

HALIFAX REGIONAL MUNICIPALITY

PENINSULA COMMUNITY COUNCIL MINUTES DECEMBER 13, 2004

PRESENT: Councillor Sue Uteck, Chair
Councillor Patrick Murphy
Councillor Dawn Sloane
Councillor Sheila Fougere

STAFF: Barry Allen, Municipal Solicitor
Ms. Sherryll Murphy, Legislative Assistant

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1. CALL TO ORDER

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

2. ELECTION OF CHAIR

The Legislative Assistant called for nominations for Chair of the Peninsula Community Council.

MOVED by Councilor Fougere, seconded by Councillor Murphy that Councillor Dawn Sloane be nominated as Chair of the Peninsula Community Council.

Councillor Sloane declined the nomination.

MOVED by Councillor Uteck, seconded by Councillor Murphy that Councillor Fougere be nominated as Chair of the Peninsula Community Council.

MOVED by Councillor Murphy, seconded by Councillor Sloane that nominations cease. MOTION PUT AND PASSED UNANIMOUSLY.

The **motion** to nominate Councilor Fougere was **PUT AND PASSED UNANIMOUSLY.**

Congratulating Councillor Fougere, Ms Murphy turned the conduct of the meeting over to Councillor Fougere.

Councillor Fougere assumed the Chair and thanked Councillor Uteck for her leadership over the last year.

Councillor Fougere then called for nominations for Vice-Chair of the Peninsula Community Council.

MOVED by Councillor Sloane, seconded by Councillor Uteck that Councillor Patrick Murphy be nominated as Vice-Chair of the Peninsula Community Council.

MOVED by Councillor Uteck, seconded by Councillor Sloane that nominations cease. MOTION PUT AND PASSED UNANIMOUSLY.

The **motion** to nominate Councillor Murphy was **PUT AND PASSED UNANIMOUSLY.**

3. APPROVAL OF MINUTES - November 8, 2004 (Regular) November 18 and 25, 2004 (Special)

MOVED by Councillor Uteck, seconded by Councillor Murphy that the minutes of the November 8, 2004 regular meeting of Peninsula Community Council, as distributed, be approved. MOTION PUT AND PASSED UNANIMOUSLY.

MOVED by Councillor Uteck, seconded by Councillor Murphy that the minutes of special meetings of Peninsula Community Council held on November 18 and 25, 2004, as distributed, be approved. MOTION PUT AND PASSED UNANIMOUSLY.

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

Additions:

13.1 Reappointments to the Halifax Watershed Advisory Board

13.2 Correspondence from S. M. Mandaville re Recommendation for Meeting re Stormwater Pollution/Treatment

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

5. BUSINESS ARISING OUT OF THE MINUTES

5.1 Status Sheet

5.1.1 Maintenance Northeast Corner of Titanic Plot (Correspondence from Alan Ruffman)

No information relating to this matter was received and it is to remain on the status sheet.

5.1.2 Petition - Councillor Sloane - Community Safety - Mainline Needle Exchange

No information relating to this matter was received and it is to remain on the status sheet.

5.1.3 CN Property Maintenance

No information relating to this matter was received and it is to remain on the status sheet.

5.1.4 Correspondence from Mr. Stuart Grossert, Questions re 6199 Coburg Road

Councillor Uteck advised that Mr. Higgins has contacted Mr. Grossert directly regarding this matter and it can now be removed from the status sheet.

5.1.5 Petition - Councillor Fougere - Fence at 2918/2920 and 2929 Connolly Street

- An Information Report dated November 19, 2004 was before Community Council for consideration.

This matter is to be removed from the status sheet.

5.1.6 Public Participation - Mr. Eric Turner - Public Participation Process

No information relating to this matter was received and it is to remain on the status sheet.

Noting that this matter has been on the status sheet since June, Councillor Fougere requested that staff provide a report for the next meeting of the Peninsula Community Council to be held on January 10, 2004.

6. MOTIONS OF RECONSIDERATION - None

7. MOTIONS OF RESCISSION - None

8. CONSIDERATION OF DEFERRED BUSINESS - None

9. HEARINGS

9.1 Public Hearings

9.1.2 Case 00689 - Development Agreement - Former St. Joseph's Convent, 5355 Russell Street, Halifax

- A previously circulated staff report dated October 7, 2004 was before the Committee for consideration. An e-mail dated December 12, 2004 from Anne Emery in favour of the proposal was submitted by Ms. Holm.

Ms. Maggie Holm, Heritage Planner, briefly reviewed the October 7, 2004 staff report, noting that staff was recommending approval of the development agreement.

Blair Beed, Halifax

Mr. Beed addressed Community Council indicating that he had attended the Public Information meeting regarding the matter. Mr. Beed recommended that signage be included on the property explaining the history of the building. He further asked that consideration be given to a clear or opaque awning so as not to detract from the architecture of the doorway. Concluding his remarks, Mr. Beed noted that he was pleased to see that Section 6.8 of the City Wide objectives of the Halifax Municipal Planning Strategy are being used to preserve the building.

Alan Parish, Halifax

Mr. Parish echoed the comments of Mr. Beed, noting that the Development Agreement was a good one. He indicated that he was pleased to see that vinyl window placement are not to be permitted. Noting that the entrance doors are to be replaced, Mr. Parish commented that the doors are the main feature from Russell Street. He stressed the importance of thought and effort being put into the re-design of the entrance doors.

Referring to the Development agreement, Mr. Parish noted that there are at least twelve matters to be approved by the heritage planner within the agreement. As staff is the only line of defence for the public in these instance, he requested that staff take care to ensure that the purpose and general intent of the Development Agreement is carried out as the project proceeds.

Robert McKillip, Halifax

Mr. McKillop commented that the proposal was an excellent development for this building and that he is very happy with what is going to be there. Mr. McKillop noted that the developer has asked for the heritage designation and that the exterior changes were positive.

Cesar Saleh, representing the applicant

Mr. Saleh thanked staff and the Heritage Advisory Committee for collaborating on this project. He suggested that this project was a very good example of both the Development Agreement and the Heritage process working well.

In response to a questions regarding the timeline for construction, Mr. Saleh advised that the proposal is for construction to begin mid-January.

Alan Ruffman, Halifax

Mr. Ruffman clarified that there would be no zoning change with this development. He commented that the project will help to maintain this building in the neighbourhood for some time to come.

A resident of Kaye Street

The resident expressed concern that the proposed location for garbage storage would be approximately three feet from his kitchen window. He asked if it would be possible to change the location.

Ms. Holm advised that she believed this type of change would not be considered a substantial change and could be done within the development agreement.

The Chair called three times for persons wishing to speak in favour of or against the proposal.

Hearing none, it was **MOVED by Councillor Uteck, seconded by Councillor Sloane that the public hearing close. MOTION PUT AND PASSED UNANIMOUSLY.**

MOVED by Councillor Murphy, seconded by Councillor Sloane that Peninsula Community Council:

- **Approve the development agreement, presented as Attachment A of the October 7, 2004 staff report, for 5355 Russell Street, Halifax to permit a residential development.**
- **Require that the development agreement be signed within 120 days, or any extension thereof granted by Community Council on 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.**

Councillor Murphy confirmed that the stain glass windows referenced at the public information meeting in August were being preserved. Ms. Holm indicated that the matter of preservation of the windows was included in the Development Agreement.

Following a further short discussion, the **MOTION WAS PUT AND PASSED UNANIMOUSLY.**

9.2 Variance Hearings - None

10. CORRESPONDENCE, PETITIONS AND DELEGATIONS

10.1 Correspondence - None

10.2 Petitions - None

11. REPORTS

11.1 Staff Reports

11.1.1 Case 00668 - Development Agreement - Former Buckley's Pharmacy, 6247-49 Jubilee Road, Halifax

- A staff report dated October 27, 2004 was before Community Council for consideration.

MOVED by Councillor Uteck, seconded by Councillor Murphy that Peninsula Community Council give Notice of Motion to consider an application by Stillpoint Properties Limited for 6247- 49 Jubilee Road, Halifax, to permit professional offices for health care practitioners and a single residential unit, and schedule a public hearing for January 10, 2005. MOTION PUT AND PASSED UNANIMOUSLY.

11.1.2 Appointment to District 12 Planning Advisory Committee

- A staff report dated December 6, 2004 was before Community Council for consideration.

MOVED by Councillor Sloane, seconded by Councillor Murphy that Lucy Trull be appointed to fill the existing vacancy on the District 12 Planning Advisory Committee for a two year term to expire December 2006. MOTION PUT AND PASSED UNANIMOUSLY.

11.1.3 Schedule of Meetings - 2005

- A staff report dated December 6, 2004 was before Community Council for consideration.

MOVED by Councillor Uteck, seconded by Councillor Sloane that Peninsula Community Council approve the following regular meeting dates for 2005:

January 10, 2005
February 14, 2005
March 7, 2005 (March 14, 2004 begins the March Break)
April 11, 2005
May 9, 2005
June 13, 2005
July 11, 2005
September 12, 2005
October 3, 2005 (October 10, 2004 is Thanksgiving)
November 14, 2005
December 12, 2005.

MOTION PUT AND PASSED UNANIMOUSLY.

11.2 Report from District 12 PAC

11.2.1 Case 00732 - Amendment to the C-2A (Minor Commercial) Zone - Peninsula North (SET DATE FOR PUBLIC HEARING)

- A report from the District 12 PAC was before Community Council for consideration.

MOVED by Councillor Sloane, seconded by Councillor Uteck that, as recommended by the District 12 PAC, Peninsula Community Council give First Reading to the proposed amendment to the C-2A Zone for Peninsula North, as contained in Attachment B of the staff report dated November 18, 2004, and schedule a public hearing for January 10, 2004.

MOTION PUT AND PASSED UNANIMOUSLY.

11.2.2 Future of the Queen Elizabeth High School - Halifax Common

- A report dated November 30, 2004 from the District 12 Planning Advisory Committee was before the Community Council.

MOVED by Councillor Sloane, seconded by Councillor Murphy that a letter be forwarded to the Mayor and Council requesting that consideration be given to the establishment of a Task Force to oversee the Halifax Common. MOTION PUT AND PASSED UNANIMOUSLY.

12. MOTIONS - None

13. ADDED ITEMS

13.1 Reappointments to the Halifax Watershed Advisory Board

- A staff report dated November 18, 2004 was before Community Council for consideration.

MOVED by Councillor Uteck, seconded by Councillor Sloane that the Peninsula Community Council confirm the reappointment of the following as members of the Halifax Watershed Advisory Board and ratify reappointments of the following representatives of various community based organizations involved within the Municipality as follows:

Mr. Ross Evans - District 23 - reappointment to November 2007

Dr. Sankar Ray - District 16 - reappointment to November 2007

Ratification of appointments:

Representative from each recognized community based organization involved in watershed protection and related activities within the Municipality:

Dr. Wayne Stobo, SWEPS - reappointment to November 2007

Mr. Walter Regan - Sackville Rivers Association - reappointment to November 2007

Mr. Shalom Mandaville - Solid and Water Conservation Society of Metro Halifax - reappointment to November 2007

MOTION PUT AND PASSED UNANIMOUSLY.

13.2 Correspondence from S. M. Mandaville re Recommendation for Meeting re Stormwater Pollution/Treatment

- Correspondence dated December 12, 2004 from S. M. Mandaville regarding the setting of a meeting to consider Stormwater Pollution and Treatment, was before Community Council for consideration.

Community Council agreed that this matter be referred to staff for comment.

14. NOTICES OF MOTION

15. PUBLIC PARTICIPATION

Alan Ruffman, Halifax

Mr. Ruffman noted that, in spite of a previous recommendation he had made regarding the installation of sidewalk in front of the Superstore on Hollis Street, the sidewalk has not yet been installed. Mr. Ruffman went on to indicate that a path has been made from the bus station to the Superstore which will very shortly be frozen and very dangerous to walk on.

Mr. Ruffman expressed concern regarding the installation of gravel pathways at the northwest and southwest corners of the Superstore property. He noted that these pathways, which were installed by Superstore, are not accessible and not a good solution for pedestrians.

Mr. Ruffman recommended that Community Council instruct staff that there should be a sidewalk along the front of the Superstore property on Hollis Street and that the safety concerns regarding the gravel pathways on the southwest and northwest corners of the property should be communicated to the Superstore.

Councillor Sloane noted that she has included the installation of sidewalk at this location in the capital budget on two occasions and will do so again for this year.

MOVED by Councillor Murphy, seconded by Councillor Sloane that Peninsula Community Council direct staff to look into sidewalk accessibility at the Barrington Street Superstore. MOTION PUT AND PASSED.

Mr. Hugh Pullen, Halifax

Mr. Pullen referred to the future use of the Queen Elizabeth High School site and noted that the Willowtree, a five corner intersection, was very often jammed with traffic during rush hour. Mr. Pullen suggested that if the High School is to be removed from the site, consideration be given to reconfiguring this intersection using the Queen Elizabeth site.

Mr. Pullen went on express concern regarding the new junction of Young Street and Windsor Street. He stated that if you are driving east on Bayers Road you have a two lane roadway and then come upon a chicane intersection at Young and Windsor Streets which results in the inside lane disappearing. Consequently only one lane of traffic can move through at that location. Mr. Pullen suggested that this is a traffic hazard and that this particular configuration should be re-thought.

The Chair indicated that Mr. Pullen's comments would be referred to staff for a response.

Ms. Eleanor Egar-Reynolds, Halifax

Ms. Egar- Reynolds noted that it was the 200th anniversary of Joseph Howe's birth and advised that he had been called the Father of Responsible Government. Ms. Egar-Reynolds noted that Joseph Howe had asked himself "What is right, what is just, what is for the public good."

Mr. Bernie Vaughan, Halifax

Noting historical events, Mr. Vaughan referred to the December 6, 1917 Memorial on Needham. Mr. Vaughan recommended that the Councillor for District 11 place a memorial wreath during future Halifax Explosion ceremonies. He further indicated that he would also like to see the reception, held after the memorial event, be held in one of the local churches as has been the practice in the past.

MOVED by Councillor Murphy, seconded by Councillor Sloane that the concerns expressed above regarding the holding of the reception at a local church be referred to staff for consideration. MOTION PUT AND PASSED UNANIMOUSLY.

Blair Beed, Halifax

Mr. Beed, noting that he worked in the Tourism industry, advised that the area where the motorcoaches drop off passengers at the Public Gardens becomes a muddy mess on rainy days. He commented that the area was at one time grassed, however, due to wear the grass has disappeared. Mr. Beed suggested that cement sidewalk should be considered for this area.

Mr. Beed went on to note that the sidewalk located at the pick up location is uneven as asphalt has been used to repair the sidewalk. Mr. Beed suggested that this area should also be reviewed.

Councillor Sloane noted that the neighbourhood has expressed concern that engines remain running when the coaches stop.

Community Council agreed that this matter be referred to staff for review and comment.

16. NEXT MEETING

The next regular meeting of the Peninsula Community Council will be held on Monday, January 10, 2005.

17. ADJOURNMENT

There being no further business, the meeting adjourned at 8:00 p.m.

Sherryl Murphy
Legislative Assistant