

HALIFAX REGIONAL MUNICIPALITY

PENINSULA COMMUNITY COUNCIL MINUTES JANUARY 10, 2005

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

STAFF: Karen Brown, Municipal Solicitor
Ms. Sherryll Murphy, Legislative Assistant

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1. **CALL TO ORDER**

The meeting was called to order at 7:05 p.m.

2. **APPROVAL OF MINUTES** - December 13, 2004

MOVED by Councillor Uteck, seconded by Councillor Murphy that the minutes of the December 13, 2004 meeting of Peninsula Community Council, 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 Murphy that the agenda, as distributed, be approved. MOTION PUT AND PASSED UNANIMOUSLY.

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

4.1 **Status Sheet**

4.1.1 **Maintenance Northeast Corner of Titanic Plot (Correspondence from Alan Ruffman)**

- An Information Report dated January 7, 2005 was circulated to Community Council.

As a response has been received, this matter is to be removed from the status sheet. A copy of the report will be forwarded to Mr. Ruffman.

4.1.2 **Petition - Councillor Sloane - Community Safety - Mainline Needle Exchange**

No information has been received. The matter is to remain on the status sheet.

4.1.3 **CN Property Maintenance**

No information has been received. The matter is to remain on the status sheet.

4.1.4 **Public Participation - Mr. Eric Turner - Public Participation Process**

- An Information Report dated December 17, 2004 was circulated to Community Council.

Councillor Fougere indicated that this matter is to be removed from the status sheet. She requested that a copy of the report be forwarded to Mr. Turner.

4.1.5 Location of Reception Following Future Halifax Explosion Memorial Event

No information has been received. The matter is to remain on the status sheet.

4.1.6 Willowtree and Intersection of Young and Windsor Streets

Note was made that a response is being prepared in this regard. The matter is to remain on the status sheet.

4.1.7 Sidewalk Accessibility at Barrington Street Superstore

No information has been received. The matter is to remain on the status sheet.

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 Case 00668 - Development Agreement - Former Buckley's Pharmacy, 6247-49, Jubilee Road, Halifax

- This matter was given First Reading at the December 14, 2005 meeting of Peninsula Community Council.

Ms. Maggie Holm, Heritage Planner, gave an brief overview of Case 668 an application by Stillpoint Properties for a development agreement to permit a single residential unit and professional offices for health care practitioners in the former Buckley's Pharmacy, 6247-49 Jubilee Road, Halifax. Ms. Holm noted that the staff recommendation for approval was contained in a staff report dated October 27, 2004. Ms. Holm responded to questions from members of Community Council.

The Chair called three times for persons wishing to speak in favour or against the proposal.

Hearing none, it was **MOVED by Councillor Uteck, seconded by Councillor Murphy that the public hearing close. MOTION PUT AND PASSED UNANIMOUSLY.**

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

1. **Approve the development agreement, presented as Attachment A of the October 27, 2004 staff report.**
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

8.1.2 Case 00732 - Amendment to C-2A (Minor Commercial Zone - Peninsula North

- This matter was given First Reading at the December 13, 2004 meeting of Peninsula Community Council

Ms. Randa Wheaton, Planner, briefly outlined the proposal to amend the C-2A Minor Commercial Zone for Peninsula North, as found in the November 30, 2004 staff report.

Ms. Wheaton indicated that the proposed amendment is considered housekeeping and that the District 12 PAC has recommended approval of the proposal.

The Chair called for persons wishing to address Community Council in favour of or against this proposal.

Richard Kassner, Halifax

Mr. Kassner confirmed if an individual were to remove the commercial use in a property he/she would have to re-develop the property as a residential property. However, this clause has no impact when adding residential to an existing commercial property,

The Chair called three times for further persons wishing to address Community Council in favour of or against this proposal.

Hearing none, it was **MOVED by Councillor Uteck, seconded by Councillor Murphy that the public hearing close. MOTION PUT AND PASSED UNANIMOUSLY.**

MOVED by Councillor Murphy, seconded by Councillor Uteck that Peninsula Community Council approve the proposed amendment to the C-2A Zone for Peninsula North by adding clause (5) to Section 59FA, as follows:

- **where a lot has been created subsequent to the adoption of this section, and where such lot does not contain a commercial building, the lot size requirements shall comply with the requirements for residential uses.**

MOTION PUT AND PASSED UNANIMOUSLY.

9. CORRESPONDENCE, PETITIONS AND DELEGATIONS

9.1 Correspondence - None

9.2 Petitions - None

10. REPORTS

10.1 Staff Reports

10.1.1 Case 00736 - Non-Substantial Amendment to 5515/17/19 and 5523 Inglis Street Development Agreement, Halifax

- A staff report dated December 17, 2004 was before Community Council for consideration.

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

- 1. By resolution, approve the non substantial amendment to the 5515/17/19 and 5523 Inglis Street development agreement to enable an increase in the number of units allowed as detailed in the amending agreement appended as Attachment A to the December 17, 2004 staff report.**
- 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.

11. **MOTIONS** - None
12. **ADDED ITEMS** - None
13. **NOTICES OF MOTION** - None
14. **PUBLIC PARTICIPATION** - None
15. **NEXT MEETING** - February 14, 2005
16. **ADJOURNMENT**

There being no further business, the meeting adjourned at 7:45 p.m.

Sherryl Murphy
Legislative Assistant

The following Information item was circulated to Community Council:

15. Correspondence - Nova Scotia Utility and Review Board - Notice of Appeal Hearing -
Midtown Tavern and Grill