

HALIFAX REGIONAL MUNICIPALITY

PENINSULA COMMUNITY COUNCIL MINUTES January 9, 2006

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

STAFF: Ms. Mary Ellen Donovan, Municipal Solicitor
Ms. Sherryll 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 - November 23, 2005 (Special) and December 12, 2005 (Regular)**

MOVED by Councillor Murphy, seconded by Councillor Sloane that the minutes of the special meeting of Peninsula Community Council held on November 23, 2005 and the regular meeting held on December 12, 2005, as distributed, be approved. MOTION PUT AND PASSED UNANIMOUSLY.

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

The agenda, as distributed, was accepted.

4. **BUSINESS ARISING OUT OF THE MINUTES**

- 4.1 **Status Sheet**

- 4.1.1 **Closure of HRM Private Lane - June Street to Princess Place**

No information was received regarding this matter. This matter is to remain on the status sheet.

- 4.1.2 **Harvey Street Parking Lot - Townhouses**

No information was received regarding this matter. This matter is to remain on the status sheet.

- 4.1.3 **Amendments - Gross Floor Area Dwelling Requirements**

No information was received regarding this matter. This matter is to remain on the status sheet.

- 4.1.4 **CN Property Maintenance**

No information was received regarding this matter. This matter is to remain on the status sheet.

4.1.5 Safety at Seaview Park

No information was received regarding this matter. This matter 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 00665: Rezone 5220 Morris Street, Halifax**

- First Reading regarding this matter was given at the December 12, 2005 meeting of Peninsula Community Council. A previously circulated staff report dated was before Community Council.
- Correspondence dated January 6, 2006 from Michael S. Turner and Verna J. Turner was circulated to Community Council.

Mr. Angus Schaffenburg, Planner, briefly reviewed the proposal to rezone 5220 Morris Street, Halifax from RC-3 (High Density Residential/Minor Commercial Zone) to C-2A (Minor Commercial Zone) to permit a second floor of commercial space. Mr. Schaffenburg responded to questions from members of Community Council.

The Chair briefly reviewed the speaking process and called the following persons from the speakers sign up sheet:

Bill Campbell, on behalf of the Directors of Halkirk Properties Ltd.

Mr. Campbell addressed Community Council indicating that he would like to address the proposed rezoning in terms of consistency with the Municipal Planning Strategy (MPS), the appropriateness of the land use, and adequate servicing. In this regard Mr. Campbell made the following comments:

- the use of the site for minor commercial is consistent with the Municipal Planning Strategy and the rezoning of the site is also consistent

- the land use is appropriate to the area in that office is a permitted use in the C-2A zone and the RCA zone
- the site is a good geographical location in terms of the ocean terminals
- the scale of the proposal is in keeping with the area
- the development on Morris Street is a mixed use development when consideration is given to both the recently developed Letson Court condominiums and the Longshoreman's facility and is in keeping with the intent of the plan
- all services are available to the site and a traffic study has recommended a flow of traffic which will result in no significant traffic impact

Alan Parish, Halifax

Mr. Parish addressed Community Council making the following comments:

- the Letson Court development illustrates HRM's inability to protect heritage resources in that a row of Victorian houses which were not registered were torn down to allow for the as of right development of the Letson Court site
- he encouraged Regional Council to do what they can to protect the heritage
- the difficulty with the building is that the first floor will be parking, open to street and very ugly
- the purpose for allowing minor commercial in this area would be to allow for a small grocery store which would fit with the residential area
- allowing the commercial on the second floor only further contravenes the MPS and By-law
- cost is the reason the parking is not being put underground
- encouraged Community Council to require the developer to abide by the zoning by-law and do what is necessary to put the parking underground

Roy Willworth, Architect for the project

Mr. Willworth addressed Community Council indicating that he believed the proposed development is a better option than an as of right development. He noted that an as of right development would result in a much larger form which would sit somewhat uncomfortably in the streetscape. Mr. Willworth went on to describe the sawtooth pattern of the streetscape which includes both historic and modern buildings of different height. He indicated that the proposal provides an effective transition from the higher buildings north of Morris Street to lower residential buildings south of Morris Street. In conclusion, Mr. Willworth indicated that the proposal is less than 60 feet in height, it does not have a large street frontage, and it is not open to the street side. The building is designed as an east bookend for the Croft Uniacke House.

David Craig, Longshoreman's Dispatcher

Mr. Craig addressed Community Council advising that as a dispatcher he is involved in the running of the hiring hall. He indicated that the hall operated 364 days per year and that the group is self-policed and would address any issues (i.e. profanity). Mr. Craig went on to indicate that the longshoremen are happy to be moving to this hiring hall. He went on to indicate that the men are at the hall well before rush hour traffic and dispatched immediately. Mr. Craig indicated that the location of the hall in a better building within a respected area of the city but still within close proximity to the port, is a very good situation for the Longshoremen.

Patrick Murphy, Atlantic Coast District Vice-President for the International Longshoremen' Association

Mr. Murphy addressed Community Council indicating that the Association has been in existence for 98 years and have approximately 400 members working in the port. He went on to indicate that the port generates 9000 direct and indirect jobs which contributes approximately 700 million dollars to our economy. Mr. Murphy indicated that the business of the Association requires that the Longshoremen be located in the south end in order to service our core properties. He noted that the Association is committed to being a good neighbour.

Robert Bonner, President and Business Agent, Local 269 Longshoreman

Mr. Bonner indicated that he is a second generation longshoreman. He went on to indicate that the Longshoremen's Association has been in the area of Halifax since 1895. Mr. Bonner indicated that the hall is used strictly for dispatch and longshoremen unlike other union halls. He indicated that only one party per year is held in the hall and that is the children's Christmas party. Mr. Bonner referred to concerns expressed regarding profanity and squealing of tires and noted that this will not be permitted. He reiterated that the Longshoremen want to be good neighbours. Mr. Bonner noted that parking is a problem at the present time, however, the new location will eradicate that problem. In conclusion, Mr. Bonner indicated that he would like to work with the neighbourhood to ensure that this new location works for everyone.

Mike Turner, Halifax

Mr. Turner addressed Community Council indicating that he was opposed to the rezoning. He went on to read from his written submission recorded above. Mr. Turner asked that the rezoning be refused.

Mary McGlasha, Halifax

Ms. McGlasha declined to speak.

Michael Conde, Halifax

Mr. Conde addressed Community Council noting that he has witnessed some significance changes in the neighbourhood. Mr. Conde indicated that his opposition is not based on a narrow definition, but on the future landscape of the City. He indicated that the residents of the area had been witness to too many 'one of' situations that result in the neighbourhood being a shambles. Mr. Conde suggested this should not be the vision of the City.

Marsha Parker, Halifax

Ms. Parker addressed Community Council in opposition to the rezoning. She indicated that it was inappropriate to locate such a business in a residential neighbourhood. Ms. Parker indicated that the proposal would not do anything to improve streetscape and further she believed it would be noisy and disruptive. The neighbourhood has worked hard over the last number of years to improve the quality of life in the area. Ms. Parker indicated that an open area parkade is not compatible with the neighbourhood. She further indicated that the use is not a commercial amenity for the neighbourhood and it is not a public building. In fact, the neighbourhood has nothing at all to do with the building. Ms. Parker expressed concern that an open parkade will invite a criminal element to the neighbourhood.

Beverly Miller, Halifax

Ms. Miller read, on behalf of Mr. Royden Trainor, his e-mail dated January 9, 2006 in opposition to the proposal. A copy of Mr. Trainor's e-mail is on file.

Ms. Miller went on to indicate that the MPS is a commonly agreed upon vision which then should only be changed for a compelling reason. There does not appear to be a compelling reason for this change and in the absence of clear benefit to the neighbourhood, there is no reason to change the MPS. Ms. Miller indicated that she believed Community Council should reject the proposal.

The Chair called three times for persons wishing to speak in favour of or against the proposals, 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 Uteck, seconded by Councillor Murphy that Peninsula Community Council approve the proposed rezoning of 5220 Morris Street from RC-3 (High Density Residential/Minor Commercial Zone) to C-2A (Minor Commercial Zone) as set out in Attachment A of the November 14, 2005 staff report.

MOTION PUT AND PASSED.

8.2 Appeal Hearings - None

9. CORRESPONDENCE, PETITIONS AND DELEGATIONS

9.1 Correspondence - None

9.2 Petitions - None

9.3 Presentations - None

10. REPORTS - None

11. MOTIONS - None

12. ADDED ITEMS - None

13. NOTICES OF MOTION

14. PUBLIC PARTICIPATION - None

15. NEXT MEETING - February 13, 2006

16. ADJOURNMENT

There being no further business, the meeting adjourned at 8:00 p.m.

Sherryl Murphy
Legislative Assistant