

PENINSULA COMMUNITY COUNCIL
MINUTES

November 14, 2011

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

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

TABLE OF CONTENTS

1.	CALL TO ORDER.....	3
2.	APPROVAL OF MINUTES – October 3, 2011.....	3
3.	APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS.....	3
4.	BUSINESS ARISING OUT OF THE MINUTES/STATUS SHEET	3
4.1	Business Arising: None.....	3
4.2	Status Sheet:.....	3
4.2.1	Information Report – Street Sweeping	3
5.	MOTIONS OF RECONSIDERATION – NONE	4
6.	MOTIONS OF RESCISSION – NONE	4
7.	CONSIDERATION OF DEFERRED BUSINESS – NONE.....	4
8.	HEARINGS.....	4
8.1	Public Hearings: None	4
8.2	Variance Appeal Hearings	4
8.2.1	Variance Appeal: 6529 Young Street, Halifax – Appeal of the Development Officer’s decision to refuse an application for a Variance	4
9.	CORRESPONDENCE, PETITIONS & DELEGATIONS	5
9.1	Correspondence: None.....	5
9.2	Petitions - None	5
9.3	Presentations:.....	5
9.3.1	Central Common Plans - Overview	5
9.3.2	Update on Active Transportation Plans for the Peninsula	5
9.3.3	Street Sweeping.....	6
9.3.4	Issues related to Women and Violence – Irene Smith, Executive Director, Avalon Centre.....	6
10.	REPORTS	6
10.1	Staff: None.....	6
10.2	Committee Reports: None	6
10.3	Members of Peninsula Community Council:	6
10.3.1	Election of Chair and Vice Chair for 2012	6
11.	MOTIONS: None	7
12.	ADDED ITEMS.....	7
12.1	Case 17156: Amendments to the Land Use By-law for Halifax Peninsula to rezone 4 properties on the corner of South Street and LeMarchant Street from U-1 to U-2, to amend the Height Precincts Map and to amend the U-2 Zone.....	7
12.2	Appointment – Point Pleasant Park Advisory Committee	7
13.	NOTICES OF MOTION	7
13.1	Councillor Watts.....	7
14.	PUBLIC PARTICIPATION	7
15.	NEXT MEETING DATE – December 12, 2011	8
16.	ADJOURNMENT	8

1. CALL TO ORDER

The Chair called the meeting to order at 7:01 p.m.

2. APPROVAL OF MINUTES – October 3, 2011

Councillor Watts noted that she would like her remarks regarding the street sweeping program in the minutes revised, and that she would discuss this with the Legislative Assistant following the meeting.

The Chair indicated that as long as it was not a change in the intent or context of matter, the minutes could be approved.

MOVED by Councillor Blumenthal, seconded by Councillor Watts that the minutes of October 3, 2011 be approved. MOTION PUT AND PASSED.

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

Additions:

12.1 Case 17156: Amendments to the Land Use By-law for Halifax Peninsula to rezone 4 properties on the corner of South Street and LeMarchant Street from U-1 to U-2, to amend the Height Precincts Map and to amend the U-2 Zone. (First Reading)

12.2 Appointment – Point Pleasant Park Advisory Committee

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:

4.2.1 Information Report – Street Sweeping

An Information Report dated October 24, 2011 was submitted.

Councillor Watts indicated that she had hoped staff would be present to respond to questions.

The Chair advised that staff would be requested to attend the next meeting to respond to questions.

- 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 Variance Appeal Hearings**
 - 8.2.1 Variance Appeal: 6529 Young Street, Halifax – Appeal of the Development Officer’s decision to refuse an application for a Variance**

A staff report dated November 4, 2011 was submitted.

Ms. Erin MacIntyre, Development Technician, presented the report outlining the reasons why the Development Officer refused the request for variance from the lot frontage requirements of the Halifax Peninsula Land Use Bylaw to permit the construction of a two unit dwelling at 6529 Young Street, Halifax. In her presentation she advised that it was refused because it violated the intent of the Land Use Bylaw, as the requirement is intended to allow for amenity space, parking, a possible required second access, larger side yards and to dissipate increased density, and a reduction from 50 feet to 37.8 no longer allows for the intention of the regulation. Further, it appears that 17 of 20 properties in the notification area have similar lot frontage constraints. Ms. MacIntyre advised that the application was refused as it didn’t meet two of the Charter criteria.

Ms. MacIntyre responded to questions from Community Council.

The Chair reviewed the rules of procedure for appeal hearings and opened the hearing.

Mr. Dorian Sablone, addressed Community Council and advised that he was speaking on behalf of the applicant. In his remarks, Mr. Sablone noted that he has researched the neighbourhood and found that of 24 homes, 10 are two-units; and on Bayers Road, directly behind the property, there are seven homes, of which four are two-units. He also noted that the applicant has agreed to reduce the size of the rear garage to fall within the allowable lot coverage of 35 percent. Mr. Sablone added that the current property is in a dilapidated state and contains asbestos, and his client intends to construct a high quality building and one that is in keeping with the street.

Mr. Sablone responded to questions from Community Council.

The Chair called three times for anyone else 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 Watts, seconded by Councillor Blumenthal that Peninsula Community Council overturn the decision of the Development Officer and grant the variance.

In moving the motion, Councillor Watts advised that she was supportive of the variance request because the proposal and the increased density will blend in and be sensitive to the surrounding neighbourhood.

MOTION PUT AND PASSED.

9. CORRESPONDENCE, PETITIONS & DELEGATIONS

9.1 Correspondence: None

9.2 Petitions - None

9.3 Presentations:

9.3.1 Central Common Plans - Overview

Mr. Peter Bigelow, Manager of Real Property Planning provided a presentation on the future plans for improvements to the Central Common.

At 7:28 p.m. Councillor Uteck entered the meeting.

At Councillor Watts's request, the Chair advised that the staff presentation would be uploaded and linked to the agenda on Community Council's website.

A discussion ensued with Mr. Bigelow responding to questions from Community Council.

Councillor Sloane advised Mr. Bigelow that, at some point in the future, she would like to receive information on the status of the fountain.

9.3.2 Update on Active Transportation Plans for the Peninsula

Mr. David MacIsaac, TDM Program Supervisor provided a presentation, updating Community Council on Transportation Plans for the Peninsula.

The Chair advised that the staff presentation would be uploaded and linked to the agenda on Community Council's website.

Mr. MacIsaac responded to questions from Community Council.

Councillor Sloane suggested that it would be beneficial if staff provided more information to the public on electric bicycles; e.g. what they are and how they are to be used on the road.

In response to a question by Councillor Uteck with regard to allowing two-way bike lanes on a one-way street, Mr. MacIsaac advised that he did not have the information at this time but would follow up and provide a response.

Councillor Uteck advised that she would like to receive more information on Bike Valet parking.

Councillor Blumenthal noted that some time ago there was supposed to have been a trail in the Memorial Avenue area. He indicated that the land has been acquired but nothing further has been done. In response, Mr. MacIsaac advised that he would look into this matter and follow up with the councillor.

9.3.3 Street Sweeping

As noted during item 4.2 , an information report was submitted. Staff will be requested to attend Community Council's next meeting to respond to questions.

9.3.4 Issues related to Women and Violence – Irene Smith, Executive Director, Avalon Centre

Councillor Watts welcomed and introduced Ms. Irene Smith, Executive Director of the Avalon Centre and advised that she had invited her to provide a presentation to Community Council on the background and work carried out by the Avalon Centre.

Ms. Smith provided a brief overview outlining the general programs and services provided by the Avalon Centre, and responded to questions from Community Council.

10. REPORTS

10.1 Staff: None

10.2 Committee Reports: None

10.3 Members of Peninsula Community Council:

10.3.1 Election of Chair and Vice Chair for 2012

MOVED by Councillor Uteck, seconded by Councillor Blumenthal that Councillor Jennifer Watts be Chair for 2012. MOTION PUT AND PASSED.

MOVED by Councillor Uteck, seconded by Councillor Watts that Councillor Blumenthal be Vice Chair for 2012. MOTION PUT AND PASSED.

Councillor Watts assumed the Chair.

Councillor Sloane retired from the meeting.

11. MOTIONS: None

12. ADDED ITEMS

12.1 Case 17156: Amendments to the Land Use By-law for Halifax Peninsula to rezone 4 properties on the corner of South Street and LeMarchant Street from U-1 to U-2, to amend the Height Precincts Map and to amend the U-2 Zone.

A staff report dated November 9, 2011 was submitted.

MOVED by Councillor Uteck, seconded by Councillor Blumenthal that Peninsula Community Council give First Reading to the proposed rezoning of the 4 subject properties on the corner of LeMarchant Street and South Street from the U-1 (Low-Density University) to U-2(High-Density University), and to the proposed housekeeping amendments as contained in Attachment A of the November 9, 2011 report and schedule a public hearing. MOTION PUT AND PASSED.

12.2 Appointment – Point Pleasant Park Advisory Committee

This matter had been discussed at an In Camera session held earlier on this date and was now before Council for ratification.

MOVED by Councillor Blumenthal, seconded by Councillor Uteck that Mr. Angus MacLennan be appointed to the Point Pleasant Park Advisory Committee. MOTION PUT AND PASSED.

13. NOTICES OF MOTION

13.1 Councillor Watts

Councillor Watts gave notice that at the next regular meeting of Peninsula Community Council on December 12, 2011 she intends to request a staff report on the feasibility of having a system used by Bylaw Services that would enable staff to report infractions of bylaws (garbage, snow clearance, etc.) in an immediate and direct way to property owners as opposed to delivering notices of infractions on door handles of rental properties or in tenant mailboxes.

14. PUBLIC PARTICIPATION

No one came forward to address Community Council during Public Participation

15. NEXT MEETING DATE – December 12, 2011

16. ADJOURNMENT

The meeting adjourned at 8:31 p.m.

Sheilagh Edmonds
Legislative Assistant