

**PENINSULA AND WESTERN REGION
COMMUNITY COUNCIL**

MINUTES

AUGUST 30, 2000

THOSE PRESENT: Councillor Reg Rankin, Chair
Councillor Jerry Blumenthal, Vice-Chair
Councillor Sue Uteck
Councillor Jack Mitchell
Councillor Sheila Fougere

ALSO PRESENT: Mayor Walter Fitzgerald
Sandra Shute, Assistant Municipal Clerk

ABSENT: Councillor Graham Downey

TABLE OF CONTENTS

1.	Call to Order and Opening Remarks from His Worship, Mayor Walter Fitzgerald	3
2.	Election of Chair and Vice-Chair	3
3.	Approval of the Order of Business and Approval of Additions and Deletions ..	3
4.	Adoption of the Rules of Procedure	3
5.	Correspondence, Petitions and Delegations - None	4
6.	Reports - None	4
7.	Motions	
7.1	Councillor Uteck - "To remove the ability to permit Bed and Breakfasts in the R-1 zone and allow them in the R-3 zone"	4
8.	Added Items	
8.1	Case 00212 - Petition to Rezone Properties on Atlantic Street, Brussels Street and MacLean Street from R-2A (General Residential Conversion) and R-2 (Two Family Dwelling) to R-1 (Single Family Dwelling) - District 13	5
8.2	Traffic/Safety Concerns - Armview Avenue	5
9.	Notices of Motion	6
10.	Public Participation	6
11.	Next Meeting Dates	10
12.	Adjournment	11

1. **CALL TO ORDER**

The meeting was called to order at 7:05 p.m. with an Invocation led by His Worship, Mayor Walter Fitzgerald. Subsequently, Mayor Fitzgerald welcomed the members of the public who were present. He expressed pleasure that the rest of the Districts were now part of a Community Council. He wished the members of the this new Community Council well.

The following people were recognized during the meeting: Bill Estabrooks, MLA, Councillor Russell Walker, District 15 and Councillor Graham Read, District 17.

2. **ELECTION OF CHAIR AND VICE-CHAIR**

MOVED by Councillors Uteck and Fougere to nominate Councillor Rankin for Chair and Councillor Blumenthal for Vice-Chair.

There were no further nominations.

MOVED by Councillors Uteck and Fougere that the nominations cease. MOTION PUT AND PASSED.

Mayor Fitzgerald declared Councillor Rankin as Chair and Councillor Blumenthal as Vice-Chair of Peninsula and Western Region Community Council.

Councillor Rankin took the Chair. He thanked Mayor Fitzgerald for his kind remarks. He explained that Councillors were not required to be sworn in as they are already members of Regional Council. As well, individual Councillors were members of Community Council by virtue of having their District included by Regional Council.

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

Added Items: Case 00212 - Petition to Rezone Properties on Atlantic Street, Brussels Street and MacLean Street from R-2A and R-2 to R-1 - Councillor Uteck
Traffic/Safety Concerns - Armview Avenue - Councillor Mitchell

MOVED by Councillors Blumenthal and Mitchell to approve the Order of Business as amended. MOTION PUT AND PASSED.

4. **ADOPTION OF RULES OF PROCEDURE**

Proposed Rules of Procedure were before Community Council.

MOVED by Councillors Fougere and Mitchell to adopt the Rules of Procedure as presented. MOTION PUT AND PASSED.

5. **CORRESPONDENCE, PETITIONS AND DELEGATIONS** - None
6. **REPORTS** - None
7. **MOTIONS**
- 7.1 **To Remove the Ability to Permit Bed and Breakfasts in the R-1 Zone and Allow Them in the R-3 Zone**

Councillor Uteck advised she put a motion forward at Regional Council on August 22, 2000 as outlined above but subsequently advised Regional Council she would take it to the first meeting of Community Council instead.

Councillor Uteck explained her rationale for bringing this proposed amendment forward. She advised that originally when Bed and Breakfasts were brought into the Halifax Peninsula, there were no guidelines. At that time, they were allowed in older established homes which allowed for a viable use rather than turning them into rooming houses or apartments. This is no longer the case, however, because developers build additions to single family residences and then apply for a Bed and Breakfast permit. It was very hard to get control of the number of rooms. Having met with staff, Councillor Uteck advised that staff agreed that it would be a good move to put Bed and Breakfasts into R-3, which is a multi-residential zone and have them no longer allowed in the single family dwelling - R-1 zone.

Councillor Blumenthal said he agreed with Councillor Uteck's motion but wanted to know how long it would take to make this law and, as well, if established Bed and Breakfasts would be grandfathered.

Councillor Mitchell said he could not agree with the motion because putting Bed and Breakfasts in the R-3 zone would open up a whole new field in the rural area. In the rural area, Bed and Breakfasts constituted very small businesses and there were very few of them. If it were opened up to Commercial, that would mean that all commercial businesses could do the same thing. There were people in attendance who wanted to speak on the proposed amendments if it was meant for the rural area.

Councillor Rankin asked for clarification if Councillor Uteck's motion would be for the Municipal Planning Strategy for the Peninsula and not across HRM.

Councillor Fougere asked if there was a Staff Report available to provide background information.

Councillor Uteck said her intention was to ask for a Staff Report and she only intended the proposed amendment for the Peninsula area.

MOVED by Councillors Uteck and Blumenthal to request that staff provide a Staff Report on the feasibility of removing the enabling authority for Bed and Breakfasts from the R-1 zone for the Peninsula area and allow them in the R-3 zone. MOTION PUT AND PASSED.

8. **ADDED ITEMS**

8.1 **Case 00212 - Petition to Rezone Properties on Atlantic Street, Brussels Street and MacLean Street from R-2A (General Residential Conversion) and R-2 (Two Family Dwelling) to R-1 (Single Family Dwelling) - Halifax District 13**

Councillor Uteck reported that at Regional Council on August 15, 2000 a motion had been passed to initiate a process to amend the Halifax Municipal Planning Strategy and Land Use By-law to redesignate and rezone properties on Atlantic, Brussels and McLean Streets and to initiate a Public Participation program. She provided background information on the proposed amendments. She advised she understood that a Public Information Meeting would be held on September 20, 2000.

8.2 **Traffic/Safety Concerns - Armview Avenue**

Councillor Mitchell advised he came through the Armview area not long ago and encountered a very dangerous situation where barrels and curbs had been located but the barrels were knocked down and the curb was in the street. He felt that staff should be aware of this situation and take care of the safety issue.

Councillor Uteck, in response, advised that staff was supposed to have the chicanes painted a bright fluorescent yellow. The chicanes were supposed to be a pinch point to slow traffic down. They were under a trial period.

Councillor Blumenthal added that this was the second trial; the first trial was the lights. Staff would be coming to Council advising which trial they think is best. The chicanes, although dangerous now because they are not painted, would be used in the Romans Avenue area and would help slow down traffic once properly installed. If the chicanes were put in properly in the first place on Armview, there would have been the opportunity to evaluate them.

9. **NOTICES OF MOTION** - None

10. **PUBLIC PARTICIPATION**

During the course of the Public Participation Session, the following items were raised:

10.1 Reformation of Planning Advisory Committee for Peninsula Area

Mr. Thomas Creighton, Bloomfield Residents Association asked that Community Council give early consideration to the re-establishment of the Planning Advisory Committee, particularly in the Peninsula area.

Agreed to take the formation of a Planning Advisory Committee under consideration.

10.2 Traffic and Transportation Related Issues

10.2.1 Mr. Creighton referred to the bus stop just before Brunswick Street before going over the bridge - there is no bus pad which compels drivers to go out into the other lane when a bus in stopped there. He asked if there could be a curb cut or something other to alleviate the problem.

Agreed to forward to David McCusker, Traffic Authority and Brian Taylor, Metro Transit.

10.2.2 Mr. Bob Hayes, Brussels Street raised concern with the trial now being carried out in the Armview Avenue area. In his opinion, it was dangerous and a disgrace.

10.2.3 Mr. David O'Carroll, Armview Avenue asked if the measures taking place now on Armview Avenue are not successful, would there be subsequent measures taken to effect the same type of reduction realized from the traffic lights.

Councillor Uteck said she understood that once the present trial is over, Council would vote on one issue or the other. In her opinion, however, there were other things that could also be tried such as a second stop sign and speed bumps.

10.2.4 Ms. Karen Hudson, Armview Avenue stated that the traffic light was successful in reducing traffic. She did not feel the 3' raised intersection on Armview Avenue was having any effect and did not agree with the chicanes either. If Traffic Authority has been asked to try something else, then it should also be tried. She asked that Community Council consider increased physical measures at this time.

Councillor Uteck advised that she was already bringing the matter to Regional Council on Tuesday. She was trying to be as fair as possible to all her residents and was determined to resolve some safety issues on the street.

- 10.2.5 Mr. Wayne Roscoe, Agricola Street described physical measures - a form of crosswalk - used in Germany which he was suggesting for use in the Armview area.

10.3 Bicycles

- 10.3.1 Mr. Tom Creighton asked if bicycles were permitted to drive on the sidewalk as he had concerns with bicycle safety.

Councillor Fougere indicated she was Chair of the Bikeways Task Force. A motion had been made at the last Regional Council to the Police Department to encourage not only better enforcement of the rules of the road for bicycles but to ask for education of cyclists to the fact that they fall under the Motor Vehicle Act and should abide by the rules of the road.

- 10.3.2 Mr. Pyke and Mr. Andrews suggested that bicycles should be licenced.

Councillor Fougere advised that the former City of Halifax had bicycle licencing at one time but abolished them because administration of the licencing cost more than the licencing. They became a way to retrieve lost bicycles as opposed to identification.

- 10.3.3 Mr. Wayne Roscoe asked if there was an age or size below which a bicycle rider is allowed to ride on a sidewalk.

Councillor Fougere advised technically no; it was a courtesy for little children. All bicycles fall under the Motor Vehicle Act.

- 10.3.4 Mr. Bob Hayes asked why police did not seize bicycles when cyclists ride on the sidewalk.

Councillor Fougere advised that the Police have the power to seize bicycles and it is done.

10.4 Traffic Issues - District 23

- 10.4.1 Ms. Pauline Andrews, Whites Lake asked if the proposed Traffic and Transportation Advisory Committee referred to earlier in the meeting would also cover traffic issues in District 23.

Councillor Mitchell advised that the proposed committee would not cover roads in District 23 because they were covered by Department of Transportation; however, the makeup of the committee might include representation from Department of Transportation to deal with rural issues.

- 10.4.2 Ms. Andrews advised a committee in her area was trying to get a count on the number of tour buses traveling to Peggys Cove. She asked for help.

Agreed to request information from Lew Rogers, HRM Tourism.

- 10.4.3 Mr. George Pyke referred to the Park and Ride at Prospect Road and Route 333 and expressed concern with theft of automobile parts. He asked that consideration be given to fencing these Park and Ride areas and provide security which would give people the confidence to leave their vehicles.

Agreed to ask for a response from Brian Taylor, Transit.

- 10.4.4 Ms. Linda Keddy, Prospect Road, the Chair of PROS - "Please Respect our Safety" - a group of people concerned about the highway in her area which was under the jurisdiction of Department of Transportation referred to the 3.5 km. of road belonging to HRM where, over the last five years, there have been five fatalities. She asked what Community Council could do to help.

Councillor Mitchell stated there have been a lot of improvements over the last few years thanks to meetings with the Minister of Transportation and the work of Ms. Keddy's group. The Minister indicated there was no money in the budget to widen the road. He said that all roads in District 23 are the responsibility of Department of Transportation. HRM does not supply any service for streets in any area in District 23 and, therefore, it is necessary to go through Department of Transportation. Department of Transportation has addressed a number of outstanding issues which have made a difference.

It was agreed to send a letter to the Minister of Transportation, with a copy to the area MLA regarding concerns with the 3.5 km. stretch of road.

- 10.4.5 Mr. Wayne Roscoe, Agricola Street made suggestions used in Alberta such as extra pavement on shoulders.

10.5 Formation of this Community Council

- 10.5.1 Mr. Bob Hayes pointed out that, in his opinion, the members of Community Council did not have anything in common insofar as the Peninsula Districts and the Districts of the former County were concerned.

Community Council members provided information on how the Community Council had been formed and advised there had not been disunity from the outset. It was acknowledged that rural issues were different from urban issues but the goal was to get the best possible for the residents. There had been an attempt to join the Chebucto Community Council but this was rejected by Chebucto Community Council. Community Council allows the opportunity for Public Participation and precludes people from having to go to Regional Council downtown.

10.6 Greetings from Chebucto Community Council

Councillor Russell Walker, District 15, a member of Chebucto Community Council congratulated members of the Peninsula and Western Region Community Council on the formation of their new Community Council.

With regard to the motion for removal of Bed and Breakfasts from the R-1 zone for the Peninsula area and allow them in the R-3 zone, he requested that Chebucto Community Council also be included in any report as there was a crossover in boundaries. Community Council members agreed.

With regard to the Brussels/MacLean/Atlantic Street Staff Report to come forward, he asked that Chebucto Community Council be apprized of this report as well. In response, Councillor Uteck advised that this was a different R-2 zone - a Peninsula R-2 - but she did not have any problem with the report being directed to Chebucto Community Council.

7. Garbage Collection Concerns

10.7.1 Ms. Dawn Sloan, Creighton Street expressed concern that garbage is being left out for weeks. She felt that additional By-law Enforcement Officers were required.

Councillor Uteck advised she thought there should be separate By-law Enforcement Officers for garbage issues and this should be addressed.

10.7.2 Ms. Jane Cale, Charles Street expressed concern with scavengers. Scavengers dumped the garbage not recyclable in the area of Dave's Bottle Exchange or on vacant lots. As well, scavengers were out at 5:30 a.m. organizing themselves because you cannot take anything to the bottle exchange without sorting it and knowing how many you have. They also hammer on aluminum to get the nails out in order to recycle it at that time in the morning. On the Commons, HRM workers have to pick up broken glass left by scavengers once they take the metal off.

- 107.3 Mr. Graham Hicks, Young Street asked if there was still an opportunity to put out hazardous waste on a bi-annual basis for pickup at the curb rather than going to a depot.

All of above concerns to be forwarded to Solid Waste. Mr. Mark Bernard, Manager of Solid Waste to be asked to attend the next meeting along with Peter James, By-law Enforcement to address the issues raised.

10.8 Other Items

- 10.8.1 Ms. Berit Pittman, St. Margarets Bay urged the Councillors from the Peninsula to get to know the areas within Districts 22 and 23.

- 10.8.2 Mr. George Pyke, Bayside advised he ran a Bed and Breakfast in Bayside. He asked for information on the proposed room tax of \$2 per night.

Mayor Fitzgerald advised it would be for large hotels with 75 units or more. It was under consideration at this time. It was proposed to use the tax for advertising promotions to bring tourists into the Halifax area.

- 10.8.3 Mr. Eddie Andrews, Whites Lake referred to funding in the amount of \$10,000 approved for a survey for a walkway/path/bicycle route to Point Pleasant Park and asked why the money was being spent for this when it should, in his opinion, be spent on straightening out the garbage problems referred to in the newspaper.

Councillor Uteck advised that it had been ascertained that information in the newspaper was in error and the garbage has been cleaned up - from private property - by Youth Live. As to the \$10,000, it was an appraisal regarding a 1995 Parkland Strategy because CN is looking to sell off its surplus lands. She explained some of the proposals which could be an alternative means of transportation.

- 10.8.4 Mr. Rick Hatton, Seabright asked how to go about getting his road graded. Councillor Mitchell suggested that Mr. Hatton contact him.

11. NEXT MEETING DATES

- 11.1 Tuesday, September 5, 2000 - 1:00 p.m. - Joint Public Hearing with Chebucto Community Council re Amendments to the C-2A Zone sign requirements in the Land Use By-laws for Halifax Peninsula and Halifax Mainland

- 11.2 Regular Meeting - Wednesday, September 27, 2000

12. **ADJOURNMENT**

On a motion from Councillor Mitchell, the meeting adjourned at 8:55 p.m.

Sandra M. Shute
Assistant Municipal Clerk