

HALIFAX REGIONAL MUNICIPALITY

PENINSULA COMMUNITY COUNCIL SPECIAL MEETING MINUTES NOVEMBER 18, 2004

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

**ABSENT WITH
REGRETS:** Councillor Dawn Sloane

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

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1. CALL TO ORDER

The meeting was called to order at 6:30 p.m.

2. RE-HEARING - VARIANCE APPEAL - DECISION OF THE DEVELOPMENT OFFICER TO APPROVE A VARIANCE AT 5369 INGLIS STREET

The Chair advised that the date of the appeal had been communicated to the appellant incorrectly. The letter advising the appellant indicated that the appeal would be heard on November 25, 2004. She apologised to both the appellant and the applicant, and went on to note that staff have arranged that this matter be re-heard this evening.

Mr. Steven Higgins, briefly reviewed the November 1, 2004 report dealing with an appeal of the Development Officer's decision to approve a variance from the minimum lot area and minimum yard requirements of the Land Use By-law to an existing three unit apartment building at 5369 Inglis Street. Mr. Higgins reiterated that this matter was being re-heard this evening as the result of an error in communicating the date of the appeal to the appellant. He went on to note that a representative of the appellant had agreed the matter be heard this evening, however, upon consultation with other members of the condominium corporation who wish to speak on their own behalf, he would like the matter held over until November 25, 2004.

The Chair requested that the Municipal Solicitor make a ruling in this regard.

Mr. Allen noted that it appears the appellant would prefer that this matter be re-heard on November 25, 2004. He indicated that the Community Council must decide whether or not to adjourn the hearing to that date.

At the request of the Chair, a representative of the appellant came forward.

Trevor Begen, Halifax Condominium Corporation 46

Mr. Begen pointed out that he was only one of the owners within a 12 unit building. He indicated that other residents of the condominium had more serious objections and with such notice were unable to be present this evening.

Following the Chair conferring with the Municipal Solicitor, she requested a motion to adjourn.

MOVED by Councillor Fougere, seconded by Councillor Murphy that the re-hearing of the variance appeal for 5369 Inglis Street be adjourned to November 25, 2004. MOTION PUT AND PASSED UNANIMOUSLY.

3. ADJOURNMENT

There being no further business, the meeting adjourned at 6:50 p.m.

Sherryl Murphy
Legislative Assistant