

DISTRICT 12 PLANNING ADVISORY COMMITTEE  
MINUTES  
January 22, 2009

PRESENT: Ms. Heather Ternoway, Chair  
Mr. Clary Kempton  
Ms. Beverly Miller  
Councillor Dawn Sloane

REGRETS: Ms. Katherine Perrott (with regrets)  
Mr. Logan McDaid

STAFF: Ms. Gail Harnish, Admin/PAC Coordinator  
Ms. Julia Horncastle, Acting Municipal Clerk

TABLE OF CONTENTS

1.	CALL TO ORDER .....	03
2.	ELECTION OF CHAIR AND VICE CHAIR .....	03
3.	APPROVAL OF MINUTES - October 27 and November 24, 2008 .....	03
4.	APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS .....	03
5.	BUSINESS ARISING OUT OF THE MINUTES .....	03
6.	PUBLIC PARTICIPATION - GENERAL PLANNING ISSUES	
6.1	Presentation by Phil Pacey - Proposal to increase the as-of-right height limits in Downtown Halifax in the proposed Downtown Halifax Secondary Planning Strategy .....	03
7.	APPROVAL OF 2009 MEETING SCHEDULE .....	04
8.	CASE 01095 - MPS/LUB AMENDMENT AND DEVELOPMENT AGREEMENT, PET CARE FACILITY, 6430 OAK STREET, HALIFAX .....	04
9.	STATUS UPDATES	
9.1	Monthly Status Updates - Planning Applications .....	06
9.2	Review of Status Sheet .....	06
9.3	Decisions of Council - None .....	06
9.4	Demolition Permit Applications .....	06
10.	ADDED ITEMS .....	06
11.	NEXT REGULAR MEETING DATE .....	06
12.	ADJOURNMENT .....	06

**1. CALL TO ORDER**

The meeting was called to order at 7:00 p.m. in the Trophy Room, City Hall, 1841 Argyle Street.

**2. ELECTION OF CHAIR AND VICE CHAIR**

The Acting Municipal Clerk called for nominations for the position of Chair.

**MOVED by Councillor Sloane, seconded by Clary Kempton that Heather Ternoway be appointed Chair to November, 2009.**

As there were no further nominations, Ms. Ternoway assumed the Chair and called for nominations for the position of Vice- Chair.

**MOVED by Clary Kempton, seconded by Councillor Sloane, that Beverly Miller be appointed as Vice-Chair to November, 2009.**

As there were no further nominations, Ms. Miller accepted the position as Vice-Chair.

**3. APPROVAL OF MINUTES - October 27 and November 24, 2008**

**MOVED by Councillor Sloane, seconded by Clary Kempton that the minutes of October 27 and November 24, 2008 be approved. MOTION PUT AND PASSED.**

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

Mr. Kempton requested item 9.4 be addressed prior to item 9.1.

The Committee agreed to hear Mr. Peter Delephis as part of the presentation.

**MOVED by Councillor Sloane, seconded by Clary Kempton, that the Order of Business, as amended, be approved. MOTION PUT AND PASSED.**

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

**6. PUBLIC PARTICIPATION - GENERAL PLANNING ISSUES**

**6.1 Presentation by Phil Pacey - Proposal to increase the as-of-right height**

**limits in Downtown Halifax in the proposed Downtown Halifax Secondary Planning Strategy**

Mr. Pacey and Mr. Delefes made a presentation to the Committee outlining the following issues:

- Assets in District 12
- There is a need for height rules
- The differences between current height limits and those proposed by HRM by Design
- People want to protect views
- The height and massing limits on a registered heritage property should match the heights and masses of the heritage buildings
- Height limits should protect views of Halifax harbour from Citadel Hill
- Discretionary applications should continue to be considered as development agreements, not site plan approval, to protect the democratic rights of the public
- Applications should continue to be reviewed by the District 12 PAC, not a design review committee.
- The increase in height limits would encourage the demolition of heritage properties

Ms. Miller noted that the committee had previously written to the Mayor and the Director of Community Development regarding the committee being excluded from the HRM by Design process. She suggested that the committee send a letter to the Mayor and Council including the District 12 Planning Advisory Committee mandate.

**MOVED by Beverly Miller, seconded by Clary Kempton that the committee write the Mayor and Council and include the mandate of the PAC.**

Councillor Sloane suggested the role of the District 12 Planning Advisory Committee once HRM by Design is adopted be included on the next agenda.

**MOTION PUT AND PASSED.**

**7. APPROVAL OF 2009 MEETING SCHEDULE**

**MOVED by Councillor Sloane, seconded by Clary Kempton that the 2009 meeting schedule be adopted.**

Following discussion around the proposed February date, the Committee agreed that the February meeting be held on February 26, 2009.

**MOTION PUT AND PASSED.**

**8. CASE 01095 - MPS/LUB Amendment and Development Agreement, Pet Care Facility, 6430 Oak Street, Halifax**

- A report dated December 15, 2008, on the above noted, was before the committee.

Mr. Paul Sampson, planner, presented the report to the committee, noting the MPS and LUB amendments and not the Development Agreement were before the committee for consideration. The Development Agreement would be considered by the Peninsula Community Council.

In response to questions/concerns raised by members of the committee, staff advised:

- If twelve dogs was the approved number in the MPS and LUB amendment, this would apply to any proposal put forward. This would mean that an application could be put forward for any number up to twelve as a maximum,
- The current Quinpool Road zoning does not permit pet care facilities, they are permitted under commercial and industrial zoning currently,
- The development agreement can address key issues such as noise,
- A development agreement goes with the land and not with the property owner and does not cease if a property is sold,
- A home occupation can only be in a detached one family dwelling and could not be in a townhouse or an attached dwelling as this could pose issues,
- An application can be made to amend a development agreement by a property owner if they wished to reduce the number of animals even though the plan allowed for up to twelve,
- You cannot require that there be licensing in an MPS amendment,
- A maximum number has to be approved in the MPS amendment and under the development agreement that would be the maximum allowed but a lower number could also be permitted,
- Someone purchasing a property would be made aware of any development that is in place on the property but would not be required to business approved under the development agreement.

**MOVED by Beverly Miller, seconded by Councillor Sloane that this matter be deferred to the next meeting. MOTION PUT AND PASSED.**

It was requested that the committee provide comment and suggestions for possible amendments to the MPS and LUB amendments to Gail Harnish by February 12<sup>th</sup> in order that they could be reviewed by the planner in advance of the February 26<sup>th</sup> meeting.

**9. STATUS UPDATES**

**9.1 Monthly Status Updates - Planning Applications**

This was provided for the information of the committee.

**9.2 Review of Status Sheet**

Status of applications was circulated for the information of the committee.

**9.3 Decisions of Council - None**

**9.4 Demolition Permit Applications**

This was provided for the information of the committee.

**10. ADDED ITEMS - NONE**

**11. NEXT MEETING DATE**

The next meeting is scheduled for February 26, 2009.

**12. ADJOURNMENT**

The meeting was adjourned at 9:00 p.m.

Julia Horncastle  
Acting Municipal Clerk