

# **HALIFAX REGIONAL MUNICIPALITY**

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## **PENINSULA COMMUNITY COUNCIL MINUTES DECEMBER 10, 2001**

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

**ALSO PRESENT:** Mr. Jim Bauld, Diversion Planning Coordinator  
Mr. Kurt Pyle, Planner  
Ms. Grace Ho, Planner  
Mr. David McCusker, Traffic Authority  
Ms. Sherrill Murphy, Assistant Municipal Clerk

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**1. CALL TO ORDER**

Deputy Mayor Robert Harvey called the meeting to order at 7:05 p.m.

**2. SWEARING IN OF MEMBERS OF COMMUNITY COUNCIL**

Councillors Blumenthal, Fougere, Sloane and Uteck were duly sworn in by Deputy Mayor Robert Harvey.

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

Deputy Mayor Harvey called for nominations for Chair of the Peninsula Community Council.

**MOVED by Councillor Blumenthal, seconded by Councillor Uteck that Councillor Sheila Fougere be nominated as Chair, Peninsula Community Council.**

There being no further nominations, Deputy Mayor Harvey declared nominations closed.

The **MOTION WAS PUT AND PASSED UNANIMOUSLY.**

Councillor Fougere assumed the Chair thanking Deputy Mayor Harvey for his assistance. She went on to wish Councillor Blumenthal and other members of the Jewish community attending, Happy Hanukkah, noting that this was the second night of Hanukkah.

Councillor Fougere called for nominations for Vice-Chair of the Peninsula Community Council.

**MOVED by Councillor Blumenthal, seconded by Councillor Sloane that Councillor Sue Uteck be nominated as Vice-Chair, Peninsula Community Council.**

There being no further nominations, Councillor Fougere declared nominations closed.

The **MOTION WAS PUT AND PASSED UNANIMOUSLY.**

Councillor Fougere congratulated Councillor Uteck on her election.

**4. APPROVAL OF RULES OF PROCEDURE**

- Draft Rules of Procedure for the Peninsula Community Council dated December 10, 2001 were before Community Council for consideration.

**MOVED by Councillor Uteck, seconded by Councillor Sloane that the Rules of Procedure, Peninsula Community Council be approved as distributed.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

**5. APPROVAL OF MINUTES - November 5, 2001, Chebucto Community Council**

**MOVED by Councillor Blumenthal, seconded by Councillor Sloane that the minutes of the Chebucto Community Council of November 5, 2001 be approved as distributed.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

**6. PUBLIC MEETING: MPS & LUB AMENDMENTS RE CONSTRUCTION AND DEMOLITION WASTE MANAGEMENT STRATEGY**

A public meeting regarding amendments to the Municipal Planning Strategy and Land Use Bylaw regarding construction and demolition waste management strategy was held at this time.

- An information package entitled C&D Waste Management Strategy was circulated to those present.

Mr. Jim Bauld reviewed the background to the C & D Waste Management Strategy as found on Page 1 of the information package. He outlined the issue being addressed and why the strategy is being adopted including the following points:

- Without a comprehensive strategy illegal dumping will continue
- Without a comprehensive strategy illegal land filling will continue
- C & D materials will continue to be disposed of at Otter Lake - a very expensive way to handle rather inert material
- Without a comprehensive strategy there is very little incentive to recycle
- Economically, HRM is losing opportunities
- Without amendments C&D facilities will continue to be permitted in zones without adequate land use compatibility measure in place

Referring to the approach in implementing this strategy, Mr. Bauld indicated that the first step was the approval and implementation of the C&D Licensing By-law. The second step are the amendments to the Municipal Planning Strategy and Land Use Bylaw being discussed this evening.

Mr. Pyle advised the information package provided was a summary of the October 16, 2001 staff report relative to this matter. He noted that Council had decided that as of right development of C&D operations was not the way in which to proceed. Noting that Council has adopted in principle a rezoning option, Mr. Pyle went on to review the rezoning option as found

on page 3 of the information package. He further indicated that in addition to the creation of new zones, the amendments provide that new C&D operations will only be permitted in areas designated Industrial, Resource and Mixed Use. Mr. Pyle briefly reviewed criteria for each of the three types of C & D operations which are being considered as part of these amendments.

Mr. Pyle noted that within this Community Council area there were only four areas in which a C& D operations would be permitted: Kempt Road area, Rail Shunting Yard, Olands lands, and the waterfront at Cornwallis Street. Mr. Pyle noted that the Cornwallis Street site would not meet the requirements of the licensing by-law, therefore, no operation would be able to locate on that site. Mr. Pyle clarified that individuals may make application for a rezoning to locate a C&D operation in the above areas, which is not to suggest that the rezoning would be granted.

In response to a question from Councillor Blumenthal, Mr. Pyle indicated that he was correct in suggesting that there is no land within the Peninsula area that would accommodate a disposal facility. Mr. Pyle noted that individuals may make application to rezone for a transfer facility, however, he was doubtful that the setback requirements would allow for such a facility in the Peninsula area.

Councillor Sloane asked if it would be possible to make the entire Peninsula a C&D facility free area. Mr. Pyle indicated that staff would not recommend such a move. He went on to note that the proposed amendments applied consistently and fairly across all of HRM. Mr. Pyle noted that this was a desirable approach to this particular issue.

Councillor Sloane expressed concern regarding Dave's Bottle Exchange on Charles Street noting that it was located in a residential area. Councillor Sloane indicated that area residents were experiencing difficulties with noise and hours of operation. She further noted that C&D like materials are being processed through the facility and requested that an inspection of the operation be undertaken.

Mr. Bauld indicated that staff would follow up on this matter to ensure that the operation was compliant with regulations with particular emphasis on materials processed and hours of operation.

There were no members of the public wishing to address this matter.

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

The following items were added to the agenda:

- 16.1 Case 00123 - Request to Amend the Halifax Municipal Planning Strategy and Land Use Bylaw - 5515/5517/5519 and 5523 Inglis Street, Halifax (Public Hearing Held and Closed November 6, 2001)

*At the request of Councillor Uteck the above item was moved up on the agenda to be dealt with as the first item of business following the setting of the agenda.*

- 16.2 Appointments to Selection Committee and Grant Committee
- 16.3 Tentative Meeting Schedule - 2002 (Second Monday of the Month as Required)
- 16.4 Approval of Encroachment - Stone Wall - 6010 South Street - Councillor Uteck

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

**16.1 Case 00123 - Request to Amend the Halifax Municipal Planning Strategy and Land Use Bylaw - 5515/5517/5519 and 5523 Inglis Street, Halifax (Public Hearing Held and Closed November 6, 2001)**

- A staff report dated December 10, 2001 submitted by Grace Ho, Planning and Development Services was before Community Council for consideration. An extract of November 6, 2001 Halifax Regional Council minutes relative to the public hearing on the amendment to the Municipal Planning Strategy and Land Use Bylaw was also before Community Council.

Ms. Grace Ho, Planner, using the overhead, briefly reviewed the December 10, 2001 report noting that on November 6, 2001 Regional Council had approved the amendments to the Halifax Municipal Planning Strategy and Peninsula Land Use By-law to permit a residential development by development agreement on the property located at 5515/17/19 and 5523 Inglis Street. The matter is before Community Council for approval of the development agreement and height precinct map.

**MOVED by Councillor Uteck, seconded by Councillor Sloane that Peninsula Community Council:**

- 1. approve the development agreement attached to the September 8, 2001 staff report and identified as Attachment V;**
- 2. require that the development agreement be signed within 120 days, or any extension thereof granted by Council on request of the applicant, from the date of final approval by Council and any other bodies as necessary, whichever is**

later; otherwise this approval will be void and obligations arising hereunder shall be at an end;

3. amend the height precinct map for 5515/17/19 and 5523 Inglis Street to increase the permitted height from 35 feet to 45 feet.

**MOTION PUT AND PASSED UNANIMOUSLY.**

8. **BUSINESS ARISING OUT OF THE MINUTES - NONE**

9. **MOTIONS OF RECONSIDERATION - NONE**

10. **MOTIONS OF RESCISSION - NONE**

11. **CONSIDERATION OF DEFERRED BUSINESS - NONE**

12. **PUBLIC HEARINGS - NONE**

13. **CORRESPONDENCE, PETITIONS AND DELEGATIONS - NONE**

14. **REPORTS**

14.1 **Armview Corridor Shortcutting - Next Steps (Referred from Halifax Regional Council November 20, 2001)**

- This matter was referred for recommendation from the Halifax Regional Council meeting held on November 20, 2001.
- A information report dated November 19, 2001 submitted by Phil Cochrane, Acting Director, Public Works & Transportation, was before Community Council for consideration.

Councillor Uteck noted that she had met with Mr. McCusker, Traffic Authority with regard to this matter. She went on to ask Mr. McCusker, if there were any areas within the Armview Corridor which would permit speed humps.

In response, Mr. McCusker noted that staff had not recommended speed humps for the Armview Corridor primarily due to excessive grades. He went on to note that there were certainly some locations where the grade would not exclude the humps. However, there are other concerns identified which staff will be reviewing.



Councillor Uteck referred to the Yield sign at the corner of Jubilee Road and Pryor Street and asked if staff would consider replacing this sign with a Stop sign.

Mr. McCusker indicated that staff would consider this possibility.

**MOVED by Councillor Uteck, seconded by Councillor Blumenthal that this matter be referred to staff for a report regarding where speed humps could be located on the Armview Corridor and the location of a Stop sign on Pryor Street where it intersects Jubilee Road; and further that this report come back to Peninsula Community Council at it's next meeting to be held on Monday, January 14, 2002.**

Councillor Blumenthal requested that the report address the possibility of a stop sign being placed on Jubilee Road (going west) and Connaught Avenue allowing for a free flowing traffic down Connaught.

Staff indicated that all potential configurations of stop controls will be included in the report.

Councillor Uteck indicated that she would not be in favour of a free flow of traffic down Connaught. She noted that the intent was to calm traffic on the residential streets and she believed moving in this direction would not serve that purpose. Councillor Uteck went on to note that one of the options contained within the November 19, 2001 report was the installation of lights at Connaught and Jubilee. She went on to indicate that residents of the area are not in favour of such an action and she would be voting against any motion which would provide for this.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**15. MOTIONS - NONE**

**16. ADDED ITEMS**

**16.1 Case 00123 - Request to Amend the Halifax Municipal Planning Strategy and Land Use Bylaw - 5515/5517/5519 and 5523 Inglis Street, Halifax (Public Hearing Held and Closed November 6, 2001)**

This matter was dealt with earlier in the meeting.

**16.2 Appointments to Selection Committee and Grant Committee**

**MOVED by Councillor Uteck, seconded by Councillor Sloane that Councillor Blumenthal represent the Peninsula Community Council on the Selection and Grant Committees. MOTION PUT AND PASSED UNANIMOUSLY.**

**16.3 Tentative Meeting Schedule - 2002 (Second Monday of the Month as Required)**

- A proposed meeting schedule was distributed.

Note should be made that meetings will be held every second Monday of the month as required and should there be no business to discuss, the meeting will be cancelled.

**MOVED by Councillor Blumenthal, seconded by Councillor Uteck that the proposed meeting schedule, as follows, be approved as distributed. MOTION PUT AND PASSED UNANIMOUSLY.**

**PENINSULA COMMUNITY COUNCIL - 2002 MEETING SCHEDULE  
Second Monday of the Month as Required**

January 14, 2002  
February 11, 2002  
March 11, 2002  
April 8, 2002  
May 13, 2002  
June 10, 2002  
September 9, 2002  
October 14, 2002 (No meeting - Thanksgiving)  
November 11, 2002 (No meeting - Remembrance)  
December 9, 2002

**16.4 Approval of Encroachment - Stone Wall - 6010 South Street**

- This matter was added to the agenda at the request of Councillor Uteck.

Councillor Uteck, referring to an e-mail from staff, advised that staff, in August of 2000, had recommended approval of a site plan submitted by Whitehall Investments to construct a children's centre and student residence at 6101 South Street. The site plan indicated that a stone wall would be constructed on private property parallel to South Street and approximately 5' to rear of the existing sidewalk. Inadvertently, the stone wall was located so as to encroach upon the sidewalk which requires Whitehall Investments to seek approval of the encroachment from Community Council.

Councillor Uteck provided pictures of the stone wall and noted that although staff has concerns regarding snow storage and accessibility for snow clearing in the event that municipal staff begin to clear these sidewalks, this situation is not unusual in the downtown area.

**MOVED by Councillor Uteck, seconded by Sloane that Peninsula Community Council approve the encroachment of the stone wall located at 6101 South Street. MOTION PUT AND PASSED UNANIMOUSLY.**

**17. NOTICES OF MOTION - NONE**

## **18. PUBLIC PARTICIPATION**

**Ms. Tania Li, Jubilee Road**, addressed the Community Council with regard to the traffic issue in the Armview Corridor. She indicated that she was speaking from the perspective of a resident of Jubilee Road at the foot of Connaught. Ms. Li went on to make comment with regard to the staff report before Community Council this evening.

Ms. Li first addressed stop signs noting that they were a recognized calming device, that they were commonly used and, finally, that they were included in the list of possible calming devices to be used. She went on to encourage staff, Council and the community to not give up on the use of stop signs to calm traffic in the Armview Corridor. Referring to current traffic calming practices, Ms. Li indicated that pedestrian and other factors, as well as, vehicular traffic were considered in most studies.

Ms. Li indicated that it was her understanding that in Ontario 90% of stop signs do not meet warrants. However, stop signs are recognized traffic calming devices. Studies have indicated they reduce pedestrian injuries by 63% and they reduce overall accidents by 45%. Ms. Li noted that due to their value neighbourhoods usually fight for them and Council support them. In most cases, the Traffic professionals 'grit their teeth' and go along because they do have a recognized calming effect.

Ms. Li noted that the Traffic Authority is recommending signal lights. She went on to stress that signal lights are most often strongly discouraged at this type of intersection - one of a local street and a connector street. These are streets to which you do not wish to attract more traffic. Traffic lights tend to encourage traffic, rather than to discourage it. Referring to traffic volumes on Jubilee, Ms. Li indicated that the volume (21,700 cars per day) already exceeds desired volumes. Ms. Li indicated that there is no desire to increase that volume by making traffic more efficient.

Ms. Li went on to note that flow through traffic on Connaught would be a disaster. A four way stop at this intersection would be ideal, giving the drivers as they leave the highway an opportunity to recognize they are deep in a residential area. Ms. Li indicated that although the Traffic Authority seems to be a real stickler on warrants for stop signs, the signal lights are totally unwarranted. Volume is not so great as to warrant them. Ms. Li asked that the installation of signal lights be carefully re-considered unless the goal is to channel more and more traffic on to Jubilee.

**Ms. Eleanor Reynolds, a resident of Jubilee Road**, addressed Community Council indicating that she and her family had moved to Jubilee Road because they wanted to live in Halifax. Ms. Reynolds indicated that she knew what went on Jubilee, she sees the near misses and the kids dodging across the street even though there is a crosswalk.

Ms. Reynolds went on to note that her street was changing. People are leaving because they are no longer comfortable with all the noise and pollution. She went on to state that she did not believe that it was good to have transient people on the street. During September and October across the street from her home was 'party central' - Dalhousie students, who have toned down somewhat in recent months. Ms. Reynolds went on to relate a story told her by a cab driver that a house on Jubilee near Chestnut was a crack and prostitution house. Putting more traffic on Jubilee Road is not the answer to these problems.

Ms. Reynolds went on to indicate that she felt speed should be reduced. She relayed that it was extremely difficult to get out of her driveway between 6:00 a.m. and 9:00 a.m. and between 3:00 p.m. and 6:00 p.m. She noted that if she should stop or slow someone getting out of the driveway, she is glared at because she is taking too long.

Ms. Reynolds noted that it appeared to her that Regional Council was dealing with the problem on an ad hoc basis putting in signage here, speed bumps there and traffic lights another place. She went on to suggest that the Traffic Department has a conflict as the department is also the Transportation Department. Rhetorically, she asked if traffic was being promoted at the expense of transportation.

Ms. Reynolds indicated that she did have hope. She noted that she had heard Ms. Ann Muecke at a meeting regarding urban planning. Her comments gave hope that Halifax in the future would do some serious planning, not just ad hoc stuff. Ms. Reynolds went on to suggest that assistance from Dalhousie staff should be sought in terms of developing community solutions. In conclusion, Ms. Reynolds indicated that she would like to see many more cross walks in the neighbourhood as there were three schools and two universities.

Councillor Blumenthal noted that, marked or unmarked, every street intersection is an automatic crosswalk.

**Mr. Hugh Pullen, Peninsula South Community Association**, addressed the Community Council indicating that he hoped that Ms. Muecke had some regional solutions as every year traffic was increasing. He went on to suggest that HRM inquire about the vacant garage space at the West End Mall. He noted that there were three to four floors of empty parking space. He commented that these floors were vacant due to poor lighting. Mr. Pullen went on to suggest that this would be a place to park cars in combination with better public transit. He noted that the last Council decreased support for Metro Transit by 15% over four years. Perhaps it is the time to increase spending rather than decrease.

Mr. Pullen then made the following suggestions regarding the conduct of meetings:

- The next meeting of Peninsula Community Council be held in City Hall
- Given that experience shows there are few agenda items, consideration be given to having a meeting of Community Council every two months

- Suggestion that there be a space for public discussion between residents and Councillors

Mr. Pullen made the following requests for reports:

- Requested a report with regard to the illegal parking lot between 1681-83 Edward Street and 1670 Robie Street. Mr. Pullen noted that this is a lot that is used as a parking lot in an R-2 area
- Requested a report with regard to what is happening with the B&B at 1984 Connaught Avenue. Mr. Pullen indicated that he believed this was an illegal operation.
- Requested a report on Blockbuster Street --- the double parking lot with an entrance off Quinpool Road and one off Pepperell Street. The people on Pepperell Street, as a result of this double parking lot have speeding equal to Connaught Avenue proportions. Mr. Pullen asked if this was to be a street or a parking lot because at the moment it is definitely used as a street, a short cut around the Willowtree.

Mr. Pullen went on to advise that he had recently appeared in front of the Utility and Review Board regarding a development which is now on hold. He noted that this development and a development that took place on Inglis Street could provide the basis for an improved public meeting/public hearing sequence. Mr. Pullen explained that what happens at the present time is that the proponent sit with staff to determine what is practical and possible. Mr. Pullen went on to note that the first time area residents see the proposal is at the public meeting. He commented that area residents often see staff and the developer as being in the same bed due to the meetings held prior to the public meeting. Mr. Pullen noted that he believed area residents should be involved in the 'what is possible' stage of the development.

Referring to a developer who sought resident input to a development in the neighbourhood, Mr. Pullen indicated that the developer had re-thought the proposal after input from the neighbourhood. He noted that this was prior to the public meeting stage. Mr. Pullen reiterated that public input earlier in the process would save a lot of pain which is happening now. Mr. Pullen pointed out that there is a difference between the requirements of HRM and the requirements of URB. HRM takes the minimum position -- they are only required to notify property owners within 250 feet of the proposed development. The URB requires that a notice of appeal be sent to residents within a radius of 500 feet. In conclusion, Mr. Pullen requested that staff study this possibility

Mr. Pullen went on to request the following:

- That Councillor Uteck contact the Saint Mary's Director of Athletics to look into the problem of the lights from the Saint Mary's stadium being a traffic hazard.
- That an investigation of a letter dated 1981 and signed by Mr. Meisner to the owner of 6019-6021 Cherry Street advising that at the time of the MPS for the area being approved, the property was a non conforming rooming house.

There were no further members of the public wishing to participate.

**19. NEXT MEETING**

Monday, January 14, 2002 @ 7:00 p.m. Council Chamber, City Hall

**20. ADJOURNMENT**

The meeting adjourned at 8:30 p.m.