

DISTRICT 12 PLANNING ADVISORY COMMITTEE
MINUTES
February 26, 2009

PRESENT: Ms. Beverly Miller, Vice-Chair
Mr. Clary Kempton
Ms. Katherine Perrott
Councillor Dawn Sloane

REGRETS: Ms. Heather Ternoway

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

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1. CALL TO ORDER

The meeting was called to order at 5:00 p.m. in the Trophy Room, 2nd Floor, City Hall.

2. APPROVAL OF MINUTES - January 22, 2009

Ms. Miller requested a additional point be noted in the minutes that the increase in height limits would encourage the demolition of heritage properties.

MOVED by Mr. Kempton, seconded by Ms. Miller, that the minutes as amended be approved. MOTION PUT AND PASSED.

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

MOVED by Mr. Kempton, seconded by Ms. Miller, that the Order of Business be approved. MOTION PUT AND PASSED.

4. BUSINESS ARISING OUT OF THE MINUTES - NONE

5. PUBLIC PARTICIPATION GENERAL PLANNING ISSUES - NONE

6. CONSIDERATION OF DEFERRED BUSINESS

6.1 Case 01095 - MPS/LUB Amendment and Development Agreement, Pet Care Facilities, 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.

Mr. Kempton stated that he supported the staff recommendation as he had a number of concerns such as the fact that it may be hard to enforce a development agreement for pet care facilities in a residential area and there may be issues that may be difficult to monitor and keep in check. The amendment to the MPS would allow for twelve dogs at any given facility and there is the concern that there could be more than one of these in a row and residential properties could have a large number of facilities around it.

Councillor Sloane noted that with a development agreement the business could be a non conforming and would still have the ability to operate but if this business shuts down then no

one else could have a business in the same location. She also noted that if this does not go forward and is approved for another location there will be the issue of traffic congestion as residents will have to use their vehicles to take their pets to another location off the peninsula. She stated that a development agreement is the only way to go as it allows the community to interact and find out what is going next to them but also have a say.

Mr. Kempton suggested this case be dealt with as an individual case rather than an amendment for the entire peninsula.

Ms. Miller clarified that the committee was being requested to make a recommendation on the MPS/LUB amendment only.

Councillor Sloane suggested that the committee approve the MPS and LUB amendments only and staff to come back with a draft policy on the number of dogs, hours of operation and ratio of green space to dog.

MOVED by Mr. Kempton, seconded by Ms. Perrott, that the District 12 Planning Advisory Committee recommend the Peninsula Community Council recommend Regional Council refuse to amend the Halifax Municipal Planning Strategy and Peninsula Land Use By-Law as contained in Attachment A of the December 15, 2008 report, to allow for pet care facilities as home occupations within detached one family dwellings on the Peninsula by development agreement.

Ms. Perrott stated she did not feel the proposed amendments, as written, are sufficient to meet the concerns that have been raised such as noise, odours, separation distances, and the number of animals. There is concern by Committee members about protecting the quality of a neighbourhood and that the proposed amendments could result in a use that could potentially disrupt a stable residential neighbourhood.

MOTION PUT AND PASSED.

7. CASE 01233 - DISCHARGING AGREEMENT - 5511 CHARLES STREET, HALIFAX

- A report dated February 5, 2009, on the above noted, was before the Committee.

Ms. Patricia Hughes, Planner, presented the report to the Committee noting the development agreement was for 35 units but there are 36 and the development agreement could not be amended to allow for the additional unit. She advised if the current development agreement was discharged then an application can be made to legalize the additional unit.

In response to questions from the committee, Ms. Hughes advised that the proponent would not be able to rent parking spaces under the R-3 zone and there was no intent to change the use or add to the building.

MOVED by Mr. Kempton, seconded by Katherine Perrott, that the District 12 Planning Advisory Committee recommend that Peninsula Community Council:

1. **By resolution, approve the discharging agreement presented as Attachment A to the staff report dated February 5, 2009 for lands located at 5511 Charles Street, Halifax; and,**
2. **Require that the discharging agreement be signed within 120 days, or any extension thereof granted by Community Council on the request of the applicant, from the date of final approval by Community Council and any other bodies as necessary, whichever is later, otherwise this approval will be void and obligations arising hereunder shall be at an end.**

MOTION PUT AND PASSED.

8. STATUS UPDATES

8.1 Monthly Status Updates - Planning applications

These were reviewed for the information of the committee.

8.2 Review of Status Sheet

The status sheet was reviewed for the information of the committee.

8.3 Decisions of Council - None

8.4 Demolitions Permit Applications

These were reviewed for the information of the committee.

9. ADDED ITEMS - NONE

10. NEXT MEETING

The next meeting is scheduled for Thursday, March 19, 2009.

11. ADJOURNMENT

The meeting was adjourned at 6:50 p.m.

Julia Horncastle
Acting Municipal Clerk