

# **HALIFAX REGIONAL MUNICIPALITY**

---

## **SPECIAL MEETING PENINSULA COMMUNITY COUNCIL MINUTES AUGUST 19, 2003**

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

**STAFF:** Ms. Sherryll Murphy, Legislative Assistant

**TABLE OF CONTENTS**

1.	CALL TO ORDER .....	3
2.	REPORTS .....	3
2.1	Case 00518: Application for Development Agreement - Keith's Brewery Lands, Halifax .....	3
2.2	Case 00552: Amendment to Development Agreement, 3451 Barrington Street, Halifax .....	5
3.	ADJOURNMENT .....	5

**1. CALL TO ORDER**

The meeting was called to order at 3:05 p.m.

**2. REPORTS**

**2.1 Case 00518: Application for Development Agreement - Keith's Brewery Lands, Halifax**

- A staff report dated July 17, 2003 prepared for Paul Dunphy, Director, Planning and Development Services, was before Community Council for consideration.
- The following correspondence was distributed to members of Community Council:
  - < Correspondence dated August 14, 2003 from Brenda Shannon, Vice Chair, Board Member for Nova Scotia, Heritage Canada Foundation, in support of the staff recommendation to refuse to enter into a development agreement
  - < Correspondence dated August 17, 2003 from Phil Pacey, in support of the staff recommendation to refuse to enter into a development agreement
  - < Correspondence dated August 7, 2003 from Alan V. Parish, President, Heritage Trust of Nova Scotia in opposition to that portion of the proposed development made up of a 27 storey apartment or condominium building
  - < A petition signed by approximately 32 residents in opposition to the high rise apartment building on Bishop Street, between Hollis and Water Street
  - < Correspondence dated August 19, 2003 from Alan Ruffman urging Community Council to accept staff's recommendation

**MOVED by Councillor Uteck, seconded by Councillor Blumenthal that Peninsula Community Council set a date for a public hearing to consider Case 00518, Application for Development Agreement, Keith's Brewery Lands. MOTION WAS PUT AND LOST.**

Councillor Uteck noted that Community Council is required to provide reasons for the refusal of an application.

Councillor Sloane setting forth her reasons and as indicated in the staff report, noted that the proposal is contrary to the criteria of the Municipal Planning Strategy for the area.

Councillor Sloane assumes the Chair.

Councillor Fougere, outlining her reasons for refusal of the application, commented that a Development Agreement is a contract between the municipality and a developer for a

specific piece of property. She went on to refer to the Page 5 of the staff report and read the four summary points set out in paragraph four (4) regarding the incompatibility of the project with the policies of the Municipal Planning Strategy.

In conclusion, Councillor Fougere recognized that the Municipal Planning Strategy was not a current document, however, she indicated that it is the relevant policy to which staff and this Community Council can refer.

Councillor Fougere resumes the Chair.

Councillor Uteck briefly addressed Community Council noting that negotiations relative to the proposal had been ongoing for more than three years. She went on to comment that given the effort made by the developer, she felt it would be more appropriate for this Community Council to approve the holding of a public hearing. The Councillor went on to note that it appears, based on public input, that the greatest issue of concern is the height of the proposed tower.

Councillor Uteck went on to comment that the Community Council decision is not in keeping with the Heritage Advisory Committee recommendation to approve the development agreement. The Councillor went on to review a number of positive aspects of the development.

Councillor Uteck noted that the staff has recently begun work relative to the height precincts for the south end. She noted that at the time the MPS was put into place, it was not envisioned that this area would be part of the downtown. In conclusion, Councillor Uteck indicated that she hoped this proposal would be the subject of a public hearing allowing for public input. She expressed concern relative to the 'human scale' of the proposal, noting that it was her fear that the height of the proposed tower would be translated to mass.

Councillor Blumenthal addressed Community Council indicating that he believed a public hearing should be held with regard to this proposal. He went on to note that he was not in favour of the tower as it exists, but felt an opportunity for public input was appropriate.

Councillor Uteck, making final remarks, noted that the proposal has been brought forward as a block project and that staff had split consideration of the proposal. She went on to indicate that she felt this was very unfair.

## **2.2 Case 00552: Amendment to Development Agreement, 3451 Barrington Street, Halifax**

- A staff report dated July 15, 2003 prepared for Paul Dunphy, Director of Planning & Development Services, was before Community Council for consideration.

**MOVED by Councillor Blumenthal, seconded by Councillor Sloane that Peninsula Community Council give Notice of Motion for the proposed amending agreement as found in Attachment I of the July 15, 2003 staff report and schedule the public hearing for September 8, 2003. MOTION PUT AND PASSED UNANIMOUSLY.**

**3. ADJOURNMENT**

The meeting adjourned at 3:20 p.m.

Sherryl Murphy  
Legislative Assistant