

**JOINT MEETING OF  
PENINSULA COMMUNITY COUNCIL  
AND CHEBUCTO COMMUNITY COUNCIL  
MINUTES  
April 10, 2006**

**PRESENT:** Councillor Sheila Fougere, Chair  
Councillor Patrick Murphy  
Councillor Dawn Sloane  
Councillor Stephen D. Adams  
Councillor Linda Mosher  
Deputy Mayor Russell Walker  
Councillor Mary Wile

**REGRETS:** Councillor Sue Uteck  
Councillor Debbie Hum

**STAFF:** Ms. Mary Ellen Donovan, Municipal Solicitor  
Ms. Jennifer Weagle, Legislative Assistant  
Ms. Sherryll Murphy, Legislative Assistant

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1. **CALL TO ORDER**

This joint meeting of Peninsula and Chebucto Community Councils was called to order at 7:03 p.m. in Council Chambers, City Hall, 1841 Argyle Street, Halifax.

2. **PUBLIC HEARINGS**

2.1 **Case 00866: Amendments to the Halifax Peninsula Land Use By-Law Respecting Gross Floor Area Requirements**

C A District 12 PAC report dated February 28, 2006, with attached February 13, 2006 supplementary staff report and January 5, 2006, staff report were before the Community Councils.

Mr. Richard Harvey, HRM Planner, provided an overview of the staff reports including the following comments:

- C Staff is of the opinion that the Gross Floor Area (GFA) requirements are too excessive and are negatively impacting normal family home improvements,
- C Staff are recommending the removal of the GFA requirements from the Halifax Peninsula Land Use By-Law,
- C The regulations that were put in place limiting the number of bedrooms are the regulations that are having an effect on preventing the rooming house problem, not the GFA requirements.

Councillor Fougere opened the public hearing and called for speakers, reading from the speakers list.

**Mr. Harry Henteleff, Halifax**

Mr. Henteleff advised that he lives next door to a fourteen bedroom quasi-rooming house and he believes that the removal of the GFA requirements are premature given that the regulations have not been in place through a construction season. Mr. Henteleff further commented that the staff report indicates that only six variance applications have been made and more time should be given to monitor the effect of the GFA requirements. Mr. Henteleff noted that he believes that it is reasonable for property owners to have to apply for variances with each case heard on an individual basis.

**Ms. Linda Moreash, Halifax**

Ms. Moreash advised that she is against removing the GFA requirements. She commented that the amendments were only passed last fall and took years and much hard work to be adopted. Ms. Moreash further commented that the GFA requirements are necessary for the protection of neighbourhoods. She indicated that once houses are altered to accommodate large numbers of occupants, the alterations are often not reversed. Ms. Moreash noted that residents should not have to monitor newspapers to keep aware of policy and by-law amendments that affect the quality of life of HRM residents.

**Ms. Jane Allen, Halifax**

Ms. Allen indicated that she is surprised at the lack of information in the staff report and the lack of notice that was given for the public hearing. Ms. Allen referenced the large number of people that spoke in favour of the amendments at the public hearing that was held last fall at which the LUB amendments were passed. She noted that she was not able to access the staff reports for this meeting on the Community Council website. Ms. Allen commented that there are four or five outstanding petitions regarding zoning changes on the Peninsula. She requested clarification on the number of notices that are required to be advertised for public meetings.

The Chair commented that any questions by Ms. Allen regarding notices for public meetings will be addressed after the public hearing has been closed.

**Ms. Jennifer Allen-Barron, Halifax**

Ms. Allen-Barron commented that she opposes removing the GFA requirements because she believes that the regulations have not been in place long enough. Ms. Allen-Barron advised that she lives next door to a quasi-rooming house with twelve occupants. She further noted frustration at there not being enough enforcement on behalf of HRM.

**Ms. Beverly Miller, Halifax**

Ms. Miller indicated that she is opposed to removing the GFA requirements since it took several years to have the amendments passed and they are now being recommended for removal after less than six months of implementation. Ms. Miller asked that Community Council reject the removal of the GFA requirements and further monitor the variance applications. She commented that after further monitoring, if it is determined that the majority of the applications are for a minor variance over the GFA requirements, then the regulations could be amended at that time. Ms. Miller further commented that

neighbours come and go but alterations to houses remain and that the public hearing process only adds about two months to a construction project. She indicated there has been a recent drop in enrollment in Halifax universities, creating an excess capacity in student housing, which may be a contributing factor to the small number of variance applications, however, these conditions will likely not last long.

Councillor Fougere called three times for any further speakers.

Hearing none, it was **MOVED by Councillor Wile, seconded by Deputy Mayor Walker, that the public hearing be closed. MOTION PUT AND PASSED UNANIMOUSLY.**

Responding to questions put forward by Ms. Allen during the public hearing, the Legislative Assistant advised that the first reading for the public hearing was given last month. She further advised that the public hearing also appeared on the agendas for both Peninsula and Chebucto Community Councils. She clarified that advertisements are placed in newspapers at least fourteen days prior to a public hearing for two consecutive Saturdays.

**MOVED by Councillor Murphy, seconded by Councillor Sloane, that Peninsula Community Council and Chebucto Community Council refuse the proposed amendments to the Halifax Peninsula Land Use By-Law to remove the Gross Floor Area Ratio controls.**

Further to a request for clarification from Councillor Murphy, Mr. Harvey advised that the six variance cases outlined in the February 13, 2006 supplementary report represent cases in which a property owner has made an application for a variance. He clarified that variance inquiries on other properties have been received, however, variance applications were not filed.

Councillor Murphy commented that he believes that the GFA requirements should be kept in place to monitor their effect after a construction season has passed. He noted that quasi-rooming houses put stress on HRM services such as garbage collection, fire and police services. The Councillor commented that, perhaps through taxation, landlords could be charged extra for HRM services.

Councillor Sloane advised that she is opposed to the removal of the GFA requirements at this time, as she believes that the requirements have not been in place long enough

to show any effect. She noted that Community Council should be hearing the variance appeals to remain knowledgeable about neighbourhood planning issues.

Councillor Mosher advised that she is also opposed to the removal of the GFA requirements as they have only been in place for a short period of time. She noted that renovations may be made to larger buildings to add bedrooms without a permit and without disclosing the actual number of bedrooms, which is why the GFA requirements are in place. Councillor Mosher commented that the variance appeal hearings are an appropriate venue as it allows neighbours to provide input, however, she believes that the thirty foot notification area is insufficient. She expressed concern regarding the difference between the GFA sought and the GFA allowed on some properties, as outlined in the supplementary report. She noted that these were initially refused by the Development Officer, but were later approved by Peninsula Community Council.

At this time, Councillor Adams assumed the Chair and Councillor Fougere took a seat in Council.

Councillor Fougere commented that she is opposed to removing the GFA requirements because of the short period of time that they have been in place and the lack of data available on the effects of the GFA requirements. She further commented that she feels the GFA requirements should be kept in place through a construction season to gather further data. Councillor Fougere clarified that having the variance appeal hearing process allows Community Council the opportunity to look at individual circumstances and also hear from the neighbourhood. The Councillor further noted that it may be helpful to have more specific data on variance inquiries, such as who are making the inquiries.

Councillor Fougere resumed the Chair and Councillor Adams returned to his seat.

**MOTION PUT AND PASSED.**

**3. ADJOURNMENT**

There being no further business, the meeting adjourned at 7:36 p.m.

Jennifer Weagle  
Legislative Assistant