION – NONE**

## **7. MOTIONS OF RESCISSION – NONE**

## **8. CONSIDERATION OF DEFERRED BUSINESS – December 8, 2022**

### **8.1 DANGEROUS OR UNSIGHTLY PREMISES: DEMOLITIONS**

#### **8.1.1 CF-2022-000493, 143 Myra Road, Porters Lake**

The following was before the Standing Committee:

- Supplementary staff report dated May 24, 2023
- Extract of December 8, 2022 Appeals Standing Committee minutes

The Chair confirmed the property owner was present.

Thomas Murdoch, Compliance Officer II gave a presentation, showing photographs of the property taken on June 6, 2023 and responded to questions of clarification from the Standing Committee. Murdoch confirmed the property owner was present during site visit. Murdoch confirmed the property owner filed an application for a demolition permit for part of the structure on June 7, 2023.

**Daniel Leon LeBlanc, property owner** spoke to challenges to complete repairs over the winter months and noted repairs began in April but disagreements with the neighboring property owner stalled efforts to place the construction debris bin and excavator on their shared driveway. LeBlanc highlighted the current work in progress, including re-establishment of a second driveway on the property to store the construction debris bin and equipment and noted the presence of an excavator on the property. LeBlanc asked for additional time to demolish part of the structure and noted their error in assuming they had until end of June. Leblanc responded to questions of clarification from the Standing Committee regarding

plans for the demolition and rebuilding. LeBlanc indicated that the amount of demolition to the property beyond the back porch and garage would depend upon the condition of the property.

Murdoch responded to questions of clarification from the Standing Committee and confirmed the presence of the excavator on the property and that the permit application was for the entire structure.

Tanya Philips, Manager, By-law Services responded to questions of clarification from the Standing Committee and noted that the order was extended to sixty (60) days due to the wildfire situation occurring in Nova Scotia. Philips explained that the decision made by the Standing Committee was based on the current condition of the property. If the condition of the property changed significantly after the 60 day period and the owner made progress with repairs to the structure that it would come back to the Standing Committee for further deliberation. Otherwise, if the condition of the structure had not changed and no compliance or salvaging plans were made, the demolition order and direction from the Standing Committee would stand.

Allison Patriquin, Supervisor, Building Standards responded to questions of clarification from the Standing Committee and noted a draft demolition permit was in the system for renovations and not demolition. Patriquin explained a renovation permit was the correct permit as it applies to only part of the building and that staff would work with the property owner to issue the permit within one week and the property owner's progress would be monitored throughout the 60 day period. Patriquin confirmed that repair work to the structure and its foundations would be inspected by engineers, or other professionals, who would be asked to provide a report if required.

Karen MacDonald, Solicitor highlighted the two decisions the Standing Committee could consider. MacDonald explained that the Standing Committee could defer the matter if they desired an update on the status of the repairs to the property prior to issuing the Order to Demolish or move forward with the Order to Demolish with a specified 60 day time period for the property to be made compliant. MacDonald added that if the Standing Committee approved the Order to Demolish, and no work is completed within 60 days the order would be carried out.

MOVED by Councillor Blackburn, seconded by Councillor Deagle Gammon

**THAT the Appeals Standing Committee find 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 structure 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 ninety (90) 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.**

**MOTION PUT AND PASSED.**

**9. NOTICES OF TABLED MATTERS – NONE**

**10. CORRESPONDENCE, PETITIONS & DELEGATIONS**

**10.1 Correspondence – None**

**10.2 Petitions – None**

**10.3 Presentation – None**

**11. INFORMATION ITEMS BROUGHT FORWARD – NONE**

## 12. REPORTS

### 12.1 DANGEROUS OR UNSIGHTLY PREMISES: APPEALS

#### 12.1.1 CF-2023-008028, 6323 Liverpool Street, Halifax

The following was before the Standing Committee:

- Staff report dated May 29, 2023

The Chair confirmed the appellant was present.

Tristan Zinck, Compliance Officer II gave a presentation, showing photographs of the property taken June 6, 2023 and responded to questions of clarification from the Standing Committee. Zinck noted that missing lattice pieces on the property's fence were the major concern.

**Peter Melzer, appellant** spoke to the progress of repairs and noted most of the fence was repaired on June 7, 2023. The Legislative Assistant showed two images of the fence repairs on the appellant's phone to the Standing Committee. Melzer expressed interest in replacing the entire fence at a later date. Melzer responded to questions of clarification from the Standing Committee and verified that one section of lattice remains to be repaired and confirmed that the repairs would be done within the compliance period.

Karen MacDonald, Solicitor advised the Standing Committee that if they wanted to refuse the appeal but provide the appellant more time to complete repairs that the appeal would need to be defeated and a separate motion passed to amend the Order to Remedy to extend the compliance period. McDonald responded to questions of clarification from the Standing Committee.

MOVED by Councillor Purdy, seconded by Councillor Blackburn

**THAT the Appeals Standing Committee allow the appeal.**

**MOTION PUT AND DEFEATED.**

MOVED by Councillor Purdy, seconded by Councillor Blackburn

**THAT the Appeals Standing Committee amend the Order to Remedy issued May 3, 2023, Appendix D of the staff report dated May 29, 2023 to extend the compliance period to thirty 30 days.**

**MOTION PUT AND PASSED.**

### 12.2 DANGEROUS OR UNSIGHTLY PREMISES: DEMOLITIONS

#### 12.2.1 CF-2023-011047, 3823 Mooseland Road, Mooseland

The following was before the Standing Committee:

- Staff report dated May 24, 2023

The Chair confirmed the property owner, nor a representative were present.

Allen Byng, Compliance Officer II gave a presentation, showing photographs of the property taken June 7, 2023 noting various states of decay and responded to questions of clarification from the Standing Committee regarding power lines, fallen debris, and propane tanks on the property. Byng confirmed the violation notice with intent to demolish was sent to the property owner's mailing address on file but no response was received from the property owner. Byng added that the neighboring property owner had attempted contact with no result. Byng confirmed safety concerns regarding the main and accessory structures including stacked building materials next to the accessory building. Byng noted that the property had appeared to have been lived in but there were no signs of recent activity.

Karen MacDonald, Solicitor clarified that under the *Halifax Regional Municipality Charter*, notice posted on the property and sent via registered mail to the property owner were considered service and noted that staff satisfied the notice requirements.

Tanya Philips, Manager, By-Law Services responded to questions of clarification from the Standing Committee regarding validation of a property owner's address through tax status. Philips noted that staff attempted numerous methods to find the property owner's contact information. Philips added they will confer with the remedy analyst to confirm the status of the property owner's taxes.

MOVED by Councillor Deagle Gammon, seconded by Councillor Purdy

**THAT the Appeals Standing Committee find 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 structures 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.**

Councillor Deagle Gammon proposed an amendment of the order to extend the compliance time period to sixty (60) days. As provided for in section 53 (2) of Administrative Order One, *Respecting the Procedures of the Council*, the amendment was accepted as friendly.

The motion now read:

MOVED by Councillor Deagle Gammon, seconded by Councillor Purdy

**THAT the Appeals Standing Committee find 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 structures 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 rights as set forth under Part XV (15) of the Charter.**

**MOTION TO AMEND PUT AND PASSED.**

**13. MOTIONS – NONE**

**14. IN CAMERA (IN PRIVATE) – NONE**

**15. ADDED ITEMS – NONE**

**16. NOTICES OF MOTION – NONE**

**17. DATE OF NEXT MEETING – July 13, 2023 (if required)**

**18. ADJOURNMENT**

The meeting adjourned at 11:01 a.m.

Lama Farhat  
Legislative Assistant