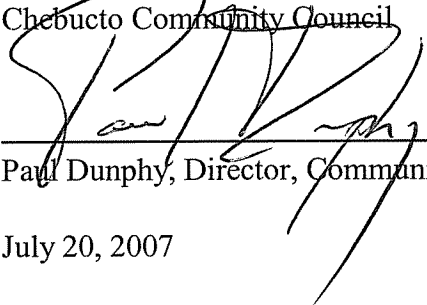


Chebucto Community Council
September 10, 2007

TO: Chebucto Community Council

SUBMITTED BY: 
Paul Dunphy, Director, Community Development

DATE: July 20, 2007

SUBJECT: Brigadier Court

INFORMATION REPORT

ORIGIN

At the June 18, 2007 meeting of the Chebucto Community Council, Councillor Hum requested a report regarding parking issues on Brigadier Court.

BACKGROUND

Brigadier Court is a cul de sac located in the Royale Hemlocks subdivision and was constructed pursuant to a development agreement approved by Chebucto Community Council in 2001. The housing type on the street consists of townhouses with individual driveways.

Several weeks ago, one resident had several visitors. Vehicles parked within the travel way of the cul de sac. A complaint was lodged which was investigated by the police and tickets were issued to nine vehicles for a violation of the Motor Vehicle Act.

DISCUSSION

Councillor Hum has requested a report addressing the following information:

- how the on street parking issues can be resolved
- the process for appealing parking tickets

Parking Issues

Streets are primarily designed for the movement of vehicles and the access to individual homes on the street. While Brigadier Court has numerous driveways which reduces the amount of on street parking, each property has an individual driveway which allows for off street parking. As well, there is significant parking on streets in the area and a public parking lot located within the municipal park at the corner of Brigadier Court and Starboard Drive.

Brigadier Court was designed and constructed in accordance with Municipal Service Specifications. Additional on-street parking is not a factor in the design of a street. The housing type and sizes are in accordance with the Land Use Bylaw.

There are numerous streets in HRM where on street parking is not available directly in front of individual properties. In areas without on street parking, it is expected that a vehicle is parked in a legal parking spot and individuals walk to their destination. It is common practice for those having difficulty walking to be allowed to park in the driveway or to be dropped off at the door.

The only way to increase the amount of on street parking on Brigadier Court is to reduce the number of driveways. However, this is an unreasonable solution as the properties were purchased properties with driveways for their individual use.

Appeal of Parking Tickets

Parking within the travel way of a street is a violation of the Motor Vehicle Act as it impedes the safe passage of all vehicles, including emergency vehicles. Therefore, in this case, after investigation by Halifax Regional Police, tickets were issued. Police and Financial Services supervisors can hear complaints regarding tickets if there were errors on the ticket or enforcement issues, but the avenue to challenge the legality of the ticket is through the court system. Any person who receives a ticket has the right to enter a not guilty plea and have their case considered.

BUDGET IMPLICATIONS

There are no budget implications.

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

ATTACHMENTS

A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.html> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by : Denise Schofield, P.Eng, A/Manager, Development Engineering 490-6252