

**PENINSULA COMMUNITY COUNCIL
MINUTES
December 11, 2006**

PRESENT:

Councillor Sheila Fougere, Chair
Councillor Dawn Sloane, Vice-Chair
Councillor Patrick Murphy
Deputy Mayor Sue Uteck

STAFF:

Ms. Karen Brown, Solicitor
Ms. Jennifer Weagle, Legislative Assistant

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1. CALL TO ORDER

The meeting was called to order at 7:01 p.m. in Council Chambers, City Hall, 1841 Argyle Street, Halifax.

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 Sloane, seconded by Councillor Murphy, that Deputy Mayor Uteck 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 Deputy Mayor Uteck Vice-Chair of the Peninsula Community Council.

3. APPROVAL OF MINUTES - November 6, 2006

MOVED by Councillor Murphy, seconded by Councillor Sloane, that the minutes of November 6, 2006, be approved as distributed. MOTION PUT AND PASSED.

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

Addition:

13.1 Appointments to District 12 Planning Advisory Committee

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

5. BUSINESS ARISING OUT OF THE MINUTES

The Chair noted that the Federation of Canadian Municipalities conference in Calgary will conflict with the June 4, 2007 Peninsula Community Council meeting date approved at the previous meeting. She requested that the June Peninsula Community Council meeting date be moved to the second Monday of June (June 11, 2007).

5.1 Status Sheet

5.1.1 Public Participation - Letter to Finance re: amended tax rate for revenue-producing residential properties

No information received. This item to remain on the status sheet. Deputy Mayor Uteck indicated that this matter will be addressed with the Tax Reform Committee.

5.1.2 Presentation re: Noisy Vehicles in Halifax

No information received. This item to remain on the status sheet. Councillor Sloane indicated that she met with the Mayor and Dr. Roland-Mieszkowski, who presented to Community Council on October 2, 2006, and that a report is being prepared on this matter.

5.1.3 Mitchell's Enviro Depot update

No information received. This item to remain on the status sheet.

5.1.4 Re-evaluation of intersection at Young and Windsor Streets

An information report dated November 30, 2006 was received on this matter. This item will be removed from the status sheet.

5.1.5 Correspondence from Westmoor Co-Op Ltd. dated March 4, 2006 re: Kenneth Walker Field

No information received. This item to remain on the status sheet.

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

No information received. This item to remain on the status sheet.

5.1.7 CN Property Maintenance

No information received. This item to remain on the status sheet. Deputy Mayor Uteck indicated that this matter will remain on the status sheet until a plan is brought forward from CN to deal with property maintenance in HRM, and in particular a plan to deal with bridges.

6. **MOTIONS OF RECONSIDERATION** - None

7. **MOTIONS OF RESCISSION** - None

8. **CONSIDERATION OF DEFERRED BUSINESS** - None

9. **HEARINGS**

9.1 **Public Hearings** - None

9.2 **Appeal Hearings**

9.2.1 **Variance No. 13429: Appeal of the Development Officer's decision to refuse an application for a Variance - 3421-3423 Oxford Street, Halifax**

C A staff report dated November 24, 2006 on the above noted was before Community Council.

Mr. Andrew Faulkner, Development Officer, reviewed the report with Community Council. He indicated that this is an appeal of the Development Officer's decision to deny an application for a variance of lot area (existing area is 5,000 square feet, requirement is 8,000 square feet) and Gross Floor Area (from 3,000 square feet to 3,096 square feet) to convert a two unit dwelling to a three unit dwelling.

Mr. Faulkner responded to questions of clarification of Community Council.

The Chair opened the appeal hearing and called for speakers.

Mr. Amir Nevo, Property Owner

Mr. Nevo advised that he recently purchased the subject property, which has a similar layout and lot size to the one other property he owns on Novalea Drive, however, the other property is a three unit dwelling. He advised that he purchased the subject property with the intent of converting it to a three unit dwelling, and that the proposed three unit dwelling will fit with the neighbourhood, which has many other multiple unit dwellings. Mr. Nevo indicated that he has made many improvements to the property, which was neglected at the time of purchase. Improvements to the property include upgrades to the electrical, plumbing, and energy efficiency of the home. Mr. Nevo commented that the lot is very large, and he calculates his requested lot area variance at 6,500 square feet, as opposed to 5,000 as stated by the development officer. He noted that the additional unit will create a basement apartment with ten foot ceilings. With regard to there being four electrical boxes on the front of the building, he clarified that this was done at the time of the electrical conversion, as the electrician

advised that it would be significantly cheaper to add the fourth at the same time the third was added, for future considerations.

Mr. Nevo responded to questions of clarification of Community Council.

The Chair called three times for any further speakers.

Hearing none, it was **MOVED by Councillor Sloane, seconded by Councillor Murphy, that the appeal hearing be closed. MOTION PUT AND PASSED UNANIMOUSLY.**

MOVED by Deputy Mayor Uteck, seconded by Councillor Murphy, that Peninsula Community Council uphold the decision of the development officer to deny the variance. MOTION PUT AND PASSED UNANIMOUSLY.

10. CORRESPONDENCE, PETITIONS AND DELEGATIONS

10.1 Correspondence - None

10.2 Petitions - None

10.3 Presentations - None

11. REPORTS

11.1 Fence Permit Application - #80838 - 6170 Windsor Terrace, Halifax

C A staff report dated December 3, 2006 was before Community Council.

Deputy Mayor Uteck assumed the Chair, and Councillor Fougere took a seat in Council.

Mr. Rick Brown, Supervisor of Permits and Inspections, reviewed the December 3, 2006 report with Community Council. Mr. Brown noted that this is an application to approve the construction of a fence in excess of 6.5 feet at 6170 Windsor Terrace, Halifax and the staff recommendation is for approval of the application.

MOVED by Councillor Fougere, seconded by Councillor Sloane, that Peninsula Community Council approve Permit Application #80838 for a fence in excess of 6.5 feet at 6170 Windsor Terrace, Halifax. MOTION PUT AND PASSED UNANIMOUSLY.

Councillor Fougere resumed the Chair and Deputy Mayor Uteck resumed her seat in Council.

11.2 Building Communities Fund Allocation

The Chair indicated that there is \$65,000 remaining in the Building Communities Fund, to be allocated by Peninsula Community Council for capital projects throughout the Peninsula.

MOVED by Councillor Sloane, seconded by Deputy Mayor Uteck, that the Building Communities Fund allocation be deferred to the January 8, 2007 meeting of Peninsula Community Council.

Deputy Mayor Uteck advised that members will be meeting with staff to discuss options for the funding.

MOTION PUT AND PASSED UNANIMOUSLY.

12. **MOTIONS** - None

13. **ADDED ITEMS**

13.1 **Appointments to District 12 Planning Advisory Committee**

MOVED by Councillor Sloane, seconded by Deputy Mayor Uteck, that the Peninsula Community Council recommend that Halifax Regional Council approve the following appointments to the District 12 Planning Advisory Committee, for two year terms to expire November 30, 2008:

Katherine Perrot
Heather Ternoway
Clary Kempton
Lucy Trull
Beverly Miller

MOTION PUT AND PASSED UNANIMOUSLY.

14. **NOTICES OF MOTION** - None

15. **PUBLIC PARTICIPATION**

Mr. Ryan McNeil, Halifax

Mr. McNeil requested that Peninsula Community Council request that Halifax Regional Council request that Nova Scotia Assessment Services remove the market adjustment factor values from the 2007 year assessments to keep assessments uniform.

Mr. McNeil further requested that Peninsula Community Council request that a Chief Appraiser be hired by HRM to review assessments, perform random assessment checks and check assessment methods, including market adjustment factors, condition, age, remodeling, and class values, with regard to residential assessments.

Deputy Mayor Uteck indicated that the HRM Tax Reform Committee is being formed. She advised that she will pass on Mr. McNeil's recommendation to the Committee, and requested that Mr. McNeil's recommendations be added to the Peninsula Community Council status sheet.

Ms. Beverly Miller, Halifax

Ms. Miller thanked Community Council for keeping the taxation issue on the status sheet. She briefly commented on the property damage caused by snow plows recently in the south end of Halifax, noting that damage was caused to her property.

Ms. Miller went on inquire as to the status of the Barrington Street Heritage District Revitalization Plan ("the Plan"). The Chair indicated that the Community Development department has gone through staff and organizational changes, and she expects to see the Plan come forward in the new year. Councillor Sloane indicated that the Plan was discussed at the recent Urban Design work shops. She noted that a list of recommendations generated from the work shop included that the Plan be moved forward. The Chair requested that Councillor Sloane follow up on the status of the Plan.

With regard to Ms. Miller's comments concerning snow plow damage, Councillor Uteck indicated that she forwarded photos of snow plow damage in her district to staff. The Chair indicated that she spoke with the Manager of Operations, and was advised that staff are working on a strategy to deal with these complaints. She advised that residents can report snow plow damage complaints to the HRM call centre at 490-4000.

At the request of Ms. Miller, a brief discussion ensued regarding the economic "spin-off" of the Rolling Stones concert, and the formula used to calculate event generation.

Councillor Sloane indicated that a request was made 12 to 18 months ago to set up a Commons Advisory Committee. The Chair requested that the Legislative Assistant follow up on the status of this Committee.

Mr. Mike Davis, Owner, World Class Limousine

Mr. Davis addressed Community Council regarding the issue of taxi deregulation. He indicated that there are complaints that there are not enough taxis and limousines in areas of HRM. Mr. Davis inquired how to move the process forward to deregulate the taxi industry.

The Chair indicated that all recommendations reflective of the taxi industry go through the Taxi and Limousine Advisory Committee. She further noted that the taxi and limousine industry in HRM is regulated through the Nova Scotia Department of Transportation and Public Works and also through the Taxi and Limousine Licensing By-Law (T-108). She advised that the By-Law would have to be repealed by the Province to remove taxi regulation authority from HRM.

The Chair requested that these comments be forwarded to the attention of the Taxi and Limousine Advisory Committee.

16. NEXT MEETING

The next meeting of Peninsula Community Council will be held on Monday, January 8, 2007 at 7:00 p.m.

17. ADJOURNMENT

There being no further business, the meeting adjourned at 7:46 p.m.

Jennifer Weagle
Legislative Assistant