

HALIFAX REGIONAL MUNICIPALITY

PENINSULA COMMUNITY COUNCIL MINUTES NOVEMBER 7, 2005

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

STAFF: Ms. Sherryll Murphy, Legislative Assistant

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1. CALL TO ORDER

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

Regrets were received from Councillor Uteck who is out of the Province on business for the Mayor.

2. ELECTION OF CHAIR AND VICE-CHAIR

The Clerk called for nominations for the position of Chair.

MOVED by Councillor Murphy, seconded by Councillor Sloane that Councillor Fougere be nominated for the position of Chair of the Peninsula Community Council.

MOTION PUT AND PASSED UNANIMOUSLY.

The Clerk called for further nominations. Hearing none, the Clerk declared Councillor Fougere Chair of the Peninsula Community Council.

The Chair called for nominations for the position of Vice-Chair.

MOVED by Councillor Murphy, seconded by Councillor Fougere that Councillor Sloane be nominated for the position of Vice-Chair of the Peninsula Community Council. MOTION PUT AND PASSED UNANIMOUSLY.

The Chair called for further nominations. Hearing none, the Chair declared Councillor Sloane Vice-Chair of the Peninsula Community Council.

3. APPROVAL OF MINUTES

MOVED by Councillor Murphy, seconded by Councillor Sloane that the minutes of the October 3, 2005 meeting of Peninsula Community Council, as distributed, be approved. MOTION PUT AND PASSED UNANIMOUSLY.

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

Deletion:

11.2.1 Closure of HRM Private Lane - June Street to Princess Place (Councillor Sloane)

Community Council agreed to hear the Regional Plan presentation just prior to public participation to allow for public input immediately following.

MOVED by Councillor Sloane, seconded by Councillor Murphy 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 CN Property Maintenance

This matter is to remain on the status sheet. Councillors Uteck and Fougere are to meet with representatives of CN in the near future.

5.1.2 Case 00644 - Zoning Review - R-2A and R-2AV Zoned Properties

- An information report dated October 26, 2005 was before Community Council.

This matter is to be removed from the status sheet.

5.1.3 Location of Reception – Halifax Explosion Memorial Event

Councillor Murphy advised that meetings with regard to this event are being held and it appears that the matter of the location of the reception has been resolved.

This matter is to be removed from the status sheet.

6. MOTIONS OF RECONSIDERATION - None

7. MOTIONS OF RESCISSION - None

8. CONSIDERATION OF DEFERRED BUSINESS - None

9. HEARINGS

9.1 Public Hearing - None

9.2 Appeal Hearing - None

10. CORRESPONDENCE, PETITIONS AND DELEGATIONS

10.1 Correspondence

10.1.1 Safety at Seaview Park - (Tracey Stone & Wallace Peers)

- Correspondence dated October 7, 2005 from Tracey Stone and Wallace Peters was before Community Council

MOVED by Councillor Murphy, seconded by Councillor Sloane that the October 7, 2005 correspondence be referred to staff for a response.

Councillor Murphy noted that staff have acted on some of the concerns set out in the correspondence.

MOTION PUT AND PASSED UNANIMOUSLY.

10.2 Petitions

10.3 Presentations

10.3.1 Update - Regional Plan

This matter was dealt with later in the meeting.

10.3.2 Update - Cultural Plan

Dan Norris, Manager, Heritage and Culture provided a brief update on the Culture Plan noting that the Cultural Advisory Committee was established in March 2005. He indicated that public consultation has included Cultural Cafes in July, focus groups in September and October and November, and community open houses are scheduled for November.

Mr. Norris advised that there are four key policy directions:

- Ensure that there is a collaboration between cultural providers and partners.
- Adopt a community development approach for program and service delivery.
- Integrate planning and cultural service delivery within HRM.
- Invest in cultural infrastructure and assets in a targeted and sustainable way.

He went on to review with Community Council the future opportunities arising out of the Plan and the schedule for the final draft plan to Regional Council.

Referring to the schedule, Councillor Murphy indicated that he felt it to be somewhat aggressive. He suggested that a second meeting be held for the Peninsula perhaps in the Bloomfield Centre. Mr. Norris indicated that he would take this request back to staff.

In response to a question from Councillor Sloane, Mr. Norris indicated that he would provide additional information to the Councillor regarding the types of major events which might be considered for HRM.

Councillor Fougere thanked Mr. Norris for his presentation.

10.3.3 Halifax Ultimate Recreation League (Ultimate Frisbee) - 2006 Canadian Ultimate Players Association Nationals (Mark Tekamp and Roy Devries)

Mr. Roy Devries and Mr. Mark Tekamp, Tournament Director of the 2006 Canadian Ultimate Players Association Nationals, addressed Community Council and made a brief presentation regarding the Halifax Ultimate Recreation League and the 2006 Canadian Ultimate Players Association Nationals. The presentation included the following highlights:

- Halifax Ultimate Recreation League has been active for 10 years in Halifax
- The League began with 3 or 4 teams active only in the summer and has expanded to 45 teams with three divisions operating year round
- The League, a co-ed sport, has 750 members
- The Nationals were awarded to Halifax and will take place August 17 to 20, 2006

- This is the first time this event has taken place in Eastern Canada
- Five divisions (Youth, Women, Men, Co-ed and Masters) will compete in these championships
- Teams from across Canada will compete with 750-1000 players visiting Halifax
- The League appreciate the support they have been receiving from Councillors and staff
- Staff has already grasped the idea and plans are moving along very quickly
- Representatives of the League have met with Bob Nasus and Mike Gillette and they have been very helpful
- Staff are assisting the League to secure the fields and to develop contingency plans in case of rain
- The League has some ideas about how to improve the fields and will be coming to Council in this regard
- This presentation was intended to raise awareness and seek continued support

In response to a question from Councillor Sloane, Mr. Tekamp indicated that the fields elsewhere are immaculate. For example, he noted that the pathways through the Commons fields are the type of issue the League would like to address.

Councillor Murphy noted that this event will be economically beneficial to Halifax.

Councillor Fougere thanked Mr. DeVries and Mr. TeKamp for their presentation.

10.3.4 Presentation - Library Board

- An information folder was distributed to members of Community Council.

Mr. Peter Doig, past Chair of the Halifax Library and Mr. Judith Hare, CEO made a brief presentation regarding the libraries within the Peninsula Community Council area including the following key highlights:

- 187,000 residents (46%) hold library cards
- HRM libraries play a strong role in the community and are integral to the fabric of the community
- The Spring Garden Road Public Library (Main Branch) is the #1 priority for replacement
- A brochure entitled *What is a Central Library* has been distributed in the information package
- The Halifax North Memorial Public Library serves a dual role in the community: a quiet place for study and work and a community place for both social and recreational activities

Councillor Sloane, noting that the Halifax North Memorial Public Library is seeking a new piece of sculpture, suggested that the Board approach staff of the Capital District in this regard.

In response to a question from Councillor Murphy regarding how the capital campaign for the Spring Garden Road Library was proceeding, Ms. Hare noted that the preparatory work is underway pending the tabling of the Queen Street/Spring Garden Road Master Plan. She indicated that the Board would be working with Council to move ahead and that funding would be obtained from several levels of Government, as well as, fundraising.

Councillor Fougere commented that the Library has won national and international awards for its programming. The Councillor thanked Mr. Doig and Ms. Hare for their presentation.

11. REPORTS

11.1 Staff Reports

11.1.1 Case 00836 - Amendment to Existing Development Agreement - 5620 South Street, Halifax

- A staff report dated October 20, 2005 was before Community Council for consideration.

MOVED by Councillor Murphy, seconded by Councillor Sloane that Peninsula Community Council move Notice of Motion for the amending agreement as contained in Attachment B of the October 20, 2005 staff report and schedule a public hearing for December 12, 2005. MOTION PUT AND PASSED UNANIMOUSLY.

11.2 Member of Community Council

11.2.1 Closure of HRM Private Lane - June Street to Princess Place

This matter was deleted during the setting of the agenda.

11.3 Halifax Watershed Advisory Board

11.3.1 Halifax Watershed Advisory Board - Amendment to Terms of Reference

- A report from Dr. Wayne Stobo, Chair, Halifax Watershed Advisory Board was before Community Council.

MOVED by Councillor Sloane, seconded by Councillor Murphy that Peninsula Community Council approve the revised Terms of Reference of the Halifax Watershed Advisory Board as outlined in "Attachment A" of the August 8, 2003 report from the Halifax Watershed Advisory Board. MOTION PUT AND PASSED UNANIMOUSLY.

12. MOTIONS

12.1 Motion: Councillor Uteck - Infilling of Water Lots on the Northwest Arm

- Councillor Uteck gave Notice of Motion at the October 6, 2005 meeting of Peninsula Community Council.

MOVED by Councillor Murphy, seconded by Councillor Sloane that:

Whereas Halifax Regional Council initiated a municipal planning strategy amendment process on August 9, 2005, to establish policies and regulations aimed at controlling development and subdivision on water lots infilled along either side of the Northwest Arm.

Whereas there have been a great number of community concerns expressed that further infilling will occur on the Northwest Arm before proper land use policies and regulations are in place.

Whereas staff will be introducing municipal planning strategy and land use by-law amendments to Halifax Regional Council on or before January 17, 2006.

Peninsula/Chebucto Community Council therefore urges that the Minister of Fisheries and Oceans Canada request his staff not to issue any further authorization for the infilling of water lots on the Northwest Arm in the period leading up to January 17, 2006.

MOTION PUT AND PASSED UNANIMOUSLY.

The Clerk will draft a letter for the Chair's signature.

13. ADDED ITEMS - None

14. NOTICES OF MOTION

14.1 Notice of Motion - Councillor Uteck - Exemption - Gross Floor Area Requirements

Councillor Murphy, on behalf of Councillor Uteck, gave Notice of Motion of her intention to, at the next meeting of Community Council, introduce a motion that staff propose amendments to the Land Use Bylaw to exempt the North West Arm area of the Peninsula, between the North West Arm and the Railway Cut and from Point Pleasant Park to Quinpool Road, from the recently adopted Gross Floor Area dwelling requirements and the land use definitions that limit the permitted number of bedrooms within a dwelling."

10.3.1 Update - Regional Plan

Mr. Austin French, Project Manager, Regional Planning Project, made a lengthy presentation providing an overview of the draft Regional Plan and focussing on changes made since the last round of public consultations:

The presentation included the following highlights:

- An overview of the Four Pillars of Growth
 - Natural Environment and Heritage
 - Growth Centres
 - Linking Communities
 - Fiscally Sustainable and Strong Economy

- Highlights of Changes from previous draft to the present draft

LAST DRAFT	PRESENT DRAFT
<p>Conventional Subdivisions</p> <ul style="list-style-type: none"> • four (4) lots on existing roads and one (1) on new road 	<p>Conventional Subdivisions</p> <ul style="list-style-type: none"> • any number of lots on existing local roads • wide frontage on trunk and route roads up to eight (8) lots on new roads intersecting local roads • Rural Resource - increased to eight (8) lots on new roads intersecting any road
<p>Cluster Subdivisions Open Space Subdivision for more that four (4) lots, with shared septic</p>	<p>Cluster Subdivisions Open Space Subdivision or Hybrid Subdivision for more than eight (8) lots</p>
<p>Housing Issues Interpreted as dictating affordable housing into Community Plans</p>	<p>Housing Issues</p> <ul style="list-style-type: none"> • Clarifies HRM's role • Clarifies that Community Planning must only consider diverse housing options • Clarifies definition of affordable housing
<p>Service Boundaries</p> <ul style="list-style-type: none"> • Anticipated major changes 	<p>Service Boundaries</p> <ul style="list-style-type: none"> • Major changes deferred to Community Plan Reviews
<p>Development Restrictions due to Limited Road Capacity Traffic Authority to refuse development where road capacity would be exceeded</p>	<p>Development Restrictions due to Limited Road Capacity Specifically lists Beaver Bank and Hammonds Plains to protect traffic safety</p>
<p>Roads and Corridors</p> <ul style="list-style-type: none"> • Specific time frame for future roads • Omitted some very long term road proposals 	<p>Roads and Corridors</p> <ul style="list-style-type: none"> • More flexible time frame for future roads • Adds more long term road corridors for acquiring land

LAST DRAFT	PRESENT DRAFT
<p>Regional Parks Listed 12 Regional Parks, seven (7) of which originate from the 1975 Regional Plan</p>	<p>Regional Parks Adds another Regional Park at Feely Lake near Middle Sackville</p>
<p>Islands Silent on how to protect islands</p>	<p>Islands Development by agreement with conditions to protect coastal communities</p>
<p>Minimum Coastal Elevations</p> <ul style="list-style-type: none"> • Five (5) Metres with variance only through site specific study 	<p>Minimum Coastal Elevations</p> <ul style="list-style-type: none"> • Two and one-half (2.5) metres - no variance • Interim measure pending coastal hazard mapping
<p>Culture and Heritage</p> <ul style="list-style-type: none"> • Emphasized physical heritage • Emphasized Registered Heritage Properties 	<p>Culture and Heritage</p> <ul style="list-style-type: none"> • More prominence given to upcoming Cultural Plan • More recognition of views, landscapes, and heritage districts

Mr. French noted that upon completion of the presentation of the Plan at Community Councils, the Plan will be forwarded to Council with a view to having the public hearing in January. He further noted that upon approval by Council a community visioning exercise would be undertaken followed by community plan reviews.

In response to questions from members of Council, staff provided the following information:

- Policy for green space will be carried out on a broad based approach and is an important aspect of the Regional Centre Urban Design Plan and the Harbour Plan.
- In response to comments from Councillor Murphy regarding green spaces and reference to correspondence from the Friends of the Public Garden and the Rhododendron Association regarding the establishment of a Green Space Board, the Regional Plan does not envision such a Board. The Plan does recommend an ongoing Regional Planning Board.
- The Regional Plan preserves the corridors for an urban rail system, however, it is not anticipated that this system can be accommodated within 25 years.
- Widening of the Bayers Road corridor may be considered within 25 years. At the present time there is no allocation within projected capital expenditures. Note was made that there may not be a physical widening, but a reversing lane or accommodation for BRT.
- Consideration of brown fields and how to handle them is to be dealt with in the regional centre urban design study. A Brown Field Forum is being proposed for

- Halifax as well as consideration of financial incentives. Note was made that the forum may create sufficient enough excitement that financial incentives will not be necessary.
- Bus Rapid Transit and Express services are the emphasis in the urban areas while intermodal transit is the emphasis in the rural areas.
 - The Active Transportation Plan of the Regional Plan is looking at developing bike corridors.
 - Developers will be required to dedicate 10% green space as opposed to the 5% dedication required under the present plan. However, to encourage the use of the open space concept, the dedication will be 5%.
 - There is support for public art in the Cultural Plan, however, there is nothing binding
 - The Regional Centre Urban Design Study is a prerequisite to detailed planning for the Capital Districts and the neighbourhoods within the Capital District. Comprehensive review of the neighbourhoods is not anticipated for approximately two years. The neighbourhood planning will probably not deviate too much from the previous consultation (i.e. nine neighbourhoods within the Peninsula Halifax) .

15. PUBLIC PARTICIPATION

Jane Allen, Halifax

Ms. Allen, noting that there are 23 Districts and more than 200 communities, asked what exactly was a community. She went on to ask why the community visioning would come at the end rather than at the beginning of the process.

Mr. French indicated that the Regional Plan sets out a broad framework for more detailed planning. The plan identifies 46 or 47 growth centres and what would happen between those centres. The Plan identifies the major transportation links, the infrastructure requirements, etc., to set a stage for community visioning. The Regional Plan advances concepts such as mixed use walkable communities, transit oriented development, and transit links that would be expected to endure throughout the life of the Plan. Mr. French indicated that it was determined by Council that the community based exercise would be put on hold until the broad vision for the region was in place.

Ms. Allen went on to express concern regarding the issues that exist, for example the density and size issues on the peninsula of Halifax. Noting that community planning is one to two years down the road, Ms. Allen asked what would happen in the interim to such things as the R-1 and R-2 petitions.

Mr. French indicated that while there is some growth pressure, it should not be such overwhelming growth that it cannot be accommodated within the existing character of neighbourhoods. Mr. French went on to stress that after the Regional Plan is adopted the existing Community Plans in the urban centre remain in place until they are changed through the planning process. He noted that the Urban Design study will bring issues forward to Council which may result in changes to the Community Plans.

In response to a question from Councillor Fougere specifically regarding the R-1 and R-2 petitions, Mr. French indicated that these situations should be resolved. Consequently, the Urban Design Study incorporates case studies involving those neighbourhoods that are presently experiencing difficulties and will bring to bear urban design resolutions.

Alan Ruffman, Halifax

Mr. Ruffman expressed concern that the advertisement for this meeting implied that this was a update on the Regional Plan only and not a regular meeting of Peninsula Community Council. He went on to suggest that members of the public should have been given greater opportunity to provide input to the Plan.

Mr. Ruffman went on to:

- Clarify that the presentation was in essence a presentation of the Spring 2005 version of the Plan with the exception of the Community Fact Sheets
- Clarify that there is a significantly revised version of the Plan which has not yet been tabled with Council, but upon which Council has held a workshop/meeting
- Clarify that the revised version of the Plan did not restrict the requirements regarding the protection of built heritage to only those properties which abut heritage properties
- Suggest that relative to storm surge, Regional Plan staff use the 'higher high water mark' rather than simply the 'high water mark' and include Halifax Harbour and Sheet Harbour in the 2.5 metre minimum coast elevation requirement
- Agree with the 10% green space dedication and encouraged that it be based on the value of the property at the time of the approval of the development
- Request a list of the present aspects of the Detailed Area Plans for Districts 11, 12, 13, 14 which the Regional Plan will supercede so that each District is aware of the exact changes
- Recommend that staff hold an information meeting on the revised plan

Mr. French responded noting that a detailed plan is underway for the harbour which will address storm surge and the minimum coast elevation requirement and that the District Fact sheets do include the areas where it is anticipated the Regional Plan will override the Detailed Plans.

Mr. Peter Cymera, Halifax

Mr. Cymera addressed Council expressing concern that the issue of gas pricing was not considered within the plan. He went on to indicate that the projected costs of gas will no doubt negatively impact development plans, change where residents want to live and change the assessment of houses in suburbia. Referring to the demand for parking in the downtown, Mr. Cymera indicated that he would like to see HRM develop a comprehensive plan to reduce parking. He indicated that those using the parking should pay market value and further suggested that HRM not require a minimum number of parking spaces in a development. Mr. Cymera indicated that a portion of the increased revenue realized from charging market value for parking (on street or city parking lot) should be returned to community for improvements.

Ms. Beverly Miller, Halifax

Ms. Miller addressed Community Council making the following points:

- Expressed concern for open space on the Peninsula noting that there are as many people living of the south end of Barrington Street as there are living in many Nova Scotia towns. Provision must be made for open space for these residents.
- Expressed concern that the term urban design has simply become a cover up phrase for development
- It appears that as the Plan has been being developed, HRM has been proceeding to do a great many things contrary to the plan in terms of the philosophy of walkability and bicyclability. (i.e. roadways in connection with Dartmouth Crossing)
- Noted that the specific District Fact Sheets do not say how the Plan will affect Districts
- Noted that although staff have indicated that secondary plans won't be affected, the May draft of the Plan contains a statement to the effect that the Plan will guide all development. Later it indicates that a visioning process will occur and if a conflict occurs in the meantime the more stringent requirements of the two plans will prevail. Expressed grave concern that both plans cannot be in effect and that developers will be able to use this to their advantage

Graham Stookey, Halifax

Mr. Stookey expressed strong opposition to any expanded roads and any plan which would bring more traffic to the downtown. Mr. Stookey asked if this plan considers turning the rail cut in the south end into a highway.

Mr. French indicated that there is no definitive answer to that question at this time. There are two possibilities for the rail cut being considered, both being driven by the need to move traffic out of the port. The first being to use the rail cut for moving trucks

and the second being to use the cut to immediately transfer the containers on to rail and move them to an intermodal form of transport outside the built up area. The analysis into these issues is taking into account the impacts on local neighbourhoods.

Mr. Stookey indicated that use of the rail cut for additional traffic is not a good idea as it simply takes traffic from the waterfront and moves it to residential areas. He encouraged HRM to avoid this at all costs.

In response to a question Mr. French noted that the revised draft will officially be tabled with Council in early December and noted that the hearing would be held in January. Members of the public will have an opportunity to comment on the revised plan during that month and at the public hearing.

16. NEXT MEETING

The Chair advised that a special meeting of Peninsula Community Council will be held on November 23, 2005 to hear an appeal of the decision of the Development Officer to refuse an application for a variance at 1612 Cambridge Street, Halifax.

The next regular meeting of Peninsula Community Council will be held on December 12, 2005 .

17. ADJOURNMENT

There being no further business, the meeting adjourned at 9:05 p.m.

Sherryl Murphy
Legislative Assistant