

HALIFAX REGIONAL MUNICIPALITY

PENINSULA COMMUNITY COUNCIL MINUTES SEPTEMBER 8, 2003

PRESENT: Councillor Sheila Fougere, Chair
Councillor Dawn Sloane
Councillor Sue Uteck

**ABSENT WITH
REGRETS:** Councillor Jerry Blumenthal

STAFF: Mr. Barry Allen, Municipal Solicitor
Ms. Sherryll Murphy, Legislative Assistant

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16.	ADJOURNMENT	12

1. CALL TO ORDER

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

2. APPROVAL OF MINUTES - July 8, 2003; July 14, 2003 and August 19, 2003

MOVED by Councillor Sloane, seconded by Councillor Uteck that the minutes of Special sessions of Peninsula Community Council held on July 8 and August 19, 2003 and of the regular session of Peninsula Community Council held on July 14, 2003 be approved, as distributed. MOTION PUT AND PASSED UNANIMOUSLY.

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

Additions:

12.1 Case 00513 - Possible Amendments to the Height and Lot Coverage Provisions

12.2 Case 00494 - 5251 South Street - Approval of Development Agreement

Deletions:

On the advice of the Municipal Solicitor, Item 8.1.1 Case 00461, Request to Amend the Halifax Municipal Planning Strategy and Land Use Bylaw for 1270 Oxford Street, Halifax was deleted from the agenda as the public hearing had been advertised incorrectly. The public hearing with regard to this matter will be held at the next regular meeting of Peninsula Community Council on October 6, 2003 beginning at 7:00 p.m. in the Council Chamber, City Hall.

4. BUSINESS ARISING OUT OF THE MINUTES

4.1 Status Sheet

4.1.1 Stagnant Water - 5620 South Street

- An e-mail dated August 26, 2003 to Beverly Miller responding to Ms. Miller's concern was before Community Council for consideration.

Councillor Sloane noted that Ms. Miller was comfortable with the response. This matter can be removed from the status sheet.

- 5. **MOTIONS OF RECONSIDERATION** - None
- 6. **MOTIONS OF RESCISSION** - None
- 7. **CONSIDERATION OF DEFERRED BUSINESS** - None
- 9. **CORRESPONDENCE, PETITIONS AND DELEGATIONS**
- 9. **CORRESPONDENCE, PETITIONS AND DELEGATIONS**

9.1 **Correspondence**

9.1.1 **Regional Planning Participation Process**

Councillor Fougere advised that Regional Planning will be releasing the 'Directing the Action' workbook, beginning this week. It is designed to explore citizens' views about making choices and decisions among competing interests. The workbook will take approximately 45 minutes to complete. Although this represents a commitment of time on behalf of residents, Peninsula Community Council encourages residents to participate. By doing so, residents will in fact be influencing the community we'll be living in 25 years from now. You can pick up a copy of the workbook at HRM libraries, recreation centres, customer service centres or at the Halifax/Dartmouth ferry terminals. Call 490-5857 to have one mailed directly. The workbook can be filled out on line at www.DirectingTheAction-HRM.com

9.1.2 **FCM - Municipal Participation in National Antenna Tower Policy**

Councillor Fougere read a Members Advisory from the Federation of Canadian Municipalities urging municipal leaders, individuals, community groups and other stakeholders to participate on an "e-Town Hall Website" re a national antenna tower policy. The web address is www.antennareview.ca

9.1.3 **Correspondence - John and Laura Sharples re 2541 Phillip Street**

Councillor Fougere submitted correspondence from John and Laura Sharples and requested that it be forwarded to staff with the direction that staff respond to the Sharples as to the time lines of the project.

9.2 **Petitions** - None

9.3 **Delegations-** None

8. HEARINGS

8.1 Public Hearings

8.1.1 Case 00461 - Request to Amend the Halifax Municipal Planning Strategy and Land Use Bylaw for 1270 Oxford Street, Halifax

This matter was deleted from the agenda during the setting of the agenda as the public hearing had been advertised incorrectly.

The public hearing with regard to this matter will be held at the next regular meeting of Peninsula Community Council on October 6, 2003 beginning at 7:00 p.m. in the Council Chamber, City Hall.

8.1.2 Case 00544 - Amendment to Development Agreement, 1079 Queen Street

- This matter was given First Reading at the July 14, 2003 meeting of Peninsula Community Council.

Ms Randa James, Planner, reviewed the application to amend the Development Agreement for 1079 Queen Street to permit limited commercial uses on the ground floor at 1079 Queen Street, as contained in the June 26, 2003 staff report. She noted that "Schedule P", which has been distributed to members of Community Council, was not included in the original printing of the staff report. Ms. James advised that staff is recommending approval of the amendment.

The Chair opened the public hearing and called three times for persons wishing to speak in favour of or against the proposed amendment. Hearing none, it was **MOVED by Councillor Uteck, seconded by Councillor Sloane that the public hearing be closed.**

MOTION PUT AND PASSED UNANIMOUSLY.

MOVED by Councillor Sloane, seconded by Councillor Uteck that Peninsula Community Council:

- 1. Approve the amendment development agreement to permit limited commercial uses on the ground floor at 1079 Queen Street as set out in Attachment "A" of the June 26, 2003 staff report.**
- 2. Require the development 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.

8.1.3 Case 00552 - Amendment to Development Agreement, 3451 Barrington Street, Halifax

- This matter was given First Reading at the August 19, 2003 special meeting of Peninsula Community Council.

Ms. Randa James, Planner, briefly reviewed the application to amend the development agreement for 3451 Barrington Street to allow the presently existing convenience store use and to provide for an expansion of this use. Ms. James noted that staff is recommending approval of the amendment.

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

MOVED by Councillor Sloane, seconded by Councillor Uteck that Peninsula Community Council:

1. **Approve the proposed amending development agreement as set out in Attachment 1 of the July 15, 2003 staff report.**
2. **Require the development 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 Hearings - None

9. CORRESPONDENCE, PETITIONS AND DELEGATIONS

9.1 Correspondence

This matter was dealt with earlier in the meeting.

9.2 Petitions

This matter was dealt with earlier in the meeting.

9.3 Delegations

This matter was dealt with earlier in the meeting.

10. REPORTS

10.1 Case 00594 - Halifax MPS and LUB Amendments - 6038-40 Cedar Street (Lot T)

- A staff report dated August 13, 2003 prepared for Paul Dunphy, Director of Planning & Development, was before Community Council for consideration.

Ms. Randa James, Planner, briefly reviewed the staff report noting that the proposed amendments to the Municipal Planning Strategy and Land Use Bylaw for 6038-40 Cedar Street (Lot T) will provide that the future development of the site will be compatible with the existing neighbourhood. Ms. James noted that staff was recommending approval of the amendments.

MOVED by Councillor Uteck, seconded by Councillor Sloane that Peninsula Community Council:

- 1. recommend that Regional Council give First Reading to the proposed amendment to Halifax Municipal Planning Strategy and the Halifax Peninsula Land Use Bylaw with respect to Lot T, 6038-40 Cedar Street (p.i.d. 137273) as set out in Attachment A of the August 23, 2003 staff report and to schedule the public hearing; and**
- 2. recommend that Regional Council approve the amendments to Halifax Municipal Planning Strategy and the Halifax Peninsula Land Use Bylaw with respect to Lot T, 6038-40 Cedar Street (p.i.d. 137273) as set out in Attachment A of the August 13, 2003 staff report.**

MOTION PUT AND PASSED UNANIMOUSLY.

11. MOTIONS - None

12. ADDED ITEMS

12.1 Case 00613 - Possible Amendments to the Height and Lot Coverage Provisions

- A staff report dated August 28, 2003 prepared fro Paul Dunphy, Director of Planning and Development Services, was distributed to members of Community Council.

Mr. Angus Schaffenburg, Planner, briefly reviewed the report, noting that the course of action recommended by staff is intended to address a problem identified in low and medium density zones of larger than usual dwelling units being constructed and being occupied by a group of unrelated persons.

MOVED by Councillor Sloane, seconded by Councillor Uteck that Peninsula Community Council instruct staff to:

- 1. In consultation with the Peninsula Councillors, identify the low and medium density (i.e. R-1, R-2 and R-2A zones) neighbourhoods where development is occurring which is out of character with that neighbourhood.**
- 2. Prioritize the areas identified.**
- 3. Return the prioritized list to Community Council for ratification**
- 4. Hold neighbourhood meetings to discuss problems and solutions.**
- 5. Make recommendations to Council for changes.**

MOTION PUT AND PASSED UNANIMOUSLY.

Councillor Uteck suggested that a questionnaire with regard to this matter be made available at the upcoming Public Meetings relative to the Height Precincts in the south end. Noting that residents of her District would be very interested in completing such a questionnaire, Councillor Sloane suggested that the questionnaire be available to complete on line.

12.2 Case 00494 - 5251 South Street - Approval of Development Agreement

- A memorandum dated September 5, 2003 from Randa James, Planner, was distributed to Community Council for consideration.

Ms. Randa James, Planner, briefly reviewed the matter noting that amendments to the Halifax Municipal Planning Strategy and Land Use By-law to permit a residential development by development agreement on the property located at 5251 South Street, Halifax which were approved by Council on August 26, 2003, have been reviewed by Service Nova Scotia and Municipal Relations. These amendments became effective on September 5, 2003. Ms. James noted that this matter is before Community Council for approval of the development agreement.

MOVED by Councillor Sloane, seconded by Councillor Uteck that Peninsula Community Council:

- 1. Approve the development agreement, attached as Attachment IV of the June 19, 2003 staff report.**
- 2. Require the development 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.

13. NOTICES OF MOTION

14. PUBLIC PARTICIPATION

Moncef Askri, Sherwood Street

Mr. Askri addressed Community Council expressing concern regarding the correspondence received relative to 2541 Phillip Street. He went on to advise Community Council that he was in the process of having the property located at the rear of the street deeded into his name and once this happens the back addition will not be in violation of the setback. He went on to note that plans for the addition at the front of the property have been approved and the work is going ahead.

Alan Ruffman, Prince Street

Mr. Ruffman addressed Community Council expressing concern relative to idling vehicles parked in front of the Maritime Museum of the Atlantic. He went on to note that this was a much more widespread problem throughout HRM. Mr. Ruffman further advised that the Greyline bus company has drafted a memo to their drivers in this regard. Mr. Ruffman

suggested that it would be appropriate for Community Council to refer this matter to staff for action.

Councillor Sloane noted that she has forwarded an e-mail to staff in response to Mr. Ruffman's correspondence to Peninsula Councillors in this regard.

Mr. Ruffman further referred to a gap in the trees on the South Common adjacent to the Willowtree. He noted that on the one end (Bell Road) there is a gap which should be filled with two trees. He went on to ask if the iron and cement fences located at the other end could be removed and replaced by trees.

In response to a request for clarification, Councillor Fougere advised that the Keith Brewery proposal was 27 storey tower on Keith Lane and 25 storey tower on Lower Water Street. Councillor Fougere indicated that the tower is 27 stories.

Referring to the planting of trees on the common, Mr. Ruffman suggested that the trees be dedicated to a young person who has died.

Councillor Sloane indicated that she would follow up in this regard and, in particular, with Mothers Against Drunk Driving (MADD).

15. DATE OF NEXT MEETING

The next meeting of Peninsula Community Council will be held on Monday, October 5, 2003.

16. ADJOURNMENT

There being no further business, the meeting adjourned at 8:00 p.m.

Sherryl Murphy
Legislative Assistant