

HALIFAX REGIONAL MUNICIPALITY

PENINSULA COMMUNITY COUNCIL MINUTES NOVEMBER 4, 2002

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

STAFF: Mr. Barry Allen, Municipal Solicitor
Ms. Sherryll Murphy, Assistant Municipal Clerk

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1. **CALL TO ORDER**

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

2. **APPROVAL OF MINUTES** - October 7, 2002

MOVED by Councillor Sloane, seconded by Councillor Uteck that the minutes of Peninsula Community Council held on October 7, 2002 be approved, as distributed. **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 agenda, as distributed, be approved. **MOTION PUT AND PASSED UNANIMOUSLY.**

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

4.1 **Status Sheet**

4.1.1 **Response to Mr. David Richard re Four Way Stop Jubilee Road and Vernon Streets**

Councillor Uteck advised that advised that this four way stop has now been implemented. The matter is to be removed from the status sheet.

4.1.2 **HRM Use of TAC Manual**

There was no report available. The 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** - None

8.2 Variance Hearing

8.2.1 Appeal of the Development Officer's decision to refuse an application for a variance - 5539 Columbus Street, Halifax

- A staff report dated October 28, 2002 submitted by Gary Porter, Development Officer, was before Community Council for consideration.
- Correspondence dated November 1, 2002 from Marie Christ, in favour of the variance, was distributed to members of Community Council.

Mr. Gary Porter, Development Officer, briefly reviewed the report noting that staff was recommending that Community Council uphold the decision of the Development Officer to refuse the variance at 5539 Columbus Place, Halifax. Mr. Porter responded to questions from members of Community Council.

The Chair called for persons wishing to speak in favour or against the application.

Mr. Gregory Hamlin, 5539 Columbus Place

Mr. Hamlin, the applicant, addressed Community Council in support of the variance making the following points:

- This particular By-law has not been set in stone over the years. Many of the additions to the original homes are unsuitable
- The addition will enhance the insulation of the home and, no doubt, increase assessment
- The addition has architectural merit/distinction
- Using a sketch, Mr. Hamlin illustrated the view neighbours would have of the property and noted that in a few years time there will be no way to tell this is an addition.
- This is an affordable addition which recognizes the location of the driveway
- The addition is a good example of how a small house in the North end of Halifax can be enlarged. Given the architectural merit of the addition, it could serve as an example that others would imitate
- Should this appeal be successful, work will be carried out exactly as has been proposed

Mr. Geoff Keddy, Architect

Mr. Keddy indicated that he had nothing to add to Mr. Hamlin's presentation and went on to ask Mr. Porter when the requirement for a 10 foot side yard had come into effect in this area.

Mr. Porter, referring to the report, noted that the side yard requirement had been four (4) feet up until the early 1990's at which time it was found that the appropriate land use classifications for these dwellings was townhouse. The side yard requirement changed to ten (10) feet at that time.

The Chair called three times for persons wishing to speak with regard to this matter. Hearing none, it was **MOVED by Councillor Sloane, seconded by Councillor Blumenthal that the variance hearing be closed. MOTION PUT AND PASSED UNANIMOUSLY.**

MOVED by Councillor Sloane, seconded by Councillor Blumenthal that Peninsula Community Council uphold the decision of the Development Officer to refuse the application for variance at 5539 Columbus Place, Halifax.

After a brief discussion the **MOTION WAS PUT AND PASSED UNANIMOUSLY.**

9. CORRESPONDENCE, PETITIONS AND DELEGATIONS

9.1 Correspondence - None

9.2 Petitions - None

9.3 Delegations - None

10. REPORTS

10.1 Case 00440: Review of C-2 (General Business) Zone in District 12, in relation to Auto Body Repair and/or Paint Shops

- This matter was placed on the agenda for this evening's meeting at the request of Councillor Sloane and responds to a status sheet matter. A previously distributed information report dated September 4, 2002 submitted by Paul Dunphy, Director of Planning and Development Services, was before Community Council for consideration.

Councillor Sloane indicated that, after consultation with residents, she would like staff to bring forward a report dealing specifically with items 3 and 4 of the Possible Options and Implications section of the September 4, 2002 report.

Mr. Jim Donovan, Manager, Planning Approvals, noted that amendments to the Municipal Planning Strategy were the responsibility of Regional Council and advised the Community

Council to forward this recommendation directly to Regional Council.

Councillor Uteck, agreeing that further regulation was required, she did not wish to see this use completely wiped out in the Peninsula of Halifax.

MOVED by Councillor Sloane, seconded by Councillor Uteck that Peninsula Community Council recommend to Regional Council that staff begin the process of public consultation to consider amendments to the MPS relative to auto body repair and/or paint shops as set out in Options 3 and 4 of the September 4, 2002 information report. MOTION PUT AND PASSED UNANIMOUSLY.

10.2 Public Participation for Planning

- This matter was placed on the agenda for this meeting at the request of Councillor Sloane and responds to a status sheet item. A previously distributed information report dated October 1, 2002 submitted by Paul Dunphy, Director of Planning and Development Services, was before Community Council for consideration.

Mr. Jim Donovan, Manager, Planning Approvals, briefly reviewed the October 1, 2002 report noting that it addressed:

1. Correspondence received from Coalition of Neighbourhood Associations (Halifax Peninsula) expressing concern that public processes are not being carried out according to the Municipal Planning Strategy for Halifax
2. Enquiry by Councillor Sloane for a report on whether an individual district could have Planning Advisory Committee.

Mr. Donovan reviewed the Options for Consideration section of the report and reviewed the next steps should Community Council approve the establishment of a Planning Advisory Committee.

Referring to her question regarding a Planning Advisory Committee for District 12, Councillor Sloane indicated that she would like the hybrid type of PAC which appears to be set out in Option 3.

Mr. Donovan clarified his understanding of Councillor Sloane's request indicating that such a PAC would be empowered to hold public meetings and work directly with staff and the developers on major proposals, as well as, to make recommendations on standard applications involving rezoning and development agreements. This follows along the proposed Bedford model which would no doubt have to be modified to meet the needs of the downtown.

MOVED by Councillor Sloane, seconded by Councillor Blumenthal that staff prepare Terms of Reference for a PAC for the District 12 area based on the Bedford model and further that membership on the Committee be open to all residents of the municipality. MOTION PUT AND PASSED UNANIMOUSLY.

Councillor Uteck assumed the Chair, allowing Councillor Fougere an opportunity to address this matter.

Councillor Fougere noted that the Coalition of Peninsula Neighbourhoods feel that the public participation process has failed as it currently exists. The Councillor suggested that these concerns had not been addressed by the previous motion. Councillor Fougere commented that she did not necessarily believe that a Planning Advisory Committee would achieve what the Coalition was seeking. Past experience with the Planning Advisory Committee for the Peninsula area is that an unproductive and adversarial relationship evolved between the Committee and staff.

Councillor Fougere, noting that the Coalition's concerns were valid, indicated that the issue was that proposals often change dramatically between the time of the Public Information Meeting and the Public Hearing to consider the matter. The public has no opportunity to provide input to the changed proposal as the matter is decided at the same time as the public hearing. Councillor Fougere suggested that a re-evaluation of the Public Participation Process was in order with a view to improving the process so that this does not happen.

After a further short discussion, it was **MOVED by Councillor Fougere, seconded by Councillor Sloane that Peninsula Community Council recommend to Regional Council that the 1997 public participation program be reevaluated with a view to identifying and addressing the gaps that exist, specifically, but not limited to, the concerns expressed relative to the Peninsula of Halifax. MOTION PUT AND PASSED UNANIMOUSLY.**

10.3 Meeting Schedule for 2003

- A proposed meeting schedule for 2003 was before Community Council for consideration.

MOVED by Councillor Sloane, seconded by Councillor Blumenthal that the proposed meeting schedule for 2003 be approved as follows subject to confirmation that March 10, 2003 does not fall within the March Break period.

January 13, 2003

February 10, 2003

March 10, 2003

April 14, 2003

May 12, 2003

June 9, 2003

July 14, 2003

September 8, 2003

October 6, 2003 (Second Monday is Thanksgiving Holiday)

November 10, 2003

December 8, 2003

MOTION PUT AND PASSED UNANIMOUSLY.

11. **MOTIONS** - None
12. **ADDED ITEMS** - None
13. **NOTICES OF MOTION** - None
14. **PUBLIC PARTICIPATION**

Ms. Eleanor Eggar Reynolds, Jubilee Road

Ms. Reynolds addressed Community Council expressing concern regarding traffic flow on Robie Street, traffic concerns on Jubilee and asking if the accident report relating to the recent fatality was available to area residents. A copy of Ms. Reynolds presentation is on file.

The Chair noted that she was not sure that the accident report would be available to the public, but noted she would follow up with staff in this regard.

Councillor Uteck noted, for the record, that the Traffic Authority had committed to adjusting the lights at Robie to allow for a better traffic flow. To date this has not been done.

Councillor Fougere advised that she and Councillor Uteck were scheduled to meet with the Director of Public Works and Transportation with regard to traffic concerns in the area and how these concerns had been handled.

Milo Stenning-Riding, 6490 Jubilee Road

A Ms. Stenning-Riding of addressed Community Council expressing concerns regarding traffic on Quinpool Road and Jubilee Road including the following key points:

- Quinpool Road, as an arterial road, is not functioning properly
- Extra traffic is being funnelled on to Jubilee Road
- Left turns on to Quinpool Road are very disruptive to traffic and should be eliminated
- Parking on Quinpool Road is also disruptive. Residents were of the understanding that parking would gradually be moved off Quinpool Road in to side lots as they become available. Residents now understand that the Quinpool Merchant's Association is to meet with the Traffic Authority to discuss the installation of meters on Quinpool Road. Believe that this discussion should include all the stakeholders: neighbourhoods, commuters, and drivers.
- It is not acceptable for Quinpool Road to remain inefficient and for Jubilee Road to carry the load
- Residents are asking that the existing street classification on Jubilee be maintained and respected and not for a change.
- Residents would like clarification regarding the parking issue and would also like to be assured will have input to what happens on Quinpool Road especially as it relates to the flow of traffic
- Residentis would like assurance that no decisions will be made to install metered parking on Quinpool Road until the issues of the proper use of Quinpool as an arterial road and stakeholder participation are resolved.

A copy of Ms. Stenning-Riding's presentation is on file.

Councillor Fougere noted that, as a member of the Directors of the Quinpool Road Merchants Association, she had forwarded Ms. Stenning Riding's comments to the Association. The Councillor advisee that she had recently met with the Acting Chief of Police and that enforcement of rush hour traffic controls on Quinpool was topic of discussion. The Acting Chief has given a direction to staff to find a way to make enforcement work on Quinpool Road during rush hour. Councillor Fougere went on to assure that meters need not be permanent. The Councillor noted that there may be a short term benefit from an ease of enforcement point of view. Councillor Fougere cautioned residents not to expect huge changes in parking on Quinpool in the short term as a longer term solution is required.

Councillor Uteck clarified that she had merely made a proposal to HRM management with regard to removing parking from Quinpool. T his proposal has been heard and, she believed, accepted as a possibility to improve the situation.

Tania Li, 6496 Jubilee Road

Ms. Li addressed Community Council regarding traffic including the following points:

- If considering meters as a short term measure, should consider traffic on the busiest section of Jubilee between Rosebank and Oxford. Request that no parking be allowed on this section of Quinpool, but permitted further up Quinpool Road.
- Some blocks on Quinpool can accommodate parking, others are less able. If HRM is installing meters, please install them in the blocks that can accommodate parking. In this way, Quinpool will have a maximum amount of parking and reduce the interruption to traffic
- Suggestion that if cars stay on Quinpool as far as Oxford, they would continue on Quinpool to the end
- Request that changes in the future make a step forward to reducing the congestion on these blocks. Be strategic about reducing congestion.
- Greatest problem on Quinpool is not parking, but turning left. Motorists must avoid parked cars on the right and turning cars on the left creating endless lane changes

Mr. Peter Lavelle, 2628 Belle Air Terrace

Mr. Lavelle expressed concern regarding the recent shooting in Uniacke Square noting that within the Province of Nova Scotia there have been four cases of extreme violence against persons not involved in criminal activity. He went on to express concern that this seems to be a trend in Nova Scotia and particularly within Halifax.

Mr. Lavelle went on to note that the Halifax Police Department refers to Social Services situations involving children. Due to a lack of human resource, Social Services is unable to take timely or effective action. He suggested that HRM should take this situation up with the Province and request them to apply more resource in this regard.

In response to a question regarding the patrols on Gottingen Street, Councillor Sloane advised that the patrol is ongoing and hopefully this program will continue into the next budget year. Councillor Sloane indicated that Federal and Provincial representatives have agreed to meet with her and residents of the area.

15. NEXT MEETING

The next meeting of Peninsula Community Council will be held on Monday, December 9, 2002 beginning at 7:00 p.m. in the Council Chamber, City Hall.

16. ADJOURNMENT

The meeting adjourned at 8:20 p.m.

Sherryl Murphy
Assistant Municipal Clerk