

**PENINSULA COMMUNITY COUNCIL
MINUTES
October 2, 2006**

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

REGRETS: Councillor Sue Uteck

STAFF: Ms. Karen Brown, Legal Counsel
Ms. Jennifer Weagle, Legislative Assistant

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1. CALL TO ORDER

The meeting was called to order at 7:00 p.m. in Council Chambers, City Hall, 1841 Argyle Street, Halifax.

2. APPROVAL OF MINUTES - August 14, 2006 and September 11, 2006

MOVED by Councillor Murphy, seconded by Councillor Sloane, that the minutes of August 14, 2006 and September 11, 2006 be approved as distributed. MOTION PUT AND PASSED.

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

Addition:

12.1 Mitchell's Environmental Treasures

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

4. BUSINESS ARISING OUT OF THE MINUTES

4.1 Status Sheet

4.1.1 Public Participation - Temporary Sidewalk on Cunard Street

Memorandum received from Ken Reashor, Manager, Traffic Authority, dated September 27, 2006. This item will be removed from the status sheet.

4.1.2 Case 00912: Proposed Telecommunication Equipment and Shed, 3792 Novalea Drive, Halifax

A public information meeting was scheduled for September 28, 2006. This item to remain on the status sheet pending a supplementary staff report regarding the public meeting and subsequent recommendation by PCC on the proposal to Industry Canada.

4.1.3 Email dated July 4/06 re: Re-zoning Robie/Chestnut/Coburg/Jubilee

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

4.1.4 Case 00815: Halifax MPS and LUB Amendments and Development Agreement, 6193 Young Street, Halifax

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

4.1.5 Correspondence from Westmoor Co-Op Ltd. dated March 4, 2006 re: Kenneth Walker Field

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

4.1.6 Harvey Street Parking Lot - Townhouses

No information received. This item to remain on the status sheet. A status update was requested from staff on this matter for the next meeting of Peninsula Community Council.

4.1.7 Closure of HRM Private Lane - June Street to Princess Place

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

4.1.8 CN Property Maintenance

No information received. This item 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 - None

8.2 Appeal Hearings

8.2.1 Variance No. 13257: Appeal of the Development Officer's decision to refuse an application for a Variance - 3727 Rosemeade Avenue, Halifax

C A staff report dated September 22, 2006 on the above noted were before Community Council.

Mr. Andrew Faulkner reviewed the September 22, 2006 report with Community Council, noting that this is an appeal of the Development Officer's refusal of a variance from the Lot Coverage, Front Yard Setback, and Lot Frontage requirements of the Halifax Peninsula Land Use Bylaw to raise the dwelling to create a second floor in order to add a second unit.

Mr. Faulkner responded to questions of clarification of Community Council.

Councillor Fougere opened the appeal hearing and called for speakers.

Mr. Thomas Gerrior, property owner

Mr. Gerrior addressed Community Council, noting that he appealed the decision of the development officer to deny the variance because he wishes to add a second unit to his home for his mother. He advised that he wishes to raise the building to ground level to since his mother has difficulty with stairs, and he and his wife will live upstairs. Mr. Gerrior noted that he is not building the second unit for rental purposes, and has no intention of selling the property in the near future.

Mr. Gerrior distributed photos of other altered homes in the area, and submitted a petition signed by the surrounding neighbours in support of Mr. Gerrior's appeal.

Councillor Fougere called three times for any further speakers in favour or against the application.

Hearing none, it was **MOVED by Councillor Sloane, seconded by Councillor Murphy, that the appeal hearing be closed. MOTION PUT AND PASSED UNANIMOUSLY.**

MOVED by Councillor Murphy, seconded by Councillor Sloane, that the decision of the Development Officer to refuse the variance be overturned to allow the variance.

MOTION PUT AND PASSED.

9. CORRESPONDENCE, PETITIONS AND DELEGATIONS

9.1 Correspondence - None

9.2 Petitions - None

9.3 Presentations

9.3.1 Presentation by Dr. Marek Roland-Mieszkowski re: Noisy Vehicles in Halifax

C A copy of Mr. Roland-Mieszkowski's presentation was before Community Council.

Dr. Marek Roland-Mieszkowski presented to Community Council with the aid of slides, and briefly reviewed the following:

- C the science of "modified mufflers",
- C the science of "boom cars",
- C reasons for banning these types of vehicles,
- C advertising for car stereos,

Dr. Roland-Mieszkowski reviewed proposed actions to address such forms of noise, which included the following:

- C elimination of "straight pipes" by police enforcement of the existing law (no mufflers),
- C amendments to existing noise by-laws in consultation with acoustical experts,
- C development of simple and effective test and inspection procedures by police, motor vehicle inspectors, etc.,
- C introduction of stiff fines reflecting social impact and dangers associated with high noise levels.

Councillor Fougere requested that Dr. Roland-Mieszkowski's presentation be passed on to Police and By-law Enforcement, and ask that they comment on the existing rules and the four proposed actions as outlined in the presentation and report back to Community Council.

At the request of Councillor Sloane, Dr. Roland-Mieszkowski advised that there are other areas with laws similar to those proposed by himself, such as Pictou County. He noted that the cost of a basic decibel reader is approx. \$90, or a Class 2 decibel reader which meets international standards is approx. \$200-\$300.

The Chair thanked Dr. Roland-Mieszkowski for his presentation.

10. REPORTS

10.1 Staff Reports - None

10.2 District 12 PAC Reports - None

11. MOTIONS - None

12. ADDED ITEMS

12.1 Enviroscape property - 2189 Gottingen Street, Halifax

Councillor Sloane indicated that she has been receiving numerous calls about the Mitchell's Enviro Treasures / Enviroscape property at 2189 Gottingen Street, which has been an on-going issue for the past six years.

MOVED by Councillor Sloane, seconded by Councillor Murphy, that staff prepare a written report to Peninsula Community Council regarding 2183 Gottingen Street, Halifax, including whether the liens on the property have been paid, what future plans there are for the property, and include a general update on the status of the property. MOTION PUT AND PASSED UNANIMOUSLY.

13. NOTICES OF MOTION - None

14. PUBLIC PARTICIPATION

Beverly Miller, Halifax

Ms. Miller indicated that she requested follow up at a meeting of Peninsula Community Council two months ago regarding a letter sent from the Peninsula South Community Association last year to the HRM Finance department concerning taxation levels for revenue-producing residential properties. Ms. Miller requested that this item be added to the status sheet until it is dealt with, to which members of Community Council agreed.

15. APPOINTMENT OF PENINSULA COMMUNITY COUNCIL REPRESENTATIVES TO GRANTS COMMITTEE AND MEMBERSHIP SELECTION COMMITTEE

MOVED by Councillor Sloane, seconded by Councillor Murphy, that Councillor Uteck be appointed Peninsula Community Council representative to the Grants Committee and Councillor Murphy be appointed Peninsula Community Council representative to the Membership Selection Committee. MOTION PUT AND PASSED UNANIMOUSLY.

16. NEXT MEETING

The next regularly scheduled meeting of Peninsula Community Council will be held on Monday, November 6, 2006, at 7:00 p.m.

16. ADJOURNMENT

There being no further business, the meeting adjourned at 7:29 p.m.

Jennifer Weagle
Legislative Assistant