

**HALIFAX REGIONAL MUNICIPALITY**

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**PENINSULA COMMUNITY COUNCIL  
MINUTES  
MAY 9, 2005**

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

**STAFF:** Ms. Karen Brown, Municipal Solicitor  
Ms. Sherryl 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**

**MOVED by Councillor Murphy, seconded by Councillor Sloane that the minutes of the April 11, 2005, as distributed, be approved. MOTION PUT AND PASSED UNANIMOUSLY.**

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

**Addition:**

12.1 Building Communities Capital Fund

**Deletion:**

9.3.1 Presentation - Capital District Health Authority - Regional Planning

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

4. **BUSINESS ARISING OUT OF MINUTES**

4.1 **Status Sheet**

4.1.1 **CN Property Maintenance**

No information has been received. This item is to remain on the status sheet.

4.1.2 **Amendment to District 12 PAC Terms of Reference**

This matter is complete and can be removed from the status sheet.

4.1.3 **Case 00544- Zoning Review - R-2A and R-2AV Zoned Properties**

No information has been received. This item is to remain on the status sheet.

4.1.4 **Naming of Park in Honour of Nick Meagher**

No information has been received. This item is to remain on the status sheet.

**4.1.5 Student Housing/Rooming Houses in Peninsula**

No information has been received. This item is to remain on the status sheet.

**4.1.6 Household Pests**

No information has been received. This item is to remain on the status sheet.

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

No information has been received. This item 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 00725: Rezoning of the Lands of Scotia Fuels Limited**

- This matter was given First Reading at the Peninsula Community Council meeting on April 11, 2005. A previously distributed staff report dated March 29, 2005 was before Community Council for consideration.

Mr. Richard Harvey, Planner, briefly reviewed the application from Studio Works International Limited on behalf of Scotia Fuels Limited, for a four storey hotel on lands located on the west side of the Prescott Street/Robie Connector, between Stanley and Columbus Streets. Mr. Harvey indicated that staff is recommending that Community Council approve rezoning these lands from R-2 to C-3.

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

**Elizabeth Decker, Halifax**

Ms. Decker noted:

- she is against this proposal.
- her family has lived in this area for 54 years and over the years the residential neighbourhood has been inched out by commercial development
- problems with traffic, noise and lights will only be exacerbated by this development.

### **Malcolm Fifer, Prescott Street**

Mr. Fifer addressed Community Council and asked what traffic impact was expected on the Robie and Prescott extension as a result of this development.

In response, Mr. Harvey advised that the developer had employed a traffic engineer to undertake a traffic analysis. This analysis has been reviewed by our Development Engineering staff and the impact is considered to be reasonable.

Mr. Fifer indicated that there were a number of issues raised at the Public Information Meeting which have not been addressed. He suggested that this development will only compound the traffic issues on the Robie Street extension.

The Chair called three times for persons wishing to address Community Council. Hearing none it was **MOVED by Councillor Sloane, 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 rezoning of the lands identified on Map 1 of the April 11, 2005 staff report from R-2 Zone to C-3 Zone.**

Following a brief questioning of staff, the **MOTION WAS PUT AND PASSED UNANIMOUSLY.**

## **10. REPORTS**

### **10.1 Case 00621: Development Agreement to Permit a Lounge at 5515 to 5547 Young Street, Halifax**

- A staff report dated April 14, 2005 was before Community Council for consideration. A report dated April 27, 2005 from the Heritage Advisory Committee was also before Community Council.

Ms. Rhanda Wheaton, Planner, briefly reviewed the application by Larex Properties Limited on behalf of Orican Brokerage for a Development Agreement to permit a lounge use at the Hydrostone Market, 5515 to 5547 Young Street, Halifax, as found in the April 14, 2005 staff report. Ms. Wheaton advised that staff was recommending Peninsula Community Council refuse to enter into a Development Agreement for this proposal.

In response to a question from Councillor Uteck, Ms. Wheaton indicated that repeated requests by staff for further information regarding the proposal have not resulted in it being provided.

**MOVED by Councillor Uteck, seconded by Councillor Murphy that Peninsula Community Council to enter into a Development Agreement to permit a lounge at 5515 to 5547 Young Street, Halifax.**

Following a further questioning of staff, the **MOTION WAS PUT AND PASSED.**

**10.2 Case 00733: Halifax MPS and LUB Amendments, Development Agreement - 6770 Jubilee Road**

- A staff report dated April 25, 2005 was before Community Council for consideration.

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

1. **Give First Reading to the proposed amendments to the Halifax Municipal Planning Strategy and the Halifax Peninsula Land Use By-law as contained in Attachments "A" and "B" and to schedule a joint public hearing with Peninsula Community Council;**
2. **Approve the amendments to the Halifax Municipal Planning Strategy and the Halifax Peninsula Land Use By-law as contained in Attachments "A" and "B"; and further**
3. **That Peninsula Community Council move Notice of Motion for the amending development agreement, as contained in Attachment "C", to permit an**

**additional residential unit through interior conversion at 6770 Jubilee Road, and schedule a joint public hearing with Regional Council.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

11. **MOTIONS** - None

12. **ADDED ITEMS**

12.1 **Building Communities Capital Fund**

- This matter was added during the setting of the agenda.

**MOVED by Councillor Sloane, seconded by Councillor Murphy that Peninsula Community Council allocate the Peninsula Community Council's \$100,000 "Building Communities Capital Fund" as follows:**

<b>Central Commons Playground:</b>	<b>\$35,000</b>
<b>Peninsula Skateboard Park:</b>	<b>\$25,000</b>
<b>Westmount Inclusive Playground:</b>	<b>\$25,000</b>
<b>Hydrostone Park:</b>	<b>\$15,000</b>

**MOTION PUT AND PASSED UNANIMOUSLY.**

13. **NOTICES OF MOTION** - None

14. **PUBLIC PARTICIPATION**

**Chris Spencer, Halifax**

Mr. Spencer, addressed Community Council indicating that he wanted to be on record that he believes HRM has not dealt with him fairly relative to a request for compensation done to the interior of his home by a sewage back flow. Mr. Spencer explained that some years ago he had a sewage back flow into his home. As is HRM policy he undertook the videotaping of sewer pipes and it was discovered that tree roots in HRM's portion of the pipe's were responsible for the back flow. Mr. Spencer went on to advise that HRM replaced the pipe and reimbursed him for the cost of the plumbing and the videotaping. However, the damage to the interior of his home was covered under his household insurance.



Mr. Spencer went on to advise that three years later he had a second sewage back flow into his basement. HRM excavated the pipes and determined that the line, contrary to policy, had been patched rather than replaced on the previous occasion. Mr. Spencer went on to indicate that he was seeking compensation for the interior damages to his home caused by the most recent back flow. He indicated that to claim further damages through his household policy would be extremely costly and that he had born the cost of the renovation. In closing, Mr. Spencer requested that this matter be reviewed and he be reimbursed the cost of the renovation.

Further to Mr. Spencer's request, Councillor Uteck requested that this matter be forwarded to staff for a formal review and follow-up with Mr. Spencer, **to which Community Council agreed.**

**Hugh Pullen, Halifax**

Mr. Pullen referring to item 4.1.5 on the status sheet and the report received, recommended to Community Council that they arrange a meeting with all the stakeholders to work towards a resolution of this problem. Mr. Pullen suggested that if the problem with rooming houses is to continue, neighbourhoods would be destroyed. He further noted that developers are simply responding to needs of market and that the community is looking to Council to take action to protect neighbourhoods.

The Chair advised that a meeting is to be held within the next week with landlords, Dalhousie, and Councillors to discuss this issue. She further indicated that the matter has been raised at Program and Service Review in relation to tax structure reform.

7:45 p.m. Councillor Sloane leaves the meeting.

**Beverly Miller, Halifax**

Ms. Miller referred her request for a moratorium on as of right developments and asked what the process would be for putting this in place.

Councillor Uteck indicated that such action would require a public hearing.

**Alan Ruffman, Halifax**

Mr. Ruffman expressed concern that the drain located in the west bound lane of University Avenue at LeMarchant street interfered with wheel chair accessibility. Mr.

Ruffman further suggested that each portion of University Avenue should have a stop sign.

15. **NEXT MEETING** - June 13, 200

16. **ADJOURNMENT**

The meeting adjourned at 7:55 p.m.

Sherryl Murphy  
Legislative Assistant