

HALIFAX REGIONAL MUNICIPALITY

PENINSULA COMMUNITY COUNCIL MINUTES FEBRUARY 14, 2005

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

STAFF: Ms. Sherryl Murphy, Legislative Assistant

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1. **CALL TO ORDER**

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

2. **APPROVAL OF MINUTES - January 10, 2005**

MOVED by Councillor Sloane, seconded by Councillor Murphy that the minutes of the January 10, 2005 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**

Additions:

Information Items:

1. Correspondence re The Nova Scotia Planning Directors Associations's Annual Spring Conference - May 26 and 27, 2005
2. Correspondence from Alan Ruffman re Titanic Grave Sites in HRM

MOVED by Councillor Sloane, 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 **Petition - Councillor Sloane - Community Safety - Mainline Needle Exchange**

An information report dated February 14, 2005 was circulated to Community Council. This matter is to be removed from the status sheet.

4.1.2 **CN Property Maintenance**

No information has been received regarding this matter. This matter will remain on the status sheet.

4.1.3 **Location of Reception Following Future Halifax Explosion Memorial Event**

No information has been received regarding this matter. This matter will remain on the status sheet.

4.1.4 Willowtree and Intersection of Young and Windsor Streets

An e-mail from Taso Koutroulakis, P. Eng., Traffic Services Supervisor, was before Community Council for consideration. This matter is to be removed from the status sheet.

4.1.5 Sidewalk Accessibility at Barrington Street Superstore

No information has been received regarding this matter. This matter will remain on the status sheet.

4.1.6 Property Owners - Snow Removal

Information has been received by Regional Council. This matter is to be removed from the status sheet.

4.1.7 Correspondence from S. M. Mandaville re Recommendation for Meeting re Stormwater Pollution/Treatment

This matter was dealt with during recent Council discussions relative to Water Resource Management at Committee of the Whole Councils held on January 25, 2005 and February 1, 2005. This matter is to be removed from 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 - None

8.2 Variance Hearing

8.2.1 Appeal of the Development Officer's Decision to Refuse a Variance for 6281 Jennings Street

- A staff report dated January 21, 2005 was before Community Council for consideration.

Andrew Faulkner, Development Technician, briefly reviewed with Community Council the January 21, 2005 staff report and indicated that staff was recommending that Community Council uphold the decision of the Development Officer to refuse the application for variance at 6281 Jennings Street.

In response to a request from Beverly Miller, a resident of HRM, the Chair read from an information report dated April 23, 2002 from Barry Allen, Municipal Solicitor regarding who has the right to be heard at a minor variance appeal.

Mr. Neil Ritchie addressed Council noting that he was speaking on behalf of two other residents of the street. He advised that he and the property owners he was representing live immediately across the street from 6281 Jennings Street. Mr. Ritchie went on to express concern regarding the trend for properties on Jennings Street to become student residences. He noted that he and those he represented were in support of upholding the Development Officers decision.

A representative of the developer addressed Council indicating that he believed the addition of the fourth unit would better serve the community. In fact, with four units rather than the three permitted, the density would be decreased. He went to note that he did approach nine neighbours and four of the nine supported the proposal, four had no opinion and one did not support the proposal.

A resident of Jennings Street addressed Community Council expressing concern that previously family owned, family lived in flats are becoming student only occupied flats. Students do not meet the traditional definition of a family unit and it is often one individual student, leasing to other students. The individual indicated that students are often temporary residents and can turn over two to three times per year.

He went on to note that students have less connection to the neighbourhood. They are often strangers to each other and to the neighbours. Many are very focused on study, however, many are not so focused. He went on to describe an increase in garbage, rodents, and policing issues which has resulted from an increase in students living in the area.

Eva Ferguson expressed concern that although the developer has indicated that there will be four apartments in the building, in fact it will be a rooming house. She noted that she thought that R-2 meant two units only.

Fred Abidoud advised that he had lived in the neighbourhood since 1980 and has rented to students for almost all of that time. He indicated that he did not have any significant problems due to renting to students and suggested that the economic realities of today make it necessary for a number of students to share a single flat.

The Chair called three times for persons wishing to speak either in favour of or against the matter. Hearing none, it was **MOVED by Councillor Sloane, seconded by Councillor Murphy that the variance hearing close. MOTION PUT AND PASSED UNANIMOUSLY.**

MOVED by Councillor Uteck, seconded by Councillor Sloane that Peninsula Community Council uphold the decision of the Development Officer to refuse the application for a variance at 6281 Jennings Street.

Councillor Uteck expressed concern regarding the number of bedrooms (ten) which is permitted in the third unit as of right. She went on to indicate that as witnessed this evening the conversion of family flats to student residences is of concern.

Following a brief discussion of concerns around conversion of family flats to multiple bedroom units, Councillor Fougere noted that staff is presently working on design controls which would address these concerns.

MOTION PUT AND PASSED UNANIMOUSLY.

9. CORRESPONDENCE, PETITIONS AND DELEGATIONS

9.1 Correspondence - None

9.2 Petitions - None

9.3 Delegation

9.3.1 Presentation - Halifax Skate Park Coalition - Jacquie Thillaye

Ms. Jacquie Thillaye, Chair of the Halifax Skate Park Coalition made a presentation regarding the construction of world-class skatepark on the Halifax Commons. Ms.

Thillaye submitted a package of information relative to the proposed skatepark. Highlights of Ms. Thillaye's presentation included:

- a brief description of the proposed facility
- note that the park will be a regional facility and will attract skateboarders from across the Maritimes and beyond
- the Coalition is seeking support both from the discretionary funds of the Peninsular Councillors and requesting they support the matter when it comes to Regional Council during budget discussions

David Hung, a youth member of the Coalition, addressed Peninsula Community Council indicating that he was a 15 year old student who is active in skateboarding. He went on to indicate that there is a community among skateboarders. For example, when visiting in Hawaii and San Diego, local skateboarders showed him around the best skateboarding parks. Mr. Hung stressed that Halifax needs and deserves the proposed park and thanked members of Community Council for allowing this presentation.

The Chair thanked Ms. Thillaye and Mr. Hung for their presentation and noted that it was very good to see that a significant number of youth had come out in support of the proposal.

10. **REPORTS**

10.1 **Staff Reports** - None

10.2 **Members of Community Council**

10.2.1 **Appointment to Council Executive Committee**

MOVED by Councillor Uteck, seconded by Councillor Sloane that Councillor Fougere be appointed to the Council Executive Committee as the Peninsula Community Council representative.

There being no further nominations, the **MOTION WAS PUT AND PASSED UNANIMOUSLY.**

11. **MOTIONS** - None

12. **ADDED ITEMS** - None
13. **NOTICES OF MOTION** - None
14. **PUBLIC PARTICIPATION** - None

Mr. Neil Ritchie, Halifax, addressed Community Council indicating that he was very concerned about increasing student density. Mr. Ritchie submitted a document entitled Neighbourhood Improvement Planning. Using a map he indicated the area of Jennings Street and noted that it was commonly referred to as the Dalhousie ghetto. Mr. Ritchie went on to suggest that this was due to an increase in enrollment at Dalhousie. He commended that although Dalhousie has responded by adding an additional 1000 residence beds, there are still students requiring housing. Mr. Ritchie further pointed out that the cost of living in residence is approximately \$1000 per month and is a further deterrent to living on campus. As a consequence of declining demand, Dalhousie has mothballed some of its beds.

Mr. Ritchie went on to indicate that when he moved to Jennings Street in 1998 he really appreciated the diversity of the neighbourhood. Utilizing two diagrams Mr. Ritchie illustrated the increase in the number of units and students on Jennings Street. Mr. Ritchie noted that the problems mentioned previously have also increased. Mr. Ritchie requested that Community Council take action to study the issue and bring back recommendations.

The Chair indicated that a copy of the information would be provided to Planning and Development staff working on urban design.

A member of the Halifax SkatePark Coalition addressed Council in support of the Park. He indicated that he has been skateboarding for 18 years and is passionate about the sport. He urged Peninsula Community Council to support the proposed skatepark.

Hugh Pullen, Halifax, addressed Community Council regarding the following:

- Referring to the desire to make changes to the Grand Parade, Mr. Pullen noted that originally St. Paul's Hill had been located where a portion of the Grand Parade now stands. He suggested that when restoring the Grand Parade consideration be given to resurrecting St. Paul's Hill.

- Suggested that if the city is to clear sidewalks in Halifax the service will not be first class (i.e. there will be delays in getting sidewalks cleared). He noted, however, that residents will in all likelihood be paying first class.
- Expressed concern that the residents of the south end are in danger of losing their neighbourhood. He commented that there are approximately 30,000 residents and 30,000 transients living in the south end. Pointing to how serious this problem is, Mr. Pullen noted that the area around the Johns Hopkins University had changed from a residential neighbourhood to a residential slum with a relatively high crime rate. Mr. Pullen indicated that residents, students, universities, staff and Council have to find a solution

Alan Ruffman, Halifax, addressed Community Council regarding a request he had made to the Clerk's Office for a copy of the press release and the staff report relative to the design competition for Point Pleasant Park. Mr. Ruffman went on to indicate that although money was being spent, he was not aware that Council had ever approved money for this purpose.

Councillor Uteck advised that the design competition was in fact a Master Plan for Point Pleasant Park. She confirmed that to date no money has been secured through the capital budget, however, HRM has not incurred any cost to date due to the generous donation by Mr. Spatz of \$100,000.

Mr. Ruffman expressed concern regarding a possible conflict of interest given that Mr. Spatz is Chair of the Committee involved with this project.

Mr. Mark Poirier, representing the Halifax Urban Greenway Association (HUGA), advised that the Association was working with HRM to develop a trail system along the top of the rail cut in Halifax. Mr. Poirier noted that HUGA was scheduled to make a more formal presentation to Community Council in April.

Mr. Poirier provided a brief background to the project and indicated that the group is now ready to begin the detailed design process a component of which is community consultation. Referring to the Railway Cut Freight Transportation Study which is being carried out by Regional Planning, Mr. Poirier indicated that it was his understanding that the study will consider using the railway cut for trucks as a possible solution to moving container trucks off Water Street.

Mr. Poirier went on to suggest that this would seriously impact the effectiveness of the consultation meetings planned by HUGA. Residents will come to the meetings with concerns regarding truck traffic and will not distinguish these from concerns about a trail. Mr. Poirier went on to request a staff report addressing the concerns of HUGA relative to the relationship between the freight study and the consultation process. A copy of Mr. Poirier's comments are on file.

Councillor Fougere responded to Mr. Poirier noting that she had forwarded his e-mail to Regional Planning with a request that the appropriate staff respond directly to Mr. Poirier's questions.

Rollie Patterson, a skateboarder, addressed Community Council indicating that he supports the SkatePark. He noted that at the present time he skateboards on the street or around his garage.

Dr. Hung, speaking as a parent and a physician, pointed out that skateboarding is a good physical activity. He went on to indicate that as a community we should provide our children with the proper facilities. He suggested that the locations in which most youth are skateboarding are unsafe and inappropriate.

Simon Othwet, a skateboarder, addressed Community Council in support of the SkatePark. He noted that he skated vertically and due to a lack of facilities he had made his own ramp. However, based on what he has seen of the plans for the park, he would skate in the proposed park.

Brandon Tuft, a skateboarder, indicated that the existing SkatePark at the commons is unsafe. He went on to indicate that there is rebar sticking out of one of the ramps and that part of the coping has separated from one of the boxes. Mr. Tuft went on to indicate that he lived in Cole Harbour but during the warmer months he used the existing Park as often as he is able. Concluding, Mr. Tuft indicated that if this new park was put in place he would never have to use the street to skateboard.

The Chair indicated the safety issues would be referred to staff.

Ms. Roseann Balsom, a member of the Coalition, advised that she has undertaken the fund development for the SkatePark. She further noted that in the past she has been employed as a facilitator for fund development of a skatepark. Ms. Balsom noted that she was pleased to volunteer her services for the youth of the community and indicated that the youth have been consulted throughout the process.

Mr. Bill Oland, Halifax addressed Community Council and expressed support for the SkatePark Coalition.

Mr. Oland, referring to the concerns expressed relative to zoning this evening, asked for clarification of how Community Council deals with the input received from residents. He asked if there was a collecting point to allow for the organized handling of complaints received over the years. Mr. Oland asked if there is an opportunity for all the stakeholders (residents, universities, students), to have input to the issues around student housing.

Referring to the regional strategy presently being developed, Mr. Oland suggested that one of the key issues is to respect the fabric of the existing community and the sustainability of that community. Dalhousie and St. Mary's University cannot continue to grow at such an aggressive pace without a plan to handle that growth. If this growth continues unchecked, it will only discourage families away from the Peninsula and they will move away to affordable housing and away from existing infrastructure.

Concluding his remarks, Mr. Oland asked is there is a user friendly way of having input. The students need to have input. He noted that students pay a huge amount of money for shelter and suggested that it is only the HRM Council that can decide the standard for rental properties.

The Chair indicated that in fact standards for rental properties are a Provincial responsibility under the Residential Tenancies Act. She clarified that HRM's authority rests in planning and By-Law legislation. Councillor Fougere went on to note there is work ongoing with regard to so called rooming houses. The Councillor further indicated that staff is looking at design criteria for housing and considering regulations that address the issue and there will eventually be public consultation in this regard. Councillor Fougere further advised that a Regional Planning public consultation meeting being held on February 23, 2005 would provide an opportunity for input. Concluding her remarks, Councillor Fougere noted that Dalhousie has a Community Committee with representation from the stakeholder groups.

In response to a request from Mr. Oland for a contact sheet for staff involved in these issues, Councillor Uteck indicated that she could provide that information.

John Chenzy, Halifax, noting that he was Involved with this issue for a number of years in various capacities. He indicated that he was a member of the Dalhousie community Committee and of the University Neighbourhood Watch Association. He went on to invite

residents to a meeting of the Association on Tuesday, February 21, 2005 at the Queen Elizabeth Royal Bank Theatre at 7:00 p.m.

15. **NEXT MEETING** - March 7, 2005

16. **ADJOURNMENT**

There being no further business, the meeting adjourned at 8:30 p.m.

The following information items were distributed to Community Council:

1. Correspondence re The Nova Scotia Planning Directors Associations's Annual Spring Conference - May 26 and 27, 2005
2. Correspondence from Alan Ruffman re Titantic Grave Sites in HRM