

PENINSULA COMMUNITY COUNCIL  
MINUTES

January, 2012

PRESENT: Councillor Jennifer Watts, Chair  
Councillor Jerry Blumenthal, Vice Chair  
Councillor Sue Uteck  
Councillor Dawn Sloane

STAFF: Ms. Karen Brown, Senior Solicitor  
Ms. Sheilagh Edmonds, Legislative Assistant

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**1. CALL TO ORDER**

The Chair called the meeting to order at 7:00 p.m.

**2. APPROVAL OF MINUTES**

**MOVED by Councillor Sloane, seconded by Councillor Blumenthal that the minutes of December 12, 2011 be approved. MOTION PUT AND PASSED.**

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

Deletion:

8.2.2 Variance Appeal: #17322 – 3360 Agricola Street, Halifax

Mr. Sean Audas, Development Officer addressed Community Council and advised that he was requesting Community Council reschedule this variance appeal to the February 13, 2012 meeting. He explained that the notification letter which was circulated to the residents within 30 metres of the property in question, spoke to a variance that was approved, when in fact the variance had been refused by the Development Office. Mr. Audas added that in consultation with Legal Services, the advice was to re-circulate a correct notification letter and reschedule the hearing. Mr. Audas offered apologies to Community Council, the property owner and all those who were inconvenienced by the error.

Addition:

12.1 Street Closure – LeMarchant/South Streets – Request for Staff Report – Councillor Uteck

**MOVED by Councillor Sloane, seconded by Councilor Uteck that the agenda as amended be approved. MOTION PUT AND PASSED.**

**4. BUSINESS ARISING OUT OF THE MINUTES**

**4.1 Business Arising – None**

**4.2 Status Sheet:** No updates were provided.

Councillor Sloane noted that there were a number of items on the status sheet that Community Council that has reports outstanding. She asked the Legislative Assistant to follow up with staff on the following items, and for response back to Community Council:

- Schmidville – June 13, 2011 – Public Participation – staff report requested on immediate development controls that can be placed on the area of Schmidville
- Minor Baseball – May 10, 2010 and September 13, 2010 – staff report on sustaining minor baseball on the Peninsula and staff report on the policy to manage request for upgrades to sports fields in HRM parks on the Peninsula
- Flooding at Peninsula Place – February 11, 2008 – Councillor Sloane noted that there has been more flooding recently.
- Irish Association of Nova Scotia – June 13, 2011 – staff report requested.

Councillor Sloane advised that the status sheet item pertaining to Mitchell's Enviro Depot could be removed from the Status Sheet.

Councillor Uteck asked for an update on the CN property Maintenance Status Sheet item.

**5. MOTIONS OF RECONSIDERATION – NONE**

**6. MOTIONS OF RESCISSION – NONE**

**7. CONSIDERATION OF DEFERRED BUSINESS – December 12, 2011**

**7.1 Case 17156: Amendments to the Land Use By-law for Halifax Peninsula to rezone 4 properties on the corner of South Street and LeMarchant Street from U-1 to u-2, to amend the Height Precincts Map and to amend the U-2 Zone**

The public hearing regarding this matter was held and closed December 12, 2011. Community Council deferred its decision, as there were a number of outstanding questions, and Community Council wanted additional information prior to making a decision.

A supplementary staff report dated December 28, 2011 was submitted.

Ms. Jillian MacLellan, Planner addressed Community Council and provided a presentation with regard to the supplementary report. In her remarks she reviewed the concerns expressed by Community Council and responded with the following points:

- With regard to the concern that the new arena may be relocated to the Dalplex site, staff have received no information from Dalhousie concerning possible relocation and no application for development of a new arena has been filed with the Municipality.
- Although 13 parking spaces will be removed with the new development the total amount of parking on Studley Campus will continue to exceed the

- 1,730 parking spaces, which is the requirement under the secondary plan for Peninsula Center.
- HRM Traffic Services has reviewed the traffic study and determined that the current road network can accommodate any additional traffic created by the proposed development.
  - Staff does not recommend a wind study; the municipal planning strategy policies for Peninsula Centre determine that 7 story buildings are suitable for the area.
  - With regard to comments expressed during the public hearing about the necessity of a physical boundary to separate the University from the residential area, a 75 foot setback is required for the proposed 70 foot high building; the Land Use Bylaw does not require this setback to be buffered through landscaping or fencing.
  - The concern about noise from additional students is something staff is unable to provide comment on; all uses proposed for this building are permitted in both the U-1 and U-2 Zone and were considered appropriate in the area when the secondary plan was created.
  - Concerns about design and colour of the building are issues beyond the scope of the proposed rezoning but it is staff's understanding that Dalhousie is in discussion with the neighbourhood with a view to cosmetic building modifications.
  - Dalhousie has indicated that their construction team will meet with the neighbourhood to ensure issues surrounding construction are adequately dealt with; this is an issue outside the scope of what staff and Council can consider when evaluating a rezoning for a property.

Ms. MacLellan responded to questions of clarification from Community Council.

**MOVED by Councillor Uteck, seconded by Councillor Blumenthal that Peninsula Community Council approve the proposed rezoning and amendments to the Halifax Peninsula Land Use Bylaw as provided in Attachment A of the November 9, 2011 staff report.**

Councillor Uteck advised that in meeting with representatives of Dalhousie University, a number of issues have been worked through, but that they were not willing to make any change in regard to the proposed design of the building, however, they will change the colour scheme to a silver and grey which is more acceptable. Councillor Uteck also advised that Dalhousie has committed that there will be no food services in the building, and all fans, vents, and apparatus on the south wall will not face South Street. She noted that the University will be scheduling a meeting with the residents of the area toward the end of January or early February to discuss what structures and barriers can be designed along South Street to develop the demarcation between the University and the residential area to the south, and the landscaping will also be discussed with the residents. Councillor Uteck added that the University consultants and the members of the Master Plan Steering Committee will be in attendance at this meeting. She pointed out that the campus police and HRP area patrol are well aware of the proposed

building. As well, she noted that the neighbourhood was concerned about increased traffic, and even though a traffic study was done, she was going to ask staff to look at a partial street closure at South and LeMarchant Streets. There will not be a bus layby on South Street – traffic services has confirmed that South Street is too narrow to carry a layby.

Councillor Sloane indicated that she was concerned about security and safety of the residents and students and requested that consideration be given to having the landscaping carried out from a CEPTID point of view.

Councillor Uteck noted that pedestrian traffic counts will be carried out in the spring and again in the fall; and with regard to the potential for the Memorial Arena to be relocated at the Dalplex property, she noted that it was her understanding there was a previous commitment by Dalhousie to the community that no further construction would occur south of South Street. Dalhousie is carrying out research on this and if there is a letter in this regard, Councillor Uteck indicated she will do whatever she can to see that there is no arena south of South Street.

#### **MOTION PUT AND PASSED.**

#### **8. HEARINGS**

**8.1 Public Hearings:** None

**8.2 Variance Appeal Hearings**

**8.2.1 Variance Appeal: #17331 – 5528 Merkel Place, Halifax**

A staff report dated December 29, 2011 was submitted.

Ms. Erin MacIntyre, Development Technician, provided the staff presentation on the Development Officer's decision to refuse a variance from the side yard setback requirements of the Halifax Peninsula Land Use Bylaw to permit the construction of an attached garage at 5528 Merkel Place. Ms. MacIntyre explained that the required sideyard for a townhouse end unit is ten feet and that the applicant is proposing an 11 foot wide attached garage, resulting in a zero foot side setback.

She noted that HRM's GIS Technician identified a discrepancy in the mapping of the walls of the building in the Hydrostone with relation to the property boundaries. Surveyed information would be required as part of any permit application for the garage, as it is the only way to be sure of the existing setback and to ensure there is not encroachment over the property boundary.

Ms. MacIntyre advised that the Development Officer refused the variance request because reducing the sideyard to zero violates the intent of the land use by-law; and it exceeds any reasonable tolerance which could be considered consistent with the intent

of the setback; and that the difficulty experienced in regard to the side yard variance is general to the area.

Ms. MacIntyre responded to questions.

Councillor Sloane noted that staff indicated no paperwork could be found on whether a permit was issued for the deck and she questioned if there were a large number without permits.

In response, Ms. MacIntyre advised that she carried out research to determine how many structures within the notification area had permits issued, and determined that there had been three or four variances on Merkel and Columbus Streets since 1990 but that there seemed to be more nonconforming structures in the neighbourhood than that. She added that it is difficult to determine if they pre-dated 1950 and had been renovated over time or whether they were structures built without a permit.

The Chair reviewed the variance appeal procedure and opened the hearing.

Ms. Anne MacKay, the property owner addressed Community Council, and advised that she felt her proposal was consistent with development in the neighbourhood and does not violate the intention of the Land Use Bylaw, and she noted that photographs she provided illustrate that several garages built in the neighbourhood all have zero clearance. In addition, Ms. MacKay advised that a walk around the neighbourhood shows that the properties have garages, carports, sheds, decks and other structures. She pointed out that with respect to green space, the broad boulevards and landscaping provide plenty of green space, and that access around the end units isn't a concern as she has access from front and back through her home as do the neighbours without the end units. Ms. MacKay advised that the photographs show that the homes that have garages do not result in the look of a solid wall because the garages are low.

Ms. MacKay explained that her proposed garage will have a raised lawn area in front, and it will create more visual interest and there will be no appearance of a solid wall between the buildings. Ms. MacKay noted that she and her husband have lived in the area for over 30 years and want to remain in their home for as long as possible. The replacement of the deck with a garage would reduce the amount of snow shovelling and provide easier and better garden storage. She advised that 26 neighbours have signed a petition in support of their request.

Ms. Toby Meade, addressed Community Council and advised that she was the adjoining neighbour of where the proposed garage would be located. Ms. Meade spoke in opposition to the proposal advising that the land on which the homes sit is shale rock and a lot of the homes have had problems with water leaking in the basements. She noted that her neighbour's house is on a hill and a few years ago, she had to erect a retaining wall to prevent erosion of the neighbour's property into hers and to create drainage to prevent flooding in her basement. Ms. Meade expressed concern that construction of the garage—which will be a solid structure versus what is presently

onsite---will result in her basement incurring flooding again. Ms. Meade also advised that in the summer-time her house is very hot, as very little breeze circulates through her home, and that the solid wall of the garage will exacerbate this problem by preventing any breeze coming through to her property. Ms. Meade pointed out that if the garage is to be built, it will result in construction on her property, removal of her fence and her plants, and removal of the back part of the retaining wall. She referred to the photographs of other garages in the neighbourhood and suggested that these were different situations because they are on properties where the entrance and exit are on the same street. Her neighbour's exit is to the Lane, and hers' exits to the main street.

Ms. Phyllis Foley addressed Community Council advised that she was a neighbour to Ms. MacKay, with her property located in the back lane. Ms. Foley advised that she had no objection to the proposed garage, and was confident that it would be constructed tastefully.

The Chair called three times for anyone else wishing to speak; there being none it was **MOVED by Councillor Uteck, seconded by Councillor Blumenthal that the appeal hearing close. MOTION PUT AND PASSED.**

**MOVED by Councillor Blumenthal, seconded by Councillor Uteck that the decision of the Development Officer be overturned and the variance be grated.**

In moving the motion Councillor Blumenthal advised that he appreciates the concerns expressed by the next door neighbour but noted that that 26 other neighbours have signed Ms. MacKay's petition in support of her proposal. Councillor Blumenthal pointed out that the proposed garage will be constructed behind the neighbour's house and he could not see how it would be a danger to her house.

Councillor Sloane indicated that she emphasized with the neighbour who was concerned about the impact of the garage on her basement and questioned if there was some sort of policy in regard to groundwater. Councillor Sloane also noted that she was concerned that the staff report speaks to the precedent-setting nature of this matter, and that it sets precedence for approximately 120 end units. She added that those who signed Ms. MacKay's petition may be supportive because they may also want to do the same thing in the future. In reference to the wall of the garage, Councillor Sloane questioned if there were any fire regulations that would be compromised.

In response to Councillor Sloane, Ms. Kelly Denty, Acting Manager of Development Approvals advised that there is a requirement for new single and two-unit dwellings for a lot grading certificate such that groundwater and stormwater is managed on site. She pointed out that there is no requirement for this if a building addition is occurring. Ms. Denty advised that apart from this, if a property owner alters their land levels such that it creates a problem for the neighbouring property, then this is a private matter between the two property owners. With respect to any fire regulations, Ms. Denty noted that the building code would require proper fire separation between properties.



Councillor Uteck advised that when she visited the property in question she was surprised at the number of nonconforming structures in this area. Councillor Uteck noted that she was supportive of this variance request because, given the amount of nonconforming structures, she felt that the property owners who are aware that they have a nonconforming structure, then they are unlikely to tear down something that has become unsightly, knowing that they cannot replace it. Councillor Uteck pointed out that she counted 23 nonconforming structures in two and a half blocks. She indicated that the precedent-setting nature of this application may actually be beneficial for the neighbourhood, and suggested that staff needs to look at the nonconforming structures and get property owners to get the proper permits and that it may result in the community itself undertaking a review of what they want their neighbourhood.

Councillor Sloane pointed out that approval of the variance may also have the effect of driving a neighbour out of the community. Councillor Sloane added that she does not agree with her colleagues on this matter .

The Chair asked staff to clarify the precedent-setting nature of this application.

In response, Ms. MacIntyre advised that the Hydrostone neighbourhood has a number of nonconforming structures, and suggested that it could be stated that it has set a precedent for a nonconforming setback; and the question is whether they are legal structures built with a permit or not. She explained that the variance is meant to address a situation where there is a unique property and they can't quite meet the setback requirement for a proposed structure--and this is different from recognizing a number of nonconforming structures that already exist. Ms. MacIntyre advised that in the area in question, as far as precedence on setback, there are definitely structures at a zero setback or something slightly more.

#### **MOTION PUT AND PASSED.**

#### **8.2.2 Variance Appeal: #17322 – 3360 Agricola Street, Halifax**

This item was deleted during the approval of the Order of Business. It was rescheduled to February 13, 2012.

### **9. CORRESPONDENCE, PETITIONS & DELEGATIONS**

**9.1 Correspondence:** None

**9.2 Petitions:**

**9.2.1 Councillor Blumenthal**

Councillor Blumenthal submitted a petition for the record containing signatures of 194 families and a letter in favour in support of the proposed development of the St. Joseph's Square by ECL

### **9.3 Presentation**

#### **9.3.1 Staff Presentation RE: Public Consultations for the North-South Bicycle Connector Route**

Mr. David Maclsaac, TDM Program Supervisor, Planning and Infrastructure provided a presentation on stakeholder engagement process for the North-South Peninsula Bicycle Corridor.

In his presentation, Mr. Maclsaac advised that in November staff met with the North End Business Association, Halifax Cycling Coalition, Ecology Action Centre, and the Sustainable Transportation Task Force and three stakeholder sessions were held with 30 attendees. Stakeholder feedback was as follows:

- Unanimous support for a north-south route
- Strong concern for viability of Agricola Street businesses if on-street parking reduced. Suggestion for new parking lot between Robert and Charles Streets and no bike lane
- Need more research and information on parking situation on Agricola Street
- Consider Bicycle Boulevard option on Isleville-Fuller Terrance/Maynard-Northwood/Creighton;
- Agricola and Windsor Street corridors were favoured options;
- Need further research on options for intersections (e.g. Windsor/Cunard/Chebucto);
- Facility should be designed for children and seniors; and
- Facility should connect with other facilities (not leave cyclists stranded)

Mr. Maclsaac advised that the next steps involve staff identifying resources internally to carry out some more technical research; research the Bicycle Boulevard option to determine if it is a viable option; and public consultations. Following this staff will come back to Community Council and the Active Transportation Advisory Committee with recommendations.

A discussion ensued with Mr. Maclsaac responding to questions from Community Council.

Councillor Sloane advised that, in the interest of safety for cyclists, she would like staff to give consideration to the Bicycle Boulevard concept because she has received phone calls from businesses on Agricola Street that are opposed to a bike lane. She noted that she lives on Creighton Street and there are a number of cyclists that use this street, and that because the Municipality is considering implementing a parking pass policy on some of the streets in the area, there may not be as many commuters on those streets and it may be safer for cyclists. Councillor Sloane also suggested that the connectivity

of the bikes lanes was very important. She referred to the bicycle program in Montreal and suggested that this was possibly a model to consider for Halifax.

Councillor Blumenthal advised that there was supposed to have been a bike lane constructed behind the town homes on Memorial Avenue but nothing has ever been done and he questioned if there were plans in this regard.

In response, Mr. MacIsaac advised that he would follow up on this.

In response to a question by the Chair regarding a decision on the matter, Mr. MacIsaac advised that staff will bring a recommendation to Regional Council.

Councillor Uteck noted that the Beaufort Avenue trail is about to move into the second phase but that there are two divergent opinions on the trail and she was concerned that there may be a movement away from the urban trail design and to a straight grid street pattern. Councillor Uteck asked that staff be cognizant of this as they go forward, particularly in light of the funds spent and that it was 10 years in the making.

The Chair thanked Mr. MacIsaac for his presentation.

The meeting recessed at 8:07 p.m.

The meeting reconvened at 8:15 p.m.

### **9.3.2 Staff Presentation RE: Bloomfield Implementation Report**

Ms. Holly Richardson, Co-ordinator, Real Property Policy provided a presentation, updating Community Council on the implementation plan of the Bloomfield Master Plan.

In her presentation Ms. Richardson advised that the Bloomfield Vision is a vision of a dynamic neighbourhood hub where community, cultural, social and economic activities converge. She noted that a fundamental aspect of the Plan is the guiding principles—creative, culturally authentic, engaging, accessible, community-building, public, inclusive, environmentally responsible, beautiful, and adaptable. Ms. Richardson added that as part of the process, staff had a report prepared by Robert Harrison and Anne Muecke with regard to best practices around redevelopment projects, and had put forward a number of recommendations that staff could consider and develop a workable plan. The recommendations are: Community-cultural needs assessment; flexible site design and planning; two-phased EOI-RFP process; allow market responsive solutions; enable innovative affordable housing options; enable innovative tenancy and governance models; and Bloomfield development partnership model.

Ms. Richardson noted that there were a number of additional factors that are influencing the Plan such as the Regional Plan Review; changes in priorities and market trends (i.e. interest in development of the north end); capacity of non-profit and arts community to respond to a Request for Proposals and operate on the site; partnership opportunities

Ms. Richardson advised that the next steps involve developing the Request for Proposals, Community Needs Assessment and Capacity- building. With regard to the RFP, she noted that staff are aiming to have the RFP issued by the end of April and have a recommendation for Regional Council in June.

A discussion ensued with Ms. Richardson, and Mr. Peter Bigelow responding to questions.

Councillor Uteck suggested that staff should come back to Council with a supplementary report prior to issuing a Request for Proposal, pointing out that in the consultant's report there are aspects in which the consultant and staff do not agree.

The Chair thanked Ms. Richardson for her presentation.

## **10. REPORTS**

### **10.1 Staff**

#### **10.1.1 Case 01325: Development Agreement for the former St. Joseph's Church Site on Gottingen Street, Halifax**

A supplementary staff report dated December 6, 2011 was submitted.

Mr. Luc Ouellet, Senior Planner, presented the supplementary staff report. In his remarks he advised that Regional Council and Peninsula Community Council held a joint public hearing on September 27, 2011 to consider amendments to the Halifax Municipal Planning Strategy and the Halifax Peninsula Land Use By-Law, as well as a proposed development agreement to permit a mixed use residential and commercial building on the east side of Gottingen Street, between Kaye and Russell Streets in Halifax. Mr. Ouellet advised that following the hearing, Regional Council approved the amendments and, as per usual process, this was forwarded to the Provincial Department of Service Nova Scotia and Municipal Affairs for review. The amendments came into effect on December 10, 2011. Mr. Ouellet advised that the proposed Development Agreement is now back with Community Council for a decision.

Mr. Ouellet advised of the following concerns expressed by the public, and the applicant's response to those concerns:

- Height of the building – the applicant has reduced the building to 9 stories from an initial 11 stories
- Traffic – the applicant carried out a traffic study and the additional trips are not expected to have a significant impact on Russell Street at the parking garage driveway on the Russell/Gottingen Streets intersection or the regional street system.
- Wind Impact - some impact on wind patterns in the immediate vicinity but a number of wind control measures have been incorporated in the design to mitigate this.

- Open Space – the plans include a landscaped podium for the resident's use; in addition there are two parks nearby for the residents enjoyment
- Density – overall density is 148 persons, however, given the unique attributes of the site, it should be able to support a greater population density, and the development agreement set a maximum of 200 persons. A wastewater capacity analysis will be required to determine if there is enough capacity in the sanitary sewer system to accommodate the additional density. If upgrades are required it will be the responsibility of the developer.

Mr. Ouellet responded to questions of clarification from Community Council.

The following points of clarification were noted:

- The applicant is in discussions with the school in the area in regard to safety of students during construction and the noise associated with construction.
- Issues associated with things like vents and amenities that could impact on the school yard are dealt with under the Agreement.
- The applicant carried out the traffic study, however, staff went onsite and did their own counts and it agreed with their study and was deemed to be acceptable.
- With regard to the entrance to the site being on Russell Street, the Streets Bylaw mandates that access to a site would happen on a lesser travelled way. Therefore, it would be Russell or Kaye Street and Kaye Street is a one-way street. It was also noted that an advantage of Russell Street over Kaye is that the grade of the street is less. Council has the ability to ask the Developer to make a change; staff can do this and bring back a supplementary report, however, it would require a second public hearing—a refusal by the developer or by Community Council could result in an appeal by the developer.
- With regard to the height of the building, up to 33 metres is acceptable and this would not require another public hearing; but if the developer is not in agreement, then this opens the door for appeal.
- The open space requirement is for the residents of the building only. On the Peninsula most of the Development Agreements coming to Community Council have not had any open space at ground level. This proposal has some open space at ground level; the developer is proposing some on the podium level, and beyond this, the development is close to parks in the area. Staff feel that the open space requirement has been adequately met.
- If construction activity was required outside the hours stated in the bylaw, such as pouring concrete, this was something that would have to go before Council for consideration of an exemption to operate outside the stipulated hours.
- The original proposal was 14 stories in height, but this did not go to the public. The actual application was 11 stories, but then it was dropped to 9 stories.
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In response to a question, Ms. Karen Brown, Senior Solicitor advised that should Community Council want to turn down this application, they are required to state the planning related reasons for doing so.

**MOVED by Councillor Blumenthal, seconded by Councillor Uteck that Peninsula Community Council:**

- 1. Approve the proposed development agreement, as contained in Attachment A of the December 6, 2011 supplementary staff report; and**
- 2. Require that the development agreement be signed by the property owner within 120 days, or any extension thereof granted by Council on request of the property owner, from the date of final approval by Council or any other bodies as necessary, including applicable appeal periods, whichever is later; otherwise this approval will be void and obligations arising hereunder shall be at an end.**

Councillor Uteck suggested that this was a difficult project to consider and will require careful monitoring by HRM as she felt construction will be an issue for the community.

Councillor Sloane noted that her concern was that the construction will take place near two schools and that it was important to ensure that people are safe and the students in school can continue to learn while the construction activity is going on. She encouraged the applicant to continue to work with the schools in this regard.

**MOTION PUT AND PASSED.**

**10.2 Committee Reports: None**

**10.3 Members of Peninsula Community Council: None**

**11. MOTIONS - None**

**12. ADDED ITEMS**

**12.1 Councillor Uteck – Request for staff report – Partial Street Closure of LeMarchant and South Streets.**

Councillor Uteck, in reference to Dalhousie University's plans to construct a new student residence and student services building at the corner of LeMarchant Street and South Street, noted that the residents of the area are concerned about the increased traffic and that it will become a burden on their neighbourhood. She advised that she would like staff to look into the possibility of a partial street closure at LeMarchant and South Streets, with only a pedestrian entrance and exit.

**MOVED by Councillor Uteck, seconded by Councillor Blumenthal that Peninsula Community Council request a staff report on the potential for a partial street closure at LeMarchant and South Streets. MOTION PUT AND PASSED.**

The meeting recessed at 9:25 p.m.

The meeting reconvened at 9:28 p.m.

**13. NOTICES OF MOTION- None**

**14. PUBLIC PARTICIPATION**

Susanna Fuller advised that she was co-Chair of Imagine Bloomfield and she thanked Council and staff for the progress made to date on the Bloomfield Centre, and noted that it involved eight years of hard work by a volunteer community organization. In reference to the earlier presentation Ms. Fuller pointed out that 54 tenants at Bloomfield were moved out by HRM in 2005/06 because they did not fit the HRM mandate. She suggested that it was important to take note of this point and compare it with where the situation is of St. Pat's Alexandra school is today. Ms. Fuller added that the situation with St. Pat's is different because the work with Bloomfield has taken eight years, and it is unfair to expect the community around St. Pat's to work that long and hard to get a good process for their community. With respect to the Bloomfield project she pointed out that Imagine Bloomfield is fine with not having the Bloomfield development partnership go ahead, and that they feel the partnership is not the only vehicle to move forward with the Project. Ms. Fuller added that they were very concerned, with regard to the Request for Proposals, and that the right process is followed over the next few months in engaging community groups who want to be at the centre.

Belinda Bignell-Leck addressed Community Council and advised that she was the Executive Director of the St. Joseph's Children Centre, which is located in the former St. Pat's Alexandra school. She advised that the Centre has received notification from HRM that they must be out of the building in 22 days. Ms. Bignell-Leck noted the difficulty in trying to move 20 families in 22 days. She advised that they have had a lot of opportunities to speak with HRM and with the developer but there has been no resolution to the issue of continuing to support the need for child care in this community.

In response to a question by Councillor Sloane, Ms. Bignell-Leck advised that HRM gave them notification this morning shortly after 11:00 a.m. that they needed to vacate the building by January 31<sup>st</sup> in order for the developer to take possession of the building.

Alan Ruffman a resident of Ferguson's Cove Road, expressed concern about the process around the sale of the former St. Pats Alexandra school and noted concerns he has with the process followed in regard to HRM's disposal of the last three schools

Mr. Kyle Young, Halifax, advised that he disagreed with the sale of the St. Pat's Alexandra School, and added that it was troubling to view the Bloomfield presentation compared to what is going on with St. Pats. Mr. Young noted various benefits to the Community by keeping the school within the community and advised that a letter had

been sent to the councillors from the community health board and he encouraged all councillors to read this letter.

Peter Green read and submitted his presentation. In his presentation, Mr. Green suggested that HRM violated its policy and procedures for the disposal of surplus schools and he pointed out that the disposal of the former St. Pat's Alexandra school was not the subject of public consultation initiated either by staff or council. He advised that it was important to maintain the school as a community resource which could be achieved by dialogue, consultation, and the necessary time to develop a viable plan.

Rhonda Britton addressed Community Council advising that she was the Pastor of the Cornwallis Street Baptist Church. Rev. Britton spoke about the process of the disposal of the St. Pat's Alexandra school suggesting that it needs review. She pointed out that she attended the School Board meeting in 2009 where the decision was made to close the school and in February 2010 she wrote a letter to the Mayor expressing an interest in the property and outlining some ideas of what the community would want for the property. She advised that she never received a response to the letter. Rev. Britton added that she was very surprised to learn about the issuance of an RFP and only learned of it 14 days prior to its closing. Rev. Britton referred to the earlier presentation on the Bloomfield plan and noted that her community would simply like the opportunity to do the same thing and requested that Regional Council reconsider its decision.

Margaret Casey advised that she was the Chair of the North End Community Health Centre Board. Ms. Casey advised that she was concerned and distressed at the loss of opportunity in regard to St. Pat's Alexandra School, particularly in light of hearing the presentation this evening on the Bloomfield School. She requested that the decision be rescinded and that Council begin with public consultation.

Lois Randall, Halifax expressed her disappointment with Community Council's decision with regard to the former St. Joseph's Church property. She indicated that the impact of the height and density of the building on the residents of the area was disregarded.

Melinda Day advised that she was a member of North End community, a member of Cornwallis Street Baptist Church, and President of the Black Educators Association of Nova Scotia. Ms. Day expressed her concern with regard to the process around the St. Pat's Alexandra school disposal by HRM. She suggested that the process was flawed and that the public has lost trust in the councillors and staff. Ms. Day noted that the community is aware that change is going to happen but there was a better way to present change, and that the community should be engaged. She asked councillors to re-read the proposal from the Richard Preston Centre for Excellence.

John Murphy, Halifax advised that he was very upset with what has transpired this evening with regard to the former St. Joseph's Church property. He indicated that he was supportive of a building that would have been seven stories in height, and that he was upset with the process followed in this matter and that the community needed to be involved.



**15. NEXT MEETING DATE – February 13, 2012**

**16. IN CAMERA – None**

**17. ADJOURNMENT**

The meeting adjourned at 10:05 p.m.

Sheilagh Edmonds  
Legislative Assistant

**INFORMATION ITEMS**