

**PENINSULA COMMUNITY COUNCIL  
MINUTES**

**March 3, 2008**

**PRESENT:** Councillor Patrick Murphy, Chair  
Councillor Sue Uteck, Vice-Chair  
Councillor Dawn Sloane

**REGRETS:** Councillor Sheila Fougere

**STAFF:** Ms. Karen Brown, Solicitor  
Ms. Barbara Coleman, Legislative Assistant

**TABLE OF CONTENTS**

1.	CALL TO ORDER .....	4
2.	APPROVAL OF MINUTES - February 11, 2008 .....	4
3.	APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS .....	4
4.	BUSINESS ARISING OUT OF THE MINUTES .....	4
4.1	Status Sheet .....	4
4.1.1	Neighbourhood Downzoning .....	4
4.1.2	Deputy Mayor Uteck - Review of Gross Floor Area Ratio Requirements ..	4
4.1.3	Presentation - Halifax Peninsula Community Health Board .....	4
4.1.4	Mitchell's Enviro Depot update .....	4
4.1.5	CN Property Maintenance .....	4
4.1.6	Peninsula Place Flooding .....	5
4.1.7	By-law Regulations respecting the Keeping of Fowl .....	5
4.1.8	Beaufort Avenue/Regina Terrence Construction .....	5
4.2	Case 00930 - MPS and LUB Amendment/Development Agreement for 6955 Bayers Road, Halifax .....	5
5.	MOTIONS OF RECONSIDERATION - None .....	5
6.	MOTIONS OF RESCISSION - None .....	5
7.	CONSIDERATION OF DEFERRED BUSINESS .....	6
8.	HEARINGS .....	6
8.1	Public Hearings	
8.1.1	Case 00897 - Heritage Development Agreement - Gerrard Lodge, 1234 Barrington Street, Halifax .....	6
8.2	Appeal Hearings .....	7
9.	CORRESPONDENCE, PETITIONS AND DELEGATIONS .....	7
9.1	Correspondence - None .....	7

9.2	Petitions - None .....	7
9.3	Presentations - None .....	7
10.	REPORTS .....	7
10.1	Staff Reports .....	7
10.2	Committee Reports .....	7
10.3	Members of Peninsula Community Council .....	7
11.	MOTIONS - None .....	7
12.	ADDED ITEMS .....	7
13.	NOTICES OF MOTION .....	8
14.	PUBLIC PARTICIPATION .....	8
15.	NEXT MEETING - April 14, 2008 .....	9
16.	ADJOURNMENT .....	9

1. **CALL TO ORDER**

The meeting was called to order at 7:30 p.m. in the Council Chamber, 3<sup>rd</sup> Floor, City Hall.

2. **APPROVAL OF MINUTES** - February 11, 2008

**MOVED by Councillor Sloane, seconded by Councillor Uteck, that the minutes of February 11, 2008 be approved as distributed. MOTION PUT AND PASSED.**

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

Additions:

- 12.1 Case 01078 - Rezoning from P - R-1 - Harbourview Drive, Halifax
- 12.2 Amendment to Definition of Home Based Occupation Permitted under the LUB

**MOVED BY Councillor Uteck, seconded by Councillor Sloane, that the order of business be approved as amended. MOTION PUT AND PASSED.**

4. **BUSINESS ARISING OUT OF THE MINUTES**

4.1 **Status Sheet**

4.1.1 **Neighbourhood Downzoning**

Councillor Uteck requested that this ongoing matter remain on the status sheet.

4.1.2 **Review of Gross Floor Area Ratio Requirements**

Councillor Uteck requested that this ongoing matter remain on the status sheet.

4.1.3 **Presentation - Halifax Peninsula Community Health Board**

This item to remain on the status sheet.

4.1.4 **Mitchell's Enviro Depot update**

This item to remain on the status sheet.

4.1.5 **CN Property Maintenance**

This item to remain on the status sheet.

**4.1.6 Peninsula Place Flooding**

Councillor Sloane requested that this item remain on the agenda.

**4.1.7 By-Law Regulations respecting the Keeping of Fowl**

This item to remain on the status sheet.

**4.1.8 Beaufort Avenue/Regina Terrance Construction**

This item to remain on the status sheet.

**4.2 Case 00930 - MPS and LUB Amendment/Development Agreement for 6955 Bayers Road, Halifax**

A staff report dated January 21, 2008 was before Community Council.

Councillor Uteck took the chair at 7.33 p.m.

**MOVED BY Councillor Murphy and seconded by Councillor Sloane that Peninsula Community Council:**

1. Move a Notice of Motion to consider approval of the proposed Development Agreement contained in Attachment "A" of the Staff Report of January 21, 2008 to allow for a 121 unit apartment building, and schedule a joint public hearing with Regional Council;
2. Recommend that Regionals Council give First Reading to the proposed amendments to the Halifax Municipal Planning Strategy and the Halifax Peninsula Land Use By-law contained in Attachment A of the report dated January 21, 2008 and schedule a public hearing;
3. Recommend to Regional Council that the amendments to the Halifax Municipal Planning Strategy and the Halifax Peninsula Land Use By-law as contained in Attachment "A" of the Staff Report of January 21, 2008.

**MOTION PUT AND PASSED**

Councillor Murphy resumed the chair at 7:35 p.m.

**5. MOTIONS OF RECONSIDERATION - None**

**6. MOTIONS OF RESCISSION - None**

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

8. **HEARINGS**

8.1 **Public Hearings**

8.1.1 Case 00897 - Heritage Development Agreement - Gerrard Lodge, 1234 Barrington Street, Halifax

A staff report dated February 6, 2008 was before Community Council.

Randa Wheaton, Senior Planner, Community Development, gave an overview of the report before Council noting the following:

- The application was to convert an existing rooming house to a four condominium unit building and the construction of a three unit condominium town house building at the rear of a registered heritage property at 1234 Barrington Street, Halifax.
- The integrity of the Barrington Street Streetscape will be maintained and improved
- Proposed townhouses will have single car garages however the new condominiums will have no parking
- There is little traffic impact anticipated.

Councillor Sloane advised members of the District 12 PAC raised concerns at their January 28, 2008 meeting that the exterior improvements would not be completed in a timely manner and made that part of their recommendation.

Ms. Wheaton responded saying that she brought this issue to the developer and he was not willing to add this to the Development Agreement citing it would be too costly.

Councillor Uteck advised that this clause would be dropped due to financial consideration.

The Chair called for those wishing to speak in favour or in opposition to the proposed development agreement. Hearing none, the following motion was placed.

**MOVED BY Councillor Uteck, seconded by Councillor Sloane that the Public Hearing close. MOTION PUT AND PASSED.**

**MOVED BY Councillor Sloane and seconded by Councillor Uteck that Peninsula Community Council:**

1. **Approve the proposed development agreement , presented as Attachment A of the report dated December 21, 2008 to permit the conversion of an existing rooming house to a four condominium units and the construction of a three unit detached**

townhouse building at the rear of a registered heritage property at 1234 Barrington (PID# 00093104), Halifax.

2. **Require the Development Agreement to be signed within 120 days, or any extension thereof granted by Council on request of the applicant, from the date of final approval by 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.**

The Municipal Solicitor clarified that the motion would be read without the amendment as stated in the Report to Council dated February 6, 2008.

#### **MOTION PUT AND PASSED**

- 8.2 **Appeal Hearings** - None

#### **9. CORRESPONDENCE, PETITIONS AND DELEGATIONS**

- 9.1 **Correspondence** - None

- 9.2 **Petitions** - None

- 9.3 **Presentations** - None

#### **10. REPORTS**

- 10.1 **Staff Reports** - None

- 10.2 **Committee Reports** - None

- 10.3 **Members of Peninsula Community Council** - none

11. **MOTIONS** - None

#### **12. ADDED ITEMS**

- 12.1 **Case 01078 - Rezoning from P - R-1 - Harbour view Drive, Halifax**

A staff report dated February 11, 2008 was before Community Council.

**MOVED BY Councillor Uteck and seconded by Councillor Sloane that First Hearing be given and a Public Hearing be set for April 14, 2008. MOTION PUT AND PASSED**

- 12.2 **Amendment to definition of home based occupation permitted under the LUB**

**MOVED BY Councillor Uteck and seconded by Councillor Sloane that staff provide a report to give consideration to the occupation of actuary be added to the list of occupations for home based businesses. MOTION PUT AND PASSED.**

**MOTION PUT AND PASSED.**

**13. NOTICES OF MOTION - None**

**14. PUBLIC PARTICIPATION**

**Ms. Beverly Miller, South Street, Halifax**, spoke to the article which she wrote for the *South Ender*. The article refers to the report previously presented to Atlantic Planning Conference about the "impression that it is a hard time to get anything done in Halifax is a lot of whooey" She gave the entire report to clerk's office to copy and circulate to the councillors for their review.

Ms. Miller also spoke to the *Future Uses Option Report*. She said that the report was very fair and balanced. However there are two things that Ms. Miller wanted to address.

1. *HRM's Capital District Public Needs Study* in 2004 - one of things that came up quite often that night was to be able to keep the gym and the theatre
2. If it has already been decided that HRM sells the former QEII High School to Capital District for the future expansion of the QEII Infirmary, then why was the public invited to attend a public meeting last November to discuss what they would like to see done with the site. Because Ms. Miller represents the Friends of Halifax Commons, she asked that they have some written explanation of where this situation stands and why it is being held this way.

Councillor Uteck advised that Councillors Fougere, Murphy, Sloane and she met with Capital Health and one of the discussions that the two groups had was that none of the Peninsula Councillors were comfortable doing this behind closed doors, that as a *go forward basis*, they wanted it as "publicly open and transparent as possible". Capital Health has a Web Site re: their planning programs and expansions going live next week. All four Councillors of the Peninsula felt very strongly that on a go forward basis that this must be up front and public.

Councillor Sloane wanted to make sure that it was up front and public and not do what Capital Health wanted and just give them the land. Capital Health did not want the process to be made public.

Ms. Miller again asked that on behalf of Friends of Halifax Commons she could get a written explanation.

**Aubrey Fricker, 1678 Robie Street, Halifax**, advised Council that he also was a founding member of the Friends of the Halifax Commons. Although he agreed with what Ms. Miller had spoken to, he did not wish to use his time to reiterate what she had said, he stated that if he is reading the motion of 2007 correctly, there is a definite position to reaffirm desire to sell the Queen Elizabeth High site to QE infirmary. He stated that he is not sure what the protocols of In camera Council Sessions are,



why staff now feel that they make this information public. Mr. Fricker goes on to say that he thought In Camera Sessions were supposed to be personnel matters or real property matters where the discussion could influence or be influenced by a financial interest or affected parties. This is clearly not the case for the common land of the QEH site.

Mr. Fricker stated that he tried to find Capital Health plans. He emailed Capital Health. He talked to his MLA who is in fact Capital Health Council but felt he was running into a brick wall, He feels that the public do not know what the real estate plans are. This process needs to be opened up publically and honestly.

Councillor Sloane explained that there were two different motions one for the entire site and one for the new emergency site only.

**Mr. Pete Lavelle, Halifax**, advised Council that the issue he is bringing before Council tonight is the same issue that he had, through a letter to Dale Godsoe, Chair of HRM by Design Task Force, brought before the task force in mid January. Mr. Lavelle wrote a letter concerning the boundary between Gottingen Street Urban corridor and downtown Halifax and is still waiting for a reply. He told Council that he participated in a workshop and one of the first things that they discussed was whether the block that Staples and Trinity Church are on, should be part of the downtown or Gottingen Street Urban Corridor. At the workshop it was quite clear that the majority of the people felt it should be part of Gottingen Street Urban Corridor. After the workshop Mr. Lavelle felt enthusiastic about HRM by Design. However later, it was made apparent that maps showed that property was to be part of the down town and not Gottingen Street. Mr. Lavelle wrote to Ms. Godsoe. He provided each of the Councillors a copy of that letter.

Councillor Sloane advised it might be considered part of the downtown because of its close proximity to the Cogswell Interchange. People are asking what the distinction is between Gottingen and downtown.

**Mr. Hudson Shotwell, Murray Place, Halifax** - Mr. Shotwell asked for clarification on the process with the Halifax Commons and the status.

## **15. NEXT MEETING**

The next regular meeting of the Peninsula Community Council will be held Monday, April 14, 2008 at 7:00 p.m. in the Council Chamber, City Hall.

## **16. ADJOURNMENT**

There being no further business, the meeting adjourned at 8:15 p.m.

Legislative Assistant