

PENINSULA COMMUNITY COUNCIL
MINUTES

April 11, 2011

PRESENT: Councillor Dawn Sloane, Chair
Councillor Jennifer Watts, Vice Chair
Councillor Jerry Blumenthal
Councillor Sue Uteck

STAFF: Ms. Karen Brown, Senior Solicitor
Ms. Sheilagh Edmonds, Legislative Assistant

TABLE OF CONTENTS

1.	CALL TO ORDER.....	3
2.	APPROVAL OF MINUTES.....	3
3.	APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS	3
4.	BUSINESS ARISING OUT OF THE MINUTES/STATUS SHEET	
	4.1 Business Arising.....	3
	4.2 Status Sheet.....	3
5.	MOTIONS OF RECONSIDERATION.....	4
6.	MOTIONS OF RESCISSION.....	4
7.	CONSIDERATION OF DEFERRED BUSINESS.....	4
8.	HEARINGS:	
	8.1 Public Hearings.....	4
	8.2 Variance Appeal Hearings:	
	8.2.1 Variance Appeal #16709 – 2770 Windsor Street.....	4
9.	CORRESPONDENCE, PETITIONS AND DELEGATIONS	
	9.1 Correspondence.....	4
	9.2 Petitions.....	4
	9.3 Presentations	
	9.3.1 Tennis Nova Scotia – Roger Keating.....	4
	9.3.2 ‘Spay Day’ – Linda Felix.....	5
10.	REPORTS	
	10.1 Staff Report.....	5
	10.2 Committee Reports:	
	10.2.1 District 12 PAC – Saint Patrick’s School Site.....	5
	10.3 Members of Peninsula Community Council	
	10.3.1 District 12 Planning Advisory Committee Membership.....	5
	10.3.2 Peninsula Community Council Annual General Meeting – Format of Meeting – Councillor Watts.....	6
11.	MOTIONS.....	7
12.	ADDED ITEMS	
	12.1 Appointments to Point Pleasant Park Advisory Committee.....	7
	12.2 Case 15937: Fenwick Tower Redevelopment MPS/LUB Amendments and Development Agreement	7
	12.3 Parking in the R-2A Zone.....	8
13.	NOTICES OF MOTION.....	8
14.	PUBLIC PARTICIPATION.....	8
15.	NEXT MEETING.....	9
16.	ADJOURNMENT.....	9

1. CALL TO ORDER

The Chair called the meeting to order at 7:03 p.m.

2. APPROVAL OF MINUTES

MOVED by Councillor Watts, seconded by Councillor Uteck that the minutes of February 7, 2011 be approved. MOTION PUT AND PASSED.

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

Deletion:

8.2.1 Variance Appeal #16709 – 2770 Windsor Street

Additions:

12.1 Appointments to Point Pleasant Park Advisory Committee

12.2 Case 15937: Fenwick Tower Redevelopment MPS/LUB Amendments and Development Agreement

12.3 Parking in the R-2A Zone (Councillor Uteck)

MOVED by Councillor Blumenthal, seconded by Councillor Uteck that the agenda, as amended, be approved. MOTION PUT AND PASSED.

4. BUSINESS ARISING OUT OF THE MINUTES/STATUS SHEET

4.1 Business Arising: None

4.2 Status Sheet: No updates

Councillor Watts requested updates on the Minor Baseball item from September 13, 2010 and the item from June 14, 2010 in regard to sports fields and baseball fields. She explained that there was a temporary issue addressing the baseball diamond on the North Common as a result of the Oval for this year and the potential of a permanent Oval in future. She added that she heard an arrangement has been made in this regard, but Community Council has yet to receive a report back on the matter from requests made several months ago. Councillor Watts also noted that community consultation was part of the request. She indicated that she would like staff to respond back as soon as possible with their report and highlight, in particular, how the community consultation process will be carried out and when it will happen.

MOVED by Councillor Watts, seconded by Councillor Blumenthal that staff provide the reports on these matters as soon as possible. MOTION PUT AND PASSED.

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 Appeal Hearings:

8.2.1 Variance Appeal #16709 – 2770 Windsor Street

This item was deleted during the approval of the order of business. The applicant withdrew his variance request.

9. CORRESPONDENCE, PETITIONS AND DELEGATIONS

9.1 Correspondence: None

9.2 Petitions: None

9.3 Presentations:

9.3.1 Tennis Nova Scotia

Mr. Jack Graham, Vice Chair, Tennis Canada, and Mr. Andrew Oxner, President, Tennis Nova Scotia provided a presentation in regard to their efforts to develop a year round not-for-profit tennis facility that will become the focal point for community tennis programming in HRM and Nova Scotia. In their remarks, it was noted that the project would cost \$3.5 million and they are looking to HRM to provide land and to share construction costs along with the Province, Federal Government, Tennis Canada and private donations. In addition, they hope to operate without property taxes, and to charge reasonable user fees so the Municipality will not have any ongoing operating costs.

Mr. Graham and Mr. Oxner responded to questions from Community Council.

Councillor Uteck indicated that she was somewhat surprised to hear that staff have been aware of this proposal for two years but there was no mention of it in a recent presentation to Regional Council on the Community Facility Master Plan.

The Chair thanked Mr. Graham and Mr. Oxner for their presentation and advised that staff would be asked to respond with respect to Councillor Uteck's comment.

9.3.2 'Spay Day' – Linda Felix

Ms. Linda Felix provided a presentation in regard to this year's Spay Day, which will be held May 1, 2011. In her comments, she explained that Spay Day is an international movement designed to inspire people to save animal lives by spaying or neutering pets. Ms. Felix advised that her plan for this year's Spay Day is to organize a marathon of spaying and neutering cats, with a focus on cats owned by students and people on fixed and low incomes.

Ms. Felix responded to questions from Community Council.

The Chair thanked Ms. Felix for her presentation and commended her on her efforts for this very worthy cause.

10. REPORTS

10.1 Staff Reports: None

10.2 Committee Reports:

10.2.1 District 12 PAC – Saint Patrick's School Site

A report dated February 10, 2011 was submitted from the Chair of the District 12 Planning Advisory Committee.

MOVED by Councillor Watts, seconded by Councillor Uteck that when the Saint Patrick's School site is given back to the city and, if the city deems that it is going to offer it for sale that a comprehensive development district be developed for the site, following the same process used on the Alexandra school site. MOTION PUT AND PASSED.

10.3 Members of Peninsula Community Council

10.3.1 District 12 Planning Advisory Committee Membership

Correspondence dated March 21, 2011, signed by Heather Ternoway, Clary Kempton and Katherine Perrott was submitted.

Referring to the submitted letter Councillor Sloane advised that three members from the District 12 Planning Advisory Committee have resigned due the changing role of the Committee. She added that it was unfortunate they resigned but she could understand the frustration which led them to do so. Councillor Sloane pointed out that she felt there was still a requirement for a Planning Advisory Committee because the south end and the north end are going through rapid residential development. In this regard, Councillor

Sloane advised that she would like for staff to proceed and get three new members for the Committee.

Councillor Uteck suggested that Community Council request a staff report first. She indicated that that the Downtown Area Plan Council adopted as a result of the HRM by Design process was pertinent to this matter and the staff report could outline the process of how and why we are at this point.

Councillor Sloane concurred with a request for a staff report.

MOVED by Councillor Uteck, seconded by Councillor Watts that this matter be referred to staff for a report back to Community Council.

Councillor Watts, in referring to the correspondence, expressed concern that there had been no consultation with the Planning Advisory Committee with regard to changes to Administrative Order 28. She added that the Committee should have been part of the process and if they were ignored, then this should be investigated.

Councillor Watts advised that a staff report would not provide Community Council with the understanding of the principles it is trying to uphold in terms of community involvement around planning.

Councillor Sloane suggested that as part of the report, staff could carry out a type of interview, known as a '360 interview', with the three individuals in question.

Councillor Watts pointed out that the Urban Design Task Force was no longer meeting, but it was the Committee which was to consider how the Greenprint Plan was to be implemented. She added that she was aware the Regional Plan review was coming up soon, and that there has been work carried out on the Greenprint Plan, but it was frustrating when residents would question her on how development is happening in their community, because the information seems to be in a piece-meal fashion. Councillor Watts added that the Councillors need to be kept up to date on these processes, and understand how they are happening.

Councillor Uteck added that the staff report, overall, should include an explanation of how things were anticipated to evolve from the Regional Plan and then to HRM by Design. She advised that it was her understanding the Planning Advisory Committee was to be dissolved once the Downtown Plan was approved, as there were other layers of Committees which would be dealing with the issues.

Councillor Sloane indicated that until she had assurance that the proper planning layers were in place, she did not want to eliminate the Planning Advisory Committee.

MOTION PUT AND PASSED.

10.3.2 Peninsula Community Council Annual General Meeting – Format of Meeting – Councillor Watts

Councillor Watts noted that Chebucto Community Council was holding their Annual General Meeting soon and a copy of their annual report was on their webpage. She indicated that she like the model they provided in regard to their meeting format and report, but that she wondered if Community Council would want to add some more content to the meeting by including some staff presentations on items of interest such as active transportation on the Peninsula.

Councillor Sloane suggested that a presentation on plans for the north and south Common could also be included. She indicated that any staff presentations would be limited to a 10 minute maximum.

MOVED by Councillor Watts, seconded by Councillor Uteck that Peninsula Community Council hold its Annual General Meeting during its June 13, 2011 meeting. MOTION PUT AND PASSED.

11. MOTIONS: None

12. ADDED ITEMS

12.1 Appointments to Point Pleasant Park Advisory Committee

This matter was dealt with at an In Camera session on March 8, 2011 and was now before Community Council for ratification.

MOVED by Councillor Uteck, seconded by Councillor Blumenthal that the appointments to the Point Pleasant Park Advisory Committee, as presented, be approved for terms to expire November 2012. MOTION PUT AND PASSED

The following individuals were appointed:

Don Awalt
Lisa Olie
Murray Wilson
Bernard Badley
Nancy Vanstone
Robert Apold
Kartina Leckovic
Theresa Piorkowski
Dale Smith
Richard Tilley

12.2 Case 15937: Fenwick Tower Redevelopment MPS/LUB Amendments and Development Agreement

A supplementary staff report date March 28, 2011 was submitted.

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

1. **Approve the proposed development agreement contained in Attachment A of the March 28, 2011 staff supplementary report for the mixed use redevelopment of the Fenwick Tower site at 5599 Fenwick Street, Halifax; and**
2. **Require the agreement be signed by the property owner within 120 days, or any extension thereof granted by Council on request of the property owner, from the date of final approval by Council and any other bodies as necessary, including applicable appeal periods, whichever is later; otherwise this approval will be void and obligations arising hereunder shall be at an end.**

Councillor Watts noted that during the public hearing the issues of traffic, parking, and a wind impact study were raised. She asked for staff comment on these issues.

Mr. Richard Harvey, Senior Planner, advised that the traffic and parking issues relate to the implementation of construction and that a lot of coordination is required at the neighbourhood level and with staff. He pointed out that the Development Agreement doesn't solve the issues in regard to on street parking but there will be a review of this when development occurs. Mr. Harvey added that another parking issue that arose was a question of adequacy of parking and that from staff's perspective there is adequate parking. With regard to the concern about wind, Mr. Harvey pointed out that there are wind standards in the Development Agreement, and there is currently a wind study underway. The results of this wind impact study need to meet the specification set out in the Development Agreement and, if here are minor changes required to the building as a result, they can be approved by staff.

MOTION PUT AND PASSED.

12.3 Parking in the R-2A Zone

Correspondence dated March 24, 2011 was submitted from Donald J. Commings.

Councillor Uteck advised that a request has come forward from a property owner in the South End Area Plan to legalize a parking lot. She added that there are arguments both pro and con to amending the parking strategy in the R2A zone and suggested that Community Council receive an information report from staff in this regard.

MOVED by Councillor Uteck, seconded by Councillor Watts that staff provide an information report on the implications of a bylaw amendment regarding the R2A zone. MOTION PUT AND PASSED.

13. NOTICES OF MOTION: None

14. PUBLIC PARTICIPATION

Mr. John Gillis, Halifax, addressed Community Council and advised that he was speaking on behalf of the Save the Oval Association. Mr. Gillis spoke in support of the efforts of Council, staff, corporations and HRM residents who have come forward to support a permanent skating oval. Mr. Gillis noted that there was a lot of community goodwill to see this project succeed and he encouraged everyone involved to continue to work together to see it happen.

Ms. Peggy Cameron, Halifax, addressed Community Council as Co-chair of Friends of the Halifax Common. Ms. Cameron spoke in opposition to placing a permanent skating Oval on the North Common. In her remarks, Mr. Cameron advised that she supported the idea of an outdoor skating facility but that the location of the North Common was not suitable and that there were other alternate locations Council could consider, such as the Central Common.

Mr. Alan Ruffman, Ferguson's Cove Road addressed Community Council and noted that he was a member of Friends of the Common. Mr. Ruffman advised that he felt the North Common was the wrong place to put a permanent skating facility and that it would be better suited on the Central Common. Relative to this matter, Mr. Ruffman pointed out that it was time to change the *Park and Institutional* zone so that a park can be zoned separately.

15. NEXT MEETING: May 9, 2011

16. ADJOURNMENT

The meeting adjourned at 8:18 p.m.

Sheilagh Edmonds
Legislative Assistant