

PENINSULA COMMUNITY COUNCIL
MINUTES

September 12, 2011

PRESENT: Councillor Dawn Sloane, Chair
Councillor Jennifer Watts, Vice Chair
Councillor Jerry Blumenthal
Councillor Sue Uteck

STAFF: Ms. Karen Brown, Senior Solicitor
Ms. Sheilagh Edmonds, Legislative Assistant

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1. CALL TO ORDER

The Chair called the meeting to order at 7:03 p.m.

2. APPROVAL OF MINUTES:

MOVED by Councillor Watts, seconded by Councillor Blumenthal that the minutes of June 13, 2011 and July 11, 2011 be approved. MOTION PUT AND PASSED.

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

Additions:

12.1 Correspondence from Chloe Tardif

MOVED by Councillor Watts, seconded by Councillor Blumenthal that the agenda, as amended, be approved. MOTION PUT AND PASSED.

4. BUSINESS ARISING OUT OF THE MINUTES/STATUS SHEET

4.1 Business Arising: None

4.2 Status Sheet: No updates provided.

5. MOTIONS OF RECONSIDERATION: None

6. MOTIONS OF RESCISSION: None

7. CONSIDERATION OF DEFERRED BUSINESS:

7.1 Annual General Meeting (deferred from June 13, 2011)

A report dated June 1, 2011 entitled, Peninsula Community Council Annual Report was before Community Council.

Councillor Uteck noted that previously Community Council had discussed holding a session for the public in regard to the Annual General Meeting. She suggested that, at the October meeting, a half hour be set aside before the regular Community Council meeting for a public open house.

Councillor Watts concurred and noted that Community Council had also requested staff attend and provide brief presentations on the topics of active transportation linkages on the Peninsula and an update on the South Common.

The Chair suggested that the open house session be held in either October or November, depending on when staff is available to attend and provide the presentations.

MOVED by Councillor Uteck, seconded by Councillor Watts that Community Council hold an open house a half hour before the October or November meeting, (depending on the availability of staff) in which the public could address Community Council, and to have staff presentations on the topics of: Active Transportation Linkages on the Peninsula and an update on the South Common. MOTION PUT AND PASSED.

MOVED by Councillor Watts, seconded by Councillor Blumenthal that Community Council accept the Annual General Report as presented. MOTION PUT AND PASSED.

8. HEARINGS:

8.1 Public Hearings: None

8.2 Variance Appeal Hearings:

8.2.1 Variance #16855: 5510 - 5514 Duffus Street, Halifax

A staff report dated September 1, 2011 was submitted.

E-mail correspondence was submitted from Jean Scott and Mr. and Mrs. O'Hearn.

Mr. Paul Boucher, Development Technician provided the staff presentation outlining the reasons why the Development Officer refused a variance from the sideyard setback and lots size requirements of the Halifax Peninsula Land Use By-law to permit the conversion of a two (2) unit dwelling to a three (3) unit dwelling in the R-2, General Residential Zone.

In his presentation, Mr. Boucher noted that the application was refused because it violated the intention of the Land Use Bylaw--allowing three units on a lot having 5,220 square feet increases the density of the neighbourhood.

Mr. Boucher and Mr. Andrew Faulkener, Development Officer responded to questions from Community Council.

In response to a question by Councillor Watts, Mr. Faulkener advised that when staff carried out an investigation on the property, it appears that there was a permit issued

around the time the third unit was created, but the permit did not give permission for a third unit.

The Chair reviewed the Rules of Procedure for Appeal Hearings and called three times for those wishing to speak; there being none, it was **MOVED by Councillor Blumenthal, seconded by Councillor Watts that the appeal hearing close. MOTION PUT AND PASSED.**

MOVED by Councillor Blumenthal, seconded by Councillor Watts that the decision of the Development Officer to refuse the variance be upheld. MOTION PUT AND PASSED.

9. CORRESPONDENCE, PETITIONS AND DELEGATIONS:

9.1 Correspondence: None

9.2 Petitions: None

9.3 Presentations: None

10. REPORTS:

10.1 Staff Reports:

10.1.1 Case 16823: Development Agreement, 3089 Gottingen Street, Caribbean Twist

A staff report dated August 25, 2011 was submitted.

MOVED by Councillor Blumenthal, seconded by Councillor Watts that Peninsula Community Council give Notice of Motion to consider the proposed development agreement, as described in Attachment A of the August 25, 2011 staff report, to permit a change to a non-confirming use at 3089 Gottingen Street, Halifax, and to schedule a public hearing to be held October 3, 2011. MOTION PUT AND PASSED.

10.2 Committee Reports: None

10.3 Members of Peninsula Community Council:

10.3.1 Road Network Functional Plan and Bayers Road Widening – Update by Councillor Watts

Councillor Watts provided an update on this matter. She advised that she and Councillor Blumenthal worked over the summer with the community and have scheduled a public meeting for Wednesday, September 14, 2011 which will provide the public an opportunity to get information on these matters. She also noted that Regional Council will hold its discussion at the September 27, 2011 meeting of the Committee of the Whole. Councillor Watts pointed out that the Ecology Action Centre has undertaken

an initiative to have a petition on their website, and she suggested this was another way in which the public can provide feedback.

11. MOTIONS: None

12. ADDED ITEMS:

12.1 Correspondence from Chloe Tardif

A letter dated September 3, 2011 was submitted from Chloe Tardif.

Councillor Watts noted that she received a letter from Chloe Tardif, a 12-year old that lives in her district and has concerns about the pool and facilities on the Common.

MOVED by Councillor Watts, seconded by Councillor Blumenthal that Peninsula Community Council request that staff provide a report addressing the future planning of South Common which includes a public consultation process, and that the report outline the format for the public consultation and the timeline for the process. MOTION PUT AND PASSED.

13. NOTICES OF MOTION – NONE.

14. PUBLIC PARTICIPATION

Ms. Elizabeth Pacey, Halifax, addressed Community Council, and expressed concern about the proposal to scrap the Peninsula North and South Plans, and the impact this will have on the heritage districts within these areas. Ms. Pacey submitted a brochure which the Heritage Trust of Nova Scotia created, entitled *Some Heritage Districts of Greater Halifax*.

Mr. Phil Pacey, Chair of the HRM Committee, Heritage Trust, also expressed concern about the proposal to replace the existing Plan for Peninsula North and South. Mr. Pacey noted that he had been a member of the former City of Halifax Heritage Advisory Committee, which was involved in creating the Plan. He reviewed how the Plans evolved and were eventually adopted. Mr. Pacey advised that these Plans have worked well, and noted that there could be some improvement but that the entire Plan should not be thrown out. He suggested that Council follow a similar strategy that was used for the Regional Plan.

Mr. Alan Ruffman, Ferguson's Cove, also addressed the proposal of a new Plan and cautioned against a cookie cutter approach for all. Mr. Ruffman also noted that staff were proposing to combine two of the committees into one and advised that he believed

this was a violation of the Charter because it will not be comprised of general members of the public .

15. NEXT MEETING: October 3, 2011

16. ADJOURNMENT:

The meeting adjourned at 7:40 p.m.

Sheilagh Edmonds
Legislative Assistant