

# **HALIFAX REGIONAL MUNICIPALITY**

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## **PENINSULA COMMUNITY COUNCIL MINUTES MAY 13, 2002**

**PRESENT:** Councillor Sheila Fougere, Chair  
Councillor Jerry Blumenthal  
Councillor Dawn Sloane  
Councillor Sue Uteck

**STAFF:** Mr. Barry Allen, Municipal Solicitor  
Ms. Julia Horncastle, Assistant Municipal Clerk

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**1. CALL TO ORDER**

The meeting was called to order at 7:00 p.m.

At a later point in the meeting, Councillor Fougere recognized Deputy Mayor Robert Harvey and Councillor Brad Johns who were in attendance.

**2. APPROVAL OF MINUTES - April 8, 2002**

**MOVED by Councillor Sloane, seconded by Councillor Blumenthal, that the minutes of April 8, 2002 be approved as circulated. MOTION PUT AND PASSED UNANIMOUSLY.**

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

**MOVED by Councillor Blumenthal, seconded by Councillor Uteck, that the Order of Business be approved. MOTION PUT AND PASSED UNANIMOUSLY.**

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

**4.1 Status Sheet**

**4.1.1 C-2 Zoning in District 12**

No information received. Item to remain on status sheet.

**4.1.2 Staff Response to Tania Li Presentation re Armview Corridor Traffic**

Staff report received. Item to be removed from status sheet.

**4.1.3 Establishment of PAC for the Peninsula Community Council**

No information received. Item to remain on status sheet.

**4.1.4 Collection of Organics in the Peninsula Area**

Councillor Uteck requested this item be forwarded to the Solid Waste Advisory Committee. The Councillor advised that when the collection date falls on a holiday the Peninsula have the material in their green bins for an extra week which is causing problems. She noted she had requested that when the collection date falls on a holiday, the organics be collected on the Saturday before the collection date not the following Saturday.

**4.1.5 Minor Variance Hearing**

Staff report received. Item to be removed from status sheet.

**5. MOTIONS OF RECONSIDERATION - NONE**

**6. MOTIONS OF RESCISSION - NONE**

**7. CONSIDERATION OF DEFERRED BUSINESS**

**7.1 Appeal of Development Officers Decision to Refuse an application for Variance - 6882 Edward Arab Avenue, Halifax**

- This item was deferred from the March 4, 2002 meeting.

Councillor Fougere noted the decision had been deferred in lieu of a community meeting and advised there is no interest in changing the actual regulations in that neighbourhood.

**MOVED by Councillor Sloane, seconded by Councillor Blumenthal, that the Peninsula Community Council overturn the decision of the Development Officer and allow the applicant to locate the shed as requested. MOTION PUT AND PASSED UNANIMOUSLY.**

**7.2 Appeal of Refusal of Application for Variance - 6118 South Street, Halifax**

**MOVED by Councillor Uteck, seconded by Councillor Sloane, that this item be deferred to the June 10, 2002 meeting pending a legal resolution between the two parties. MOTION PUT AND PASSED UNANIMOUSLY.**

**8. PUBLIC HEARINGS**

**8.1 Appeal of the Development Officers Decision to Refuse an Application for a Variance - 5620 South Street, Halifax**

- A report from Steven Higgins - Development Officer, dated May 7, 2002, on the above noted, was before Community Council.

Mr. Steven Higgins, Development Officer, with the aid of overheads, presented the staff report.

In response to Councillor Blumenthal as to what the developer would be permitted to build as of right, Mr. Higgins presented a sketch with regard to the building envelope as it is and

the angle control requirements as well as the area of the building footprint. He advised the angle at roof level is outside of the sixty degree angular plane requirements noting, that circumstance decreases as you move down the building.

In response to Councillor Sloane, Community Council was advised there has not been a shadow study undertaken.

Councillor Fougere called for those wishing to speak on the application.

**Ms. Rebecca Jamieson**

Ms. Rebecca Jamieson, 5670 Fenwick Street, stated this development has been subject to a long process in which consultation with the public has been an issue from the beginning. She urged that affected members of the public are consulted at an early stage for a high density development site. She expressed concern that the developer in his proposed plans show that the access to the parking lot for the new building will be very close to the west end of the building and may interfere with the driveway which goes from Fenwick Towers up on to South Street. She stated it is her understanding that there is a proposal to close off the access from Fenwick Towers driveway to South Street so that all the traffic from Fenwick Towers parking will now come on to Fenwick Street. She stated the residents are very anxious that some remedy be put in place to allow the dual access from Fenwick Towers to continue on to South and Fenwick so that they don't get all the traffic onto their street. She stated that even if the developer complies with the by-laws on parking, parking provisions in the by-laws don't allow parking for all residents and parking will be a problem as a result.

**Mr. Michael Moore**

Mr. Michael Moore, representing the property owner, Mr. Tsimiklis, advised the variance would allow the proponent to build a similar size building built within the height precinct. He noted there is no request for any amendment to the front or either end of the building, only the rear. The building would comply with all by-laws dealing with density, parking and setbacks. He stated he feels this would be a good development for the area.

Councillor Fougere called three times for additional speakers. Hearing none, the following motion was placed.

**MOVED by Councillor Blumenthal, seconded by Councillor Sloane, that the public hearing close. MOTION PUT AND PASSED UNANIMOUSLY.**

**MOVED by Councillor Uteck, seconded by Councillor Blumenthal, that Community Council overturn the decision of the Development Officer and allow the applicant to**

**proceed with the development as proposed subject to satisfaction of all other mandatory by-law requirements.**

In response to Councillor Sloane, Community Council was advised that an application would go to the various departments to see if they meet all guidelines and by-law regulations. He advised driveway access would be looked at relative to whether or not it meets existing legislation.

Councillor Sloane suggested a traffic study be undertaken.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**9. CORRESPONDENCE, PETITIONS AND DELEGATIONS**

**9.1 Petitions**

Councillor Sloane served a petition on behalf of the residents of Moran Street requesting on street residential parking.

**9.2 Presentations**

**9.2.1 Mr. Lloyd Hawes re Reinstating Planning Advisory Committee for the Peninsula Community Council**

Mr. Lloyd Hawes, Vice President, Novalea Citizens Association, addressed Community Council regarding the establishment of a Peninsula Planning Advisory Committee. He also suggested Community Planning have more meetings with community groups and expressed concern with the location of the proposed sewage treatment plant.

**9.2.2 Stop Sign Research - Jubilee Road - Tania Li**

Ms. Tania Li, 6496 Jubilee Road, with the aid of an overhead, made a presentation to Community Council regarding a request for an all way stop sign on Jubilee at Preston and Vernon Streets rather than pedestrian overhead lights.

**10. REPORTS**

**10.1 On Street Parking Policy for Residential Streets**

- An information report from Rick Paynter, A/Director, Public Works & Transportation Services, dated April 29, 2002, on the above noted, was before Community Council.

Ms. Kenda McKenzie, with the aid of a PowerPoint presentation, outlined the staff report and proposed parking policy advising the policy deals primarily with existing local streets and will provide:

- The ability of residents to find and provide parking on their street if they require it;
- A sense of community and neighbourhood identity;
- A sense that their street is not being used as a parking lot;
- The ability to achieve a balance of parking between local and non-local residents throughout HRM;
- A reduction in the incidence of blocked driveways by all day parkers on local streets;
- Non-local residents with valid parking in high demand areas without having a negative effect on residential neighbourhoods;
- A balance of parking between local and non-local residents.

In response to Councillor Fougere as to whether residents could ask for a specific parking restriction or ask to have parking on a specific street reviewed, Community Council was advised this could be addressed under this policy.

In response to Councillor Fougere as to what would be considered an acceptable or unacceptable street, Community Council was advised staff would look at the street, traffic volume, classification, safety concerns and the width.

Ms. MacKenzie that there would be an exemption issued for visitors who would be staying at a location for two or three days.

Councillor Uteck advised that one of the prime concerns on the Peninsula is with cars that may park and cause people not to be able to get out of their driveways. In response, Ms. MacKenzie advised that the number of spaces on a street block will not exceed 40. On further question, Ms. MacKenzie advised a permit would define a street block but would not guarantee a parking spot.

Councillor Uteck noted that in her district there are many students who may have cars but those cars are registered to their parents. In response, Ms. MacKenzie advised that in instances such as this there may be a requirement for the person to show a copy of a signed lease and written permission from the parents to use the car.

In response to Councillor Sloane, Ms. MacKenzie advised that along the waterfront and up towards the hospitals are the areas where there will be the greatest need for permit parking. As you move out of the high density areas and off the Peninsula the need would decrease and the rate would not be the same as there would not be the same parking issues as with the downtown.

Councillor Blumenthal expressed concern with the enforcement of such a policy and stated he was not supportive of initiating such a policy.

Councilor Fougere thanked staff for their presentation.

**11. MOTIONS - NONE**

**12. ADDED ITEMS - NONE**

**13. NOTICES OF MOTION - NONE**

**14. PUBLIC PARTICIPATION**

A resident of 1122 Lucknow Street advised she had been involved when the residents of South Street had taken Mr. Tsimiklis to the URB to question the authority of this Community Council to allow 100% variation in a height restriction in the original development. She stated they were not part of the area to be informed by direct mail as part of the original development; therefore, they were not aware of the public hearing part of the original proposal. It is not their wish, as a community on Lucknow Street, to be continuously involved in these discussions with regards to variations to the By-law. She stated parking problems will continue if the infilling of R2-A and the internal conversion into multi-unit dwellings for students continues without a requirement that people be provided with a parking space.

A resident of 6430 Jubilee Road addressed Community Council expressing concern that time restricted parking spaces are being used for longer periods of time than those posted due to limited parking enforcement personnel. It was suggested parking enforcement do selective enforcement in this area.

Mr. Danny Chedrawe noted that the parking regulations for new development under the MPS is very outdated. He suggested there be tighter restrictions on the amount of parking allowed for a new development. He suggested HRM look at options to increase the amount of parking for new developments on the Peninsula.

A resident of 1122 Lucknow Street expressed concern that when there is street cleaning only one side get cleaned due to the parking issue.

A resident of 6285 Jubilee Road asked if statistics on traffic accidents on Jubilee Road for the past five years could be provided to the Community Council. Councillor Fougere advised that the request would go forward to staff for consideration.

**15. NEXT MEETING**

The next meeting is scheduled for Monday, June 10, 2002.

**16.           ADJOURNMENT**

The meeting was adjourned at 8:50 p.m.

Julia Horncastle  
Assistant Municipal Clerk