

PENINSULA AND WESTERN REGION COMMUNITY COUNCIL

MINUTES

JANUARY 24, 2001

THOSE PRESENT: Councillor Reg Rankin, Chair
Deputy Mayor Jerry Blumenthal
Councillor Sue Uteck (left at approximately 8:20 p.m.)
Councillor Sheila Fougere
Councillor Gary Meade
Councillor Dawn Sloane

ALSO PRESENT: Barry Allen, Municipal Solicitor
Chief David McKinnon, Halifax Regional Police
Kurt Pyle, Planner
Bernard Moe, Planner
Paul Sampson, Planner
Sandra Shute, Assistant Municipal Clerk

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1. **CALL TO ORDER**

The meeting was called to order at 7:00 p.m. in the Council Chambers at 2750 Dutch Village Road, Halifax. At a later point in the meeting, the Chair recognized Howard Epstein, MLA for Halifax Chebucto.

2. **APPROVAL OF MINUTES**

2.1 **Regular Meeting - November 22, 2000**

MOVED by Councillor Meade, seconded by Councillor Uteck to approve the Minutes of Regular Meeting held on November 22, 2000 as circulated. MOTION PUT AND PASSED.

2.2 **Special Council Session - December 12, 2000**

MOVED by Councillor Meade, seconded by Councillor Uteck to approve the Minutes of Special Council Session held on December 12, 2000 as circulated. MOTION PUT AND PASSED.

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

Added Items: Appointment to Halifax/Halifax County Watershed Advisory Board
 Recreation Area Rate Policy
 Regional Stadium for Halifax
 Councillor Meade: 1) Regional Council Status Sheet
 2) Tax Sale - Prospect
 3) Maintenance of Brigley Road Extension

MOVED by Deputy Mayor Blumenthal, seconded by Councillor Uteck to approve the Order of Business as amended. MOTION PUT AND PASSED.

4. **BUSINESS ARISING OUT OF THE MINUTES** - None

5. **MOTIONS OF RECONSIDERATION** - None

6. **MOTIONS OF RESCISSION** - None

7. **CONSIDERATION OF DEFERRED BUSINESS** - None

8. PUBLIC HEARINGS**8.1 Case 00246 - Application for a Development Agreement to Permit a Child Care Centre located at 6095, 6097, 6101, 6105 and 6111 South Street, Halifax**

A Staff Report dated November 29, 2000 was before Community Council. Mr. Bernard Moe, Planner provided an overview of the application with the aid of overheads. During the course of his presentation, he advised that the proposal will replace the current child care centre where there are approximately 70 children. 70% of them are children of faculty members from Dalhousie who park in parking lots and walk their children in. The other 30% are mainly students who take the bus. He understood there were about ten cars that would actually use the drop off, from 8:00 a.m. to 9:30 a.m. Drop off parking was for 15 minutes. Staff was recommending approval of the Development Agreement.

Deputy Mayor Blumenthal referred to page 6, section 1.9.3 which read the "City". He asked that this be changed to the "Municipality".

The Chair called for speakers in favour of the proposal.

Ms. Sarah Nettleton, 6225 Lawrence Street stated that her children went to the Child Care Centre now and she was in favour of the proposal.

Mr. Brian Mason, Vice-President, Finance and Administration, Dalhousie University advised this was not a new operation but a relocation from Coburg and Oxford. There have not been any problems raised at the old location about parking. It would be the intention to operate the new day care in exactly the same way. If problems ever did arise, they would work with the Traffic Authority to resolve them.

Mr. Eric Thompson, Dalhousie University, Developer of the Complex stated there were two distinct entities. The Centre was well laid out and he did not believe there would be any impact on the neighbourhood. Traffic and children are not compatible and the plan takes this into consideration. There will be garbage pickup every day except Sunday through the lane access at the rear of the building.

The Chair called three times but there were no further speakers in favour of the proposal. Subsequently, he called for speakers against the proposal.

Mr. Duncan McAdams advised he or his wife owned 6108, 6102, 6100 South Street and 1172 and 1176 Waterloo Street which are right opposite the proposed development. The site is extremely highly developed with the day care squeezed in and relying on off-site parking. The outdoor play area is located in an outdoor basement and there was concern with fumes and carbon monoxide. He had meetings with Mr. McCusker, Traffic Authority regarding traffic

concerns. It was unknown if the proposed parking spaces would be able to handle the load.

Mr. McAdams then outlined a survey he carried out on his own which indicated there was no place to park from 7 a.m. on except South Street and very few spaces on Seymour Street at 7:30 a.m. The only place for a parent to park would be in the four 15-minute parking spaces, if available. He suggested iron clad guarantees in the Development Agreement to ensure that if the four 15-minute spaces become a problem, then there would be the ability to deal with it. He expressed concern that South Street would be used for parking and there would be pressure to have 15-minute parking on South Street. Parking on South Street would be a dangerous situation with people walking across with children. He thought there would be more than ten people dropping their children off. He was concerned with traffic and safety.

Deputy Mayor Blumenthal asked for clarification on parking on South Street at present.

Mr. McAdams advised there was one-hour parking on one side and no parking on the other. The one-hour parking was enforced.

The Chair having called three times, there were no other speakers against the proposal.

In rebuttal, Mr. Brian Mason, Dalhousie University advised that with the current day care centre, there were upwards to 15 people dropping off. They park their cars and walk with the children to the day care. Four spaces should be adequate. The proposed Development Agreement specifically prohibits pick up and drop off on South Street. If this becomes a problem, they would work with Traffic Authority and remind parents it is not an appropriate place to park. Enforcement of the Parking Regulations was not within the purvue of Dalhousie University but Dalhousie would do whatever was necessary if there becomes a problem.

Councillor Fougere asked what difference there was between the drop off facilities now and for the proposed site. In response, Mr. Mason advised there was no on-street drop off for the current day care on Coburg or Oxford but it is adjacent to a small parking lot. People leave their cars running behind other parked cars and go out quickly. Staff of the day care have observed how long people take.

MOVED by Councillor Uteck, seconded by Councillor Meade to close the Public Hearing. MOTION PUT AND PASSED.

Councillor Uteck advised that the issue with the surrounding neighbourhood was not with the child care development itself but with the proposed apartment building. Those concerns have been resolved to the satisfaction of the surrounding neighbours. Traffic Authority has commented on the plan and believes that parking is fair and reasonable.

MOVED by Councillor Uteck, seconded by Councillor Fougere to approve the Development Agreement, attached as Attachment 1 to the Staff Report dated November 29, 2000 to permit a child care centre at 6095, 6097, 6101, 6105 and 6111 South Street in Halifax.

Further, require that the Development Agreement be signed within 120 days, or any extension thereof granted by Council on request of the applicant, from the date of final approval by 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.

8.2 Case 00280 - Application for a Development Agreement to Permit Dental Offices at 5885 Spring Garden Road, Halifax

A Staff Report dated November 30, 2000 was before Community Council. Paul Sampson, Planner provided an overview of the application with the aid of overheads. During the course of his presentation, he advised that if the space is vacated and the use changes, any other office use would be permitted as well as financial institutions. Staff was recommending approval of the Development Agreement.

The Chair asked if there was any correspondence received with regard to this application. In response, Mr. Sampson advised there had been one, in favour of the proposal.

Councillor Fougere asked how many staff would work in the offices. In response, Mr. Michael Zatzman, Maplehurst Properties Limited advised there were two dentists with their staff.

The Chair then called for speakers in favour of the application.

Mr. Michael Zatzman requested to save his remarks for rebuttal.

The Chair having called three times for further speakers in favour of the application and there being none, he then called three times for speakers against.

There were no speakers in opposition.

MOVED by Councillor Fougere, seconded by Deputy Mayor Blumenthal to close the Public Hearing. MOTION PUT AND PASSED.

MOVED by Councillor Sloane, seconded by Councillor Fougere to approve the Development Agreement, attached as Appendix "A" to the Staff Report dated November 30, 2000 to allow for a dental office within the existing building at 5885 Spring Garden Road.

Further, 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.

9. **CORRESPONDENCE, PETITIONS AND DELEGATIONS**

9.1 **Correspondence**

A Letter dated November 24, 2000 was before Community Council requesting re-establishment of the Planning Advisory Committee for the Halifax Peninsula.

It was agreed to defer this matter to the next meeting.

9.2 **Presentations**

9.2.1 **Implementation of a Construction and Demolition Waste Management Strategy**

Mr. Kurt Pyle, Planner provided background information on the need for a C & D Waste Management Strategy, outlined the proposed consultation process by way of a chart and outlined the meetings held to date and proposed in the near future in all areas of the Municipality. He asked Community Council to consider how many Public Meetings it wished to hold and where the meetings should be held.

Councillor Meade requested that a meeting be held at Brookside Junior High School.

Councillor Rankin stated he did not want a meeting in his area because there shall not be any more landfills in his area. He did not want to raise any expectations.

It was agreed to also hold a meeting on the regular meeting date of Community Council in February at 2750 Dutch Village Road as long as this Community Council still exists.

9.2.2 **Policing Concerns - Halifax Peninsula**

Chief David McKinnon, Halifax Regional Police was in attendance to provide information on specific items raised at previous meetings, to answer questions from the public and provide information as to what can be done at the neighbourhood level to increase the police presence.

With regard to the disturbance that took place on South Park Street, Chief McKinnon advised that the issue is controlling behaviour in a public place as opposed to being able to control the land use in the neighbourhood and, more specifically, the nature of the occupants. He could offer nothing further other than to respond to disturbances in an expeditious manner. Preliminary research indicates that the facility that exists either meets the current zoning or may now be a non-conforming use.

With regard to Fuller Terrace, Chief McKinnon advised that since the unresolved shooting and drug problems, a number of resources have been put into the area including the Drug and Vice Squads. To the best of his knowledge, prostitution problems have moved on but they continued to have problems with some of the residences in the area. In terms of additional coverage, the needs of the whole of HRM have to be considered. Interested groups could either contact Inspector Sykes or Chief McKinnon's office as Inspector Sykes would be happy to work with community groups.

With regard to the uptown area, Chief McKinnon advised that in late fall last year, a program was implemented for a Village Constable. There is also a Black Youth Liaison Officer who has an office in the George Dickson Centre. If there are issues, an attempt will be made to address them on a one-on-one basis and try to work with the community. This year, Chief McKinnon will be attending a number of community gatherings and intended to attend Community Council meetings. One of the problems is that it is hard to stimulate community participation.

Chief McKinnon advised that he has requested approval of additional positions in the upcoming budget. When and if there is approval of additional staff, the plan does not currently call for the assigning of specific people back to beats.

Chief McKinnon then provided information on crime statistics, co-operation with other agencies, programs focused on recreation and youth, a proposed High Risk Offender Unit and fibre optic surveillance cameras.

At the request of Councillor Rankin, Chief McKinnon then provided information on the duties of the Village Constable.

Councillor Sloane suggested that the Village Constable should have a presence at community events. She expressed concern re visibility of police officers.

Councillor Meade referred to the Citizens on Patrol in his area and asked if this type of program has been considered in the urban area as it was successful in the rural areas.

Chief McKinnon, in response, provided information on the Burnside Patrol group. He cited Neighbourhood Watch and a group formed by the Downtown Dartmouth Merchants Association. He also provided information on available grants. He advised that one of the problems is that the more urbanized the environment, the less involved people tend to become in these types of issues.

Public Participation on Policing Concerns - Halifax Peninsula

Mr. Thomas Creighton, 2623 Fuller Terrace asked if community-based policing has been abandoned. In response, Chief McKinnon advised that with the shift in staff since amalgamation, Police Services has become more reactive. In the future, it was the intent to weave some staff into a proactive response unit. Areas are still subdivided by community with over 100 programs operating which still deal with community issues.

Mr. Creighton, referring to Neighbourhood Watch, stated that there have been two attempts to get Neighbourhood Watch going and he did not think the community would consider a third attempt. In response, Chief McKinnon advised that Neighbourhood Watch is a two-way system. He would be happy to speak to community groups regarding Neighbourhood Watch and could provide statistics on how many calls were made by people who signed up for Neighbourhood Watch.

Mr. Creighton expressed concern re juvenile behaviour, gave an example and asked if the Police Department was going to become involved in proactive work with other agencies. Chief McKinnon, in response, advised that the key point was that when someone calls in, they have to give their name and agree to act as a complainant in Court. He pointed out that juveniles who did not give their name were probably known to the Police in any case.

Mr. Pete LaBelle, Fuller Terrace referred to fibre optic cameras which Chief McKinnon had provided information on, and stated that this was still only reactive policing and what was required were policemen who know the communities they are in and an adequate number of policemen.

With regard to involvement of other agencies, Mr. LaBelle stated the Building Inspectors employed by HRM could monitor landowners who are hosts to unwanted behaviour. He suggested some involvement at a higher level in Legal Services to consider more direct action against the landowners.

Chief McKinnon said that an amendment will be introduced in March to the Criminal Code of Canada dealing with the use of property for enterprise crime. He provided information on the proposed amendment and what it would do, if approved.

Mr. Hugh Pullen, 6262 Oakland Road asked if it would be possible to videotape street parties in order to look for a face and then get a name. Somehow, it was necessary to discourage those who think that a Noise By-law is an inconvenience. In response, Chief McKinnon stated that the name the Police Department really requires is not the name of the violator but the name of the witness. The community needs to stand together.

The Chair then thanked Chief McKinnon for attending and providing the information.

10. **REPORTS**

10.1 **Status of Proposed Amendment to Administrative Order 7 and Repeal of Administrative Order 25**

Since this matter was referred to Community Council by Regional Council on December 12, 2000, the Chair asked members of Community Council how they wished to proceed.

MOVED by Councillor Uteck, seconded by Councillor Fougere to defer, pending the outcome of a joint informal meeting with Chebucto Community Council. MOTION PUT AND PASSED.

Councillor Uteck requested that for this meeting, staff search Minutes regarding the formation of the Peninsula and Western Community Council because she believed it had been indicated that this Community Council would be given a one-year trial to see if it was deemed a feasible entity.

Councillor Meade also requested information on administrative costs if another new Community Council is set up.

The Clerk was requested to facilitate the meeting and provide the information requested.

11. **MOTIONS** - None

12. **ADDED ITEMS**

12.1 **Appointment to Halifax/Halifax County Watershed Advisory Board**

MOVED by Deputy Mayor Blumenthal, seconded by Councillor Fougere that Ms. A. Ellinor Williams be appointed to the Halifax/Halifax County Watershed Advisory Board as the representative for District 14, Connaught/Quinpool. MOTION PUT AND PASSED.

12. Recreation Area Rate Policy

This item was referred to all Community Councils for input and review by Regional Council at its meeting on December 12, 2000.

Councillor Meade explained that his District, along with Councillor Rankin's and Councillor Streach's, were the three Districts where the Councillor had signing authority for Recreation Area Rates. The other two Districts were dealing with about \$5,000 but his District was dealing with approximately \$65,000. He agreed with everything else in the proposed Policy except that on page 3, the paragraph in bold, the signing authority should be HRM staff, not anybody in his District, a recreation association or a Community Council.

Councillor Rankin advised he agreed with this recommendation as well.

MOVED by Councillor Meade, seconded by Councillor Fougere to recommend that signing authority be HRM staff for Districts 22 and 23. MOTION PUT AND PASSED.

This information will be forwarded to Finance staff.

12.3 Regional Stadium for Halifax

Deferred to the next meeting.

12.4 Regional Council Status Sheet

Councillor Meade expressed concern that the Regional Council Status Sheet had approximately 25 pages.

MOVED by Councillor Meade, seconded by Councillor Sloane to recommend to Regional Council that Community Councils be given the authority to review the Regional Council Status Sheet and make recommendations regarding items that can be taken off. MOTION PUT AND PASSED.

12.5 Tax Sale - Prospect

Councillor Meade submitted a Petition from the Lower Prospect Community Association requesting that the Municipality withdraw a piece of property from Tax Sale on February 8, 2001 and secure the property for community use.

MOVED by Councillor Meade, seconded by Councillor Fougere to refer the issue to Finance Department to find out if there is any opportunity to have the land purchased by the Municipality. MOTION PUT AND PASSED.

12.6 **Maintenance of Brigley Road Extension, District 23**

MOVED by Councillor Meade, seconded by Councillor Sloane that a letter be written to Department of Transportation asking why maintenance of Brigley Road Extension has stopped and for Department of Transportation to continue providing maintenance. MOTION PUT AND PASSED.

13. **NOTICES OF MOTION** - None

14. **PUBLIC PARTICIPATION**

Ms. Brenda Shannon, 1538 Oxford Street identified herself as a Heritage Canada Foundation Board Member. She referred to the 1994 Development Agreement with Brenhold Development with regard to Garden Crest Apartments and read from prepared text. She submitted a copy of a drawing outlining the old and new proposal. She expressed concern that there needed to be guidelines about what "substantially in conformance" means. She requested that someone from staff come to a public forum and describe what is happening with this Development Agreement and whether or not guidelines should be developed. Given the reliance on Development Agreements, it was important to maintain the integrity of same.

Councillor Meade stressed that if a report is requested, it should be generic and not refer to a particular Development Agreement as far as "substantially in conformance" is concerned. The Development Agreement in question has been discussed at a number of Heritage Advisory Committee meetings and the project has already been approved. He provided some background information.

Councillor Fougere said it was important for both Councillors and the public to have a clear understanding of what "substantially in conformance" means if these words should appear in future Development Agreements, and what latitude they allow.

MOVED by Councillor Fougere, seconded by Councillor Sloane that a staff report be requested to provide the information outlined above, in general terms, and that appropriate staff be requested to attend. MOTION PUT AND PASSED.

Mr. Hugh Pullen asked for information on the Task Force on Education Funding as there was an advertisement in the newspaper asking for expressions of interest to serve. In response, Councillor Rankin advised this was in response to the Plebiscite held at election time. The

Committee to be appointed will interpret the results of the Plebiscite re Supplementary Funding and report back to Regional Council.

Ms. Linda McAlpine, 6044 Pepperell Street referred to the “painted houses” and said she understood plans are in the works for a proposal which will be going to Planning. She expressed concern that this particular project was not just a local neighbourhood concern because it will involve traffic issues for motorists on Robie and Quinpool who come from all areas of the Municipality. She was concerned because of the precedent at Blockbuster Video where a street was basically formed between the Holiday Inn which occurred because two different departments were requested to make cuts and there was no communication, which resulted in the creation of a street, creating additional traffic. She asked if the “painted houses” project would automatically come before Traffic Authority for input. There is now the hospital to consider plus a new proposed parking facility if and when Queen Elizabeth High School comes down.

It was agreed to forward Ms. McAlpine’s comments on to Traffic Authority for consideration within any proposed development.

15. **NEXT MEETING DATE** - February 28, 2001 (to be confirmed).

16. **ADJOURNMENT**

On a motion from Councillor Meade, the meeting adjourned at 9:30 p.m.

Sandra M. Shute
Assistant Municipal Clerk