

**PENINSULA COMMUNITY COUNCIL
MINUTES
April 2, 2007**

PRESENT:

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

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 7:08 p.m. in Council Chambers, City Hall, 1841 Argyle Street, Halifax.

2. APPROVAL OF MINUTES - March 5, 2007

MOVED by Councillor Murphy, seconded by Councillor Sloane, that the minutes of March 5, 2007, be approved as distributed. MOTION PUT AND PASSED.

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

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

4. BUSINESS ARISING OUT OF THE MINUTES

4.1 Status Sheet

4.1.1 Presentation - Friends of the Public Gardens

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

4.1.2 Mitchell's Enviro Depot update

No information received. This item to remain on the status sheet until the property transaction has closed.

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

The Chair indicated she would contact Mr. Mike Labrecque, Director, Transportation and Public Works, for an update on this matter at the next meeting. This item will remain on the status sheet.

4.1.4 CN Property Maintenance

Deputy Mayor Uteck requested that this item be added to the agenda as Item 12.1 to be discussed later in the meeting. This item will remain on the status sheet.

5. MOTIONS OF RECONSIDERATION - None

6. **MOTIONS OF RESCISSION** - None

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

8. **HEARINGS**

8.1 **Public Hearings** - None

8.2 **Appeal Hearings**

8.2.1 **Appeal of the Refusal of Variance No. 13604 - 2090 Poplar Street, Halifax**

C A staff report dated April 2, 2007 on the above noted was before Community Council.

Mr. Andrew Faulkner, Development Officer, reviewed the staff report with Community Council, noting that this is an appeal of the Development Officer's decision to refuse a variance from the left side yard setback requirements of the Halifax Peninsula Land Use Bylaw to permit the construction of an addition to a Single Unit Dwelling.

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

Councillor Fougere opened the appeal hearing and called for speakers.

Councillor Fougere called three times for any further speakers in favour or against the application.

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

MOVED by Deputy Mayor Uteck, seconded by Councillor Murphy, that the decision of the Development Officer to refuse the variance be overturned to allow the variance.

Deputy Mayor Uteck noted that she has heard no objections from the neighbouring properties, and that the addition will add to the vitality of the neighbourhood. She commented that while she is appreciative of the rules, an objective of the Regional Plan is to keep people and families on the Peninsula.

Councillor Sloane advised that she will not be supporting the motion. She commented that rules are put in place, and are enforced by the Development Officer, in order to maintain the integrity of neighbourhoods, and that the rules should be the same for everyone.

Councillor Fougere advised that she will be supporting the motion. She commented that the area is of compact, walkable neighbourhoods, with single family dwellings on small lots. Councillor Fougere noted that in relation to the size and proximity of the surrounding properties, the proposed addition would not make much difference to the neighbourhood. She indicated the need to be flexible with options to keep families on the Peninsula.

Councillor Murphy indicated that it would have been helpful to hear from the Applicants themselves and noted the importance of keeping families on the Peninsula.

MOTION PUT AND PASSED.

9. CORRESPONDENCE, PETITIONS AND DELEGATIONS

9.1 Correspondence - None

9.2 Petitions - None

9.3 Presentations

9.3.1 Presentation by the Halifax Peninsula Community Health Board

C A package with the current health plan and status, along with correspondence to the Premier, was distributed to Community Council.

Ms. Lesley McLean, a member of the Halifax Peninsula Community Health Board (CHB), addressed Community Council, noting the following:

C The Halifax Peninsula CHB has operated as a volunteer organization under the Capital Health for the past 10 years;

C The role of the CHB is to be the eyes, ears and voice of Halifax Peninsula residents' health;

C The CHB undertook community consultation through focus groups, interviews, surveys, collection of statistics and demographic/population data to create the current (2005) Community Health Plan;

C The CHB receives Community Development Funding from the Capital Health each year, to distribute to community groups and organizations for small projects to improve the health in their communities;

C The focus of the CHB was divided into five committees:

C Maternal/Infant/Child Committee

C Youth Committee

C Poverty Committee

C Mental Health Committee

C Seniors Committee

Ms. MacLean reviewed the objectives and actions of each committee, copies of which are on file.

Councillor Fougere commented that there are a number of HRM related issues with a health mandate including the identification of recreation spaces, healthy lifestyles, mental health issues (mainly affecting the Halifax Regional Police), transportation, and falls prevention (through HRM Transportation and Public Works). She requested that this presentation be forwarded to Community Development for their information.

Councillors Sloane and Murphy commended the work of the Halifax Peninsula CHB and encouraged them to contact Peninsular Councillors for assistance with any projects and to keep them updated.

Deputy Mayor Uteck thanked the Halifax Peninsula CHB for their work and programs in the community. She noted that an objective of the Youth Committee is to “work with community partners to find ways to make it easier to use existing spaces for recreation”, and that the action for this objective was “sent letter to MLAs, provincial election candidates & party leaders re decreasing the barrier of liability insurance for groups who want to offer sport/recreation programming”. Deputy Mayor Uteck indicated that she did not see this in the spring budget, and suggested that Peninsula Community Council write to the MLA’s to find out the status of this initiative. She further suggested that the Halifax Peninsula CHB indicate their top five objectives that they would like Peninsula Community Council to help move forward.

MOVED by Deputy Mayor Uteck, seconded by Councillor Sloane, that Peninsula Community Council write a letter to MLA’s asking what is being done at the Provincial level to decrease the barrier of liability insurance for community groups wishing to rent space in schools for sport/recreation programming. MOTION PUT AND PASSED UNANIMOUSLY.

The Chair indicated that Recreation Nova Scotia has very reasonably priced liability insurance, and suggested that community groups be referred to them.

MOVED by Deputy Mayor Uteck, seconded by Councillor Sloane, that HRM Real Property staff explore the opportunity to donate an HRM owned facility on the Peninsula for the use of palliative care. MOTION PUT AND PASSED.

The Chair thanked Ms. McLean for her presentation.

10. REPORTS

10.1 Staff Reports

10.1.1 Case 00809: Development Agreement, 1521 LeMarchant Street, Halifax

C A staff report dated March 16, 2007 on the above noted was before Community Council.

MOVED by Deputy Mayor Uteck, seconded by Councillor Murphy, that Peninsula Community Council give Notice of Motion to consider an application by Halifax County Condominium Corporation No. 33 to enter into a development agreement for property at 1521 LeMarchant Street, Halifax, and schedule a public hearing. MOTION PUT AND PASSED UNANIMOUSLY.

Deputy Mayor Uteck referred to the December 8, 2005 Public Information Meeting minutes (attached to the March 16, 2007 staff report), noting that many questions from residents were answered at that meeting. She noted that anyone that missed the Public Information Meeting will have an opportunity for input at the public hearing, which will be held at the May 7, 2007 Peninsula Community Council meeting.

10.1.2 Case 00596: Amendments to Halifax MPS and LUBs - Water Lot Infilling, Subdivision, and Development on Northwest Arm, Halifax

C A staff report dated March 26, 2007 on the above noted was before Community Council.

Deputy Mayor Uteck thanked Mr. Roger Wells, Senior Advisor, Harbour Plan, Regional Planning, noting that a very extensive report has been prepared, which involved much community and inter-governmental involvement.

MOVED by Deputy Mayor Uteck, seconded by Councillor Sloane, that Peninsula Community Council recommend that Halifax Regional Council give First Reading to the proposed amendments to the Halifax Municipal Planning Strategy and the Halifax Peninsula Land Use By-law, as provided in Attachments "A" and "C" of the March 26, 2007 staff report, and schedule a joint Public Hearing. MOTION PUT AND PASSED UNANIMOUSLY.

At the request of Deputy Mayor Uteck, Mr. Wells clarified that the joint public hearing will involve Peninsula and Chebucto Community Councils, along with Regional Council. He indicated that the tentative date for the joint public hearing is May 1, 2007.

10.2 District 12 PAC Reports - None

11. **MOTIONS** - None

12. **ADDED ITEMS**

12.1 **CN Property Maintenance**

MOVED by Deputy Mayor Uteck, seconded by Councillor Murphy, that Peninsula Community Council request that a formal presentation by staff be made to Regional Council regarding ongoing CN property maintenance issues, and that staff move forward with the signing of a Memorandum of Understanding between CN, and the Federal, Provincial, and Municipal governments, with regard to responsibility for maintenance and capital repairs to CN property, including grass cutting, retaining walls, graffiti removal, and safety and security issues. MOTION PUT AND PASSED UNANIMOUSLY.

13. **NOTICES OF MOTION** - None

14. **PUBLIC PARTICIPATION**

Mr. David Keith, Young Avenue, Halifax

Mr. Keith indicated that he spoke with each of the Peninsula Councillors over the last month regarding concern with vehicular noise on the Halifax Peninsula, and Young Avenue at Point Pleasant Park in particular. He requested that dialogue continue to find a solution to keep vehicular noise levels down, including straight pipe and boom box controls. He inquired as to the status of a forthcoming report regarding closing the gate at Point Pleasant Park.

Deputy Mayor Uteck clarified that Metro Transit recently conducted a site audit on the area and the Halifax Regional Police are recommending that the gate to the Park be closed at 8:00 p.m., with which park operations agree.

Councillor Sloane commented that planning for where the cars will go needs to also be determined, to avoid this problem moving to another area of the downtown. She noted that HRM needs to work with the Province to deal with noisy vehicles, and indicated that she will bring forward a formal motion to the May meeting to write to the Province regarding this matter.

Mr. Keith advised that he has had discussions with the Province regarding this matter, and Mr. Darrell Dexter, Leader of the NDP, researched this issue and indicated he would be supportive of any legislation to curb noise.

Deputy Mayor Uteck further advised the following:

- C Point Pleasant Park is the only park in HRM that does not close at dusk;
- C The Park closing time was moved from 11:00 p.m. to 10:00 p.m. to the current 9:30 p.m. closing;
- C A full Provincial inspection on the Park has been completed;
- C There were seven instances last year of the Commissionaires closing the Park early due to drag racing;
- C Communications with Shakespeare By the Sea were undertaken regarding this issue;
- C Traffic calming cannot be undertaken on Young Avenue because it is the emergency entrance to the Fort and speed bumps, etc. are not permitted;
- C Exhibition Park was offered free of charge to the group, however, this offer was not accepted.

15. NEXT MEETING

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

16. ADJOURNMENT

There being no further business, the meeting adjourned at 7:50 p.m.

Jennifer Weagle
Legislative Assistant