

# HALIFAX REGIONAL MUNICIPALITY

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## PENINSULA COMMUNITY COUNCIL MINUTES OCTOBER 7, 2002

**PRESENT:** Councillor Sheila Fougere, Chair  
Councillor Jerry Blumenthal  
Councillor Dawn Sloane  
Councillor Sue Uteck

**STAFF:** Ms. Angela Jones, Municipal Solicitor  
Ms. Sherryll Murphy, Assistant Municipal Clerk

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1. **CALL TO ORDER**

The meeting was called to order at 7:00 p.m.

2. **APPROVAL OF THE MINUTES - September 9, 2002**

**MOVED by Councillor Blumenthal, seconded by Councillor Sloane that the minutes of September 9, 2002, as distributed, be approved. MOTION PUT AND PASSED UNANIMOUSLY.**

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

**MOVED by Councillor Uteck, seconded by Councillor Sloane that the agenda, as distributed, be approved. MOTION PUT AND PASSED UNANIMOUSLY.**

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

4.1 **Status Sheet**

Councillor Fougere advised that reports received relative to status sheet items were intended for information only. If a particular Councillor wishes to have a discussion of any report, he or she need only request that the matter be placed on the agenda for a future meeting of Community Council.

4.1.1 **C-2 Zoning in District 12**

- An Information Report dated September 4, 2002 addressing this matter was distributed at the previous meeting of the Community Council.

Councillor Sloane requested that this matter be placed on the agenda for discussion at the November meeting of Community Council.

4.1.2 **Request to Establish a Planning Advisory Committee**

- An Information Report dated October 1, 2002 submitted by Paul Dunphy, Director, Planning and Development Services, was before Community Council.

Councillor Sloane requested that this matter be placed on the agenda for discussion at the November meeting of Community Council.

**4.1.3 Response to Mr. David Richard re Four Way Stop Jubilee Road and Vernon Streets**

There is no report available. The item will remain on the status sheet and the Clerk will undertake to do a further follow-up.

**4.2.4 HRM Use of TAC Manual**

There is no report available. The item will remain on the status sheet and the Clerk will undertake to do a further follow-up.

**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 Housekeeping Amendments - Case 00497 - Townhouses**

- This matter was last considered at the September 9, 2002 meeting of Peninsula Community Council at which time First Reading was approved.

Mr. Gary Porter, Planner, gave a brief staff presentation outlining the amendments as contained in the August 21, 2002 staff report. Mr. Porter advised that staff is recommending approval of the amendments.

The Chair called three times for persons wishing to speak in favour of or against the proposal. Hearing none, it was **MOVED by Councillor Sloane, seconded by Councillor Blumenthal that the public hearing be closed. MOTION PUT AND PASSED UNANIMOUSLY.**

**MOVED by Councillor Uteck, seconded by Councillor Blumenthal that Peninsula Community Council approve the proposed amendments to the Halifax Peninsula Land Use Bylaw as contained in Appendix A of the August 21, 2002 staff report. MOTION PUT AND PASSED UNANIMOUSLY.**

**8.1.2 Case # 00457: Application for Lot Modification Development Agreement, 2912 Connolly Street, Halifax**

- This matter was last considered by Peninsula Community Council at the September 9, 2002 meeting.

Mr. Gary Porter, Planner, gave a brief presentation regarding the application for lot modification development agreement, 2912 Connolly Street, as set out in the August 27, 2002 staff report. Mr. Porter advised that staff was recommending approval of this development agreement.

The Chair called three times for persons wishing to speak in favour of or against the proposal. Hearing none, it was **MOVED by Councillor Sloane, seconded by Councillor Blumenthal that the public hearing be closed. MOTION PUT AND PASSED UNANIMOUSLY.**

**MOVED by Councillor Blumenthal, seconded by Councillor Sloane that Peninsula Community Council:**

- 1. Approve the development agreement, presented as Attachment I of the August 27, 2002 staff report, to permit the subdivision of a semi-detached dwelling at 2911 Connolly Street, Halifax.**
- 2. Require that the development agreement be signed within 120 days, or any extension thereof granted by Community Council on request of the applicant, from the date of final approval by Community 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.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

**8.2 Variance Hearing**

**8.2.1 Appeal of the Development Officer's decision to refuse an application for a variance - 2550 Joseph Street, Halifax**

- A staff report dated September 30, 2002 submitted by Steven Higgins, Development Officer, was before Community Council for consideration.

Mr. Steve Higgins, Development Officer, briefly reviewed the application for a variance at 2550 Joseph Street, Halifax and the reasons for refusing this application as set out in the September 30, 2002 staff report. Mr. Higgins indicated that staff was recommending that

Community Council uphold the decision of the Development Officer and refuse the variance.

**Ms. Valerie Poirier/Mr. Murray Reid, 2550 Joseph Street**

Ms. Poirier, on behalf of Mr. Reid and herself, addressed Community Council and using photos described the location of the driveways in the area and noted that most of the homes on the street had structures which did not meet the four (4) foot variance. She went on to note that the main structure has been erected and if the structure was to be moved back four (4) feet, it would detract from the deck. Ms. Poirier indicated that she saw the back deck as an extension of what already exists on the property.

Mr. Reid noted that there was no intention on his or Ms. Poirier's part to disregard the by-law and that it would be a hardship if they were required to demolish what has been constructed.

**Ms. Dorothy Hawn, Joseph Street**

Ms. Hawn addressed Community Council indicating that her deck was similar, albeit at ground level. She went on to note that it is common for homes/structures to butt up against adjacent properties on the street and that it is not a problem for anyone living on the street. Ms. Hawn went on to indicate that the deck at 2550 Joseph Street was in keeping with the neighbourhood, as it tried to maximize usable space in the backyard.

**Ms. Gillian Howlan, 2565 Joseph Street**

Ms. Howlan addressed Community Council noting that her property was similar as was her deck. She went on to indicate that she supported the application for a variance.

The Chair called three times for persons wishing to speak in favour or or against this matter. Hearing none, it was **MOVED by Councillor Uteck, seconded by Councillor Sloane that the hearing be closed. MOTION PUT AND PASSED UNANIMOUSLY.**

Staff responded to questions from members of Community Council. At the request of the Chair, Councillor Uteck assumed the Chair allowing Councillor Fougere an opportunity to discuss the matter.

Following brief comments by Councillor Fougere, it was **MOVED by Councillor Fougere, seconded by Councillor Blumenthal that Peninsula Community Council overturn the decision of the Development Officer, and allow the applicant to proceed with construction of the deck. MOTION PUT AND PASSED UNANIMOUSLY.**

**9. CORRESPONDENCE, PETITIONS AND DELEGATIONS - NONE**

**10. REPORTS**

**10.1 Appointment from Peninsula Community Council to Membership Selection Committee and Grant Committee**

- A memorandum dated October 1, 2002 from Sherryll Murphy, Assistant Municipal Clerk, was before Community Council for consideration.

**MOVED by Councillor Sloane, seconded by Councillor Uteck that Peninsula Community Council reaffirm the appointment of Councillor Jerry Blumenthal to the Membership Selection Committee and the Grants Committee to November, 2003. MOTION PUT AND PASSED UNANIMOUSLY.**

**11. MOTIONS - NONE**

**12. ADDED ITEMS - NONE**

**13. NOTICES OF MOTION - NONE**

**14. PUBLIC PARTICIPATION**

**Tom Creighton, 2623 Fuller Terrace**

Mr. Creighton addressed Council, in part upon behalf of the Bloomfield Residents Association, expressing concern regarding the lack of traffic patrols. He went on to express concern regarding bicycle safety as it relates to cyclists not wearing helmets and driving down a one way street the wrong way. Mr. Creighton suggested that a regular traffic control be put in place and that more education be carried out relative to bicycle safety.

Referring to the request regarding a PAC for the Pensinsula, Mr. Creighton urged Community Council to reinstate the Peninsula PAC to deal with development issues in the area. Mr. Creighton went on to refer to the District Boundaries Advisory Committee report and urged members of Community Council to support the status quo.

**Beverly Miller, 6182 South Street**

Ms. Miller addressed Council expressing appreciation for the support and monitoring provided by Steve Higgins relative to 6188 South Street. She went on to agree with Mr. Creighton regarding the need for bicycle safety promotion.

Ms. Miller noted that Laurie Lewis, Solid Waste Resources had presented at a recent Residents Association meeting and urged residents to call her if they had problems relative to solid waste. Ms. Miller went on to urge Community Council to reinstate the Peninsula PAC noting that there was no public input from the time of the preliminary public information meeting and the Public Hearing.

Referring to the problem of graffiti in HRM, Ms. Miller suggested that the only way to control graffiti is to control the sale of the substances used to create graffiti. HRM must work with retailers to this end.

In conclusion, Ms. Miller urged Community Council to support the status quo when the District Boundary Advisory Committee report is discussed at Committee of the Whole.

**15. NEXT MEETING**

The next meeting of the Peninsula Community Council will be held on Monday, November 4, 2002 beginning at 7:00 p.m. in the Council Chamber, City Hall, 1841 Argyle Street, Halifax.

**16. ADJOURNMENT**

The meeting adjourned at 7:50 p.m.

Sherryl Murphy  
Assistant Municipal Clerk