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MAYOR EDMUND L. MORRIS  
CHAIRMAN

\_\_\_\_\_  
G. I. BLENNERHASSETT (Mrs.)  
CITY CLERK

Date Approved by City Council: \_\_\_\_\_

*Record*

SPECIAL COUNCIL - PUBLIC HEARING  
MINUTES

Council Chamber,  
City Hall,  
Halifax, N. S.  
March 22, 1978  
8:45 p.m.

A special meeting of City Council was held on the above date.

After the meeting was called to Order, the members of Council attending, led by the Acting City Clerk, joined in reciting the Lord's Prayer.

Present: His Worship the Mayor, Chairman; Deputy Mayor Shannon, Aldermen Maley, Downey, Sullivan, Clarke, Wooden, Hanson, Moore and Lawrence.

Also Present: B. G. Smith, Acting City Manager, Acting City Solicitor, Acting City Clerk and other staff members.

The meeting was called to consider:

1. The rezoning of Civic No. 149 and 151 Herring Cove Road from R-3, Multiple Dwelling Zone to C-2, General Business Zone;
2. The rezoning of Lots Y-1, X, and a portion of Lot B (Civic No. 61 - 61½) Melwood Avenue, from R-1, Single Family Dwelling Zone to R-2, Two Family Dwelling Zone;
3. The rezoning from R-2, Two Family Dwelling Zone, to R-4, Multiple Dwelling Zone, Lands of Central Builders, Main Avenue

City Council agreed to consider the following additional items which were dealt with at a meeting of Committee of the Whole Council on this date:

- Durham Leaseholds Proposed Development for Phase II
- Waterfront Development Report - Ferry Terminal - Chebucto Square
- Day Care Centres

Special Council,  
Public Hearing,  
March 22, 1978

Durham Leaseholds Proposed Development for Phase II

MOVED by Alderman Lawrence, seconded by Alderman Sullivan that, as recommended by the City Planning Committee, Council authorize the Mayor and the City Clerk to execute on behalf of the City of Halifax, the Development Agreement, Amending Agreement, and the Right of First Refusal and Option Agreement as attached to the staff report of March 8, 1978. Motion passed.

Waterfront Development Report - Ferry Terminal - Chebucto Square

MOVED by Alderman Maley, seconded by Deputy Mayor Shannon that, as recommended by the City Planning Committee:

- (1) Phase I approval be given to the new proposed Ferry Terminal building and floating dock as to general location, size and configuration;
- (2) Phase I approval be given to the general form of the configuration of Chebucto Square, including the general building line for the Department of Fisheries and Environment structure to the south side of the open space, as presented on the drawing submitted to City Council and as displayed at public meetings, and including a maximum height limit of 30 feet for the edge of the building to the south of, and abutting, Chebucto Square, as outlined in the staff report;
- (3) Approval be given to the terms of the letters dated March 1, 1978 and March 13, 1978, from the Waterfront Development Corporation, outlining the various elements of the Chebucto Square development;

subject to the report of the Downtown Committee of March 15, 1978 and as further interpreted in Section 2(a) by a letter dated March 22, 1978 from the Chairman of the Board of the Waterfront Development Corporation, presented and read at the Committee of the Whole Council meeting on March 22, 1978.

Motion passed.

Day Care Centres

MOVED by Alderman Maley, seconded by Alderman Wooden that, as recommended by the Finance and Executive Committee, payments of Day Care accounts be processed through Account #154 - Work Order DC001, and that

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reimbursement from the Province be reported in Account #640-536-DC001; and that staff be authorized to amend the 1978 budget documents to reflect amounts to \$20,000. in each of those accounts to initiate the process at this time. Motion passed.

Public Hearing Re: Rezoning of Civic No. 149 and 151  
Herring Cove Road from R-3, Multiple Dwelling  
Zone to C-2, General Business Zone

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A public hearing was held at this time re the above matter.

Mr. B. Algee, with the aid of a sketch, outlined the application and stated that the request was made in order to permit an extension to the existing structure, proposed to be a 20.0 foot x 94.0 foot, one-storey addition to the north side of the existing building to house a chapel. Mr. Algee reviewed the reasons why staff recommend refusal of the application as stated in the staff report of January 24, 1978, and responded to questions from members of City Council.

The Chairman called for those persons present who wished to address City Council in support of the application.

Mr. Bill Sutherland, representing the applicant, circulated a sketch of the proposal and stated that the application for rezoning is made necessary because an addition cannot be made to the building due to the non-conforming use status of the property.

Mr. Sutherland advised that the structure at Civic No. 151 Herring Cove Road is not now being used for residential purposes but is being used as part of the commercial operation for storage and office use. He suggested that there would be no further burden re the traffic flow on the Herring Cove Road due to the addition of the chapel.

Mr. Sutherland stated that the proposed realignment of the Herring Cove Road will assist the traffic movement at the funeral home location. He stated that the request is simply for an addition to an existing building which will add to the attractiveness of the present building and the surrounding area.

In response to a question, Mr. Sutherland advised that his client will have no objection to certain limited restrictions on the rezoning such as anything of a retail nature.

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His Worship suggested that the applicant may wish to submit a letter prior to consideration of the matter at City Council indicating what he perceives to be acceptable restrictive uses of the property.

No other persons present wished to address City Council in support of the application.

The Chairman then called for those persons present who wished to address Council in opposition to the application for rezoning.

Mr. William Jandron, Secretary of the Spryfield Residents Association, addressed the meeting in opposition to the rezoning and read a brief, copies of which were circulated to members of City Council. Mr. Jandron responded to questions from members of City Council and indicated that he would be in favour of a caveat attached to the rezoning limiting the use of the property to its present use.

No other persons present wished to address City Council in opposition to the application.

MOVED by Alderman Moore, seconded by Alderman Lawrence, that the matter be referred to the next regular meeting of City Council without recommendation. Motion passed.

Public Hearing Re: Rezoning of Lots Y-1, X, and a portion of Lot B (Civic No. 61 - 61½) Melwood Avenue, from R-1, Single Family Dwelling Zone to R-2, Two Family Dwelling Zone

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A public hearing was held at this time re the above matter.

A letter dated March 19, 1978 re the above rezoning application was received from M. P. Regan, 59 Melwood Avenue.

Alderman Moore advised that he had a possible conflict of interest re this matter and stated he would abstain from voting in this regard.

Mr. Algee, Development Department, with the aid of a sketch, outlined the application and advised that staff is recommending approval of the rezoning application. Mr. Algee then responded to questions from members of City Council.

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The Chairman called for those persons present who wished to address City Council in support of the application.

Mr. Peter MacKeigan, the applicant, addressed Council and stated that the rezoning is a housekeeping matter and should be conditional upon the lot consolidation being a prerequisite.

Mr. MacKeigan advised that he met with Mr. Regan following consideration of the lot consolidation matter earlier this date and stated that Mr. Regan is going to seek advice and it is anticipated that the matter can be resolved.

No other persons present wished to address Council in support of the application.

The Chairman called for those persons present who wished to address City Council in opposition to the rezoning application.

Mr. Regan, 59 Melwood Avenue, addressed City Council and stated that his solicitor intends to discuss the suspected encroachment with the applicant. He stated that his concern is that the submitted plan is not in accordance with the original plan. He advised that he hopes to have the land surveyed as soon as possible.

In response to a question, Mr. Regan advised that if the rezoning is contingent upon the redefining of his lands he is opposed to it.

No other persons present wished to address City Council in opposition to the rezoning application.

MOVED by Alderman Lawrence, seconded by Alderman Hanson that the matter be referred to the next regular meeting of City Council without recommendation. Motion passed with Alderman Moore abstaining.

Public Hearing Re: Rezoning from R-2, Two Family Dwelling Zone, to R-4, Multiple Dwelling Zone, Lands of Central Builders, Main Avenue

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A public hearing re the above matter was held at this time.

Special Council,  
Public Hearing,  
March 22, 1978

Mr. B. Algee, Development Department, with the aid of a sketch, explained the application and stated that it involves a lot of land containing approximately 8.2 acres. He stated that the applicant proposes to construct a cul-de-sac and subdivide Lot E into five lots to be sold to individual developers for construction of three-storey walk-up apartment buildings ranging in size from approximately 40 to 61 units. He stated that it appears the overall development will have a density of approximately 65 persons per acre.

Alderman Lawrence stated that if the rezoning application is approved, he wished to have funds included in the budget for the construction of a fence on the median on Dunbrack Street from Main Avenue to Rosedale Avenue to prevent students in the area from crossing the street.

His Worship called for those persons present who wished to address City Council in support of the application.

Mr. Ted Flynn, solicitor for the applicant, addressed City Council in support of the application and stated that his client would have no objection to cost-sharing in the construction of a fence as it affects the property in question.

No other persons present wished to address City Council in support of the application.

No persons present wished to address City Council in opposition to the application.

MOVED by Alderman Lawrence, seconded by Alderman Moore that the matter be referred to the next regular meeting of City Council without recommendation. Motion passed.

Meeting adjourned - 9:50 p.m.

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HEADLINES (CONT'D)

Public Hearing Re: Rezoning from R-2, Two Family Dwelling Zone, to R-4, Multiple Dwelling Zone, Lands of Central Builders, Main Avenue ..... 142

After the meeting was called to order, the members of Council, attending, led by the City Clerk, joined in reciting the Lord's Prayer.

Present: His Worship the Mayor, Chairman, Deputy Mayor Shannon, and Aldermen Dewey, Hanson, Moore, and Moore.

MAYOR EDMUND MORRIS  
CHAIRMAN

Also Present: \_\_\_\_\_ and other staff members.

The meeting was called for the purpose of giving consideration to a resolution allowing the Municipal Council to present a Bill, to the House of Assembly regarding:

Metropolitan Authority of Halifax, Dartmouth, and the Municipality of the County of Halifax

An undated draft of an Act respecting the Metropolitan Authority of Halifax, Dartmouth and the Municipality of the County of Halifax was submitted.

E. A. KERR  
ACTING CITY CLERK

Date approved by City Council: \_\_\_\_\_

His Worship said that if it be the wish of Council, the motion to follow consideration of the matter would be advanced to a draft bill to the House of Assembly.

5:15 P. M. - Deputy Mayor Shannon left the meeting.

Alderman Moore indicated he had some questions with respect to certain sections of the proposed Bill and His Worship suggested that Council could review the matter at this time.

Alderman Moore related to Council that he had been in dealing with Expropriation, and suggested that any municipalities may wish to proceed with a project and expressed concern that in such a case, the Authority would have the right to expropriate from the third municipality which would not be a participating body in the particular project.

The Acting City Manager indicated a draft regarding may be required in the meeting.



Record

CITY COUNCIL  
SPECIAL MEETING  
MINUTES

Council Chamber  
City Hall  
Halifax, N. S.  
March 28, 1978  
5:06 P. M.

A special meeting of City Council was held on the above date.

After the meeting was called to order, the members of Council attending, led by the City Clerk, joined in reciting the Lord's Prayer.

Present: His Worship the Mayor, Chairman; Deputy Mayor Shannon, and Aldermen Downey, Meagher, Clarke, Wooden, Hanson, and Moore.

Also Present: Acting City Manager, City Clerk, and other staff members.

The meeting was called for the purpose of giving consideration to a resolution allowing the Regional Authority to present a Bill to the House of Assembly respecting:

Metropolitan Authority of Halifax, Dartmouth, and the Municipality of the County of Halifax

An undated Draft of an Act Respecting the Metropolitan Authority of Halifax, Dartmouth and the Municipality of the County of Halifax, was submitted.

His Worship said that if it is the wish of Council, the motion to follow consideration of the matter would enable the Regional Authority to consider, at the request of Council and if one of the other Councils passes a similar request, the advancement of a draft bill to the House of Assembly.

5:15 P. M. - Deputy Mayor Shannon left the meeting.

Alderman Moore indicated he had some questions with respect to certain sections of the proposed Bill and His Worship suggested that Council could review the matter at this time.

Alderman Moore referred to Section 10 on Page #9 dealing with Expropriation, and suggested that only two municipalities may wish to proceed with a project and expressed concern that in such a case, the Authority would have the power to expropriate from the third municipality which would not be a participating body in the particular project in question.

The Acting City Manager indicated a slight re-wording may be required in the Section.

Alderman Moore referred to Section 14(2) as presented on Page #11, and expressed the feeling that if the Minister intends to revoke his approval of an item, participating bodies should be given some notice as it may have some effect on budgets.

His Worship advised that the section was included partly to allow the Regional Authority to ask the Minister to revoke a By-law but advised that he would clarify the matter.

Alderman Moore referred to Page #12 relating to By-laws of the Authority and indicated it was his understanding that copies are not to be sent to members of Council.

His Worship advised the intent is that copies be provided to every municipal Councillor and indicated provision would be made for same.

Alderman Moore referred to Section 18 on Page #15, and asked whether 18(a) was prudent saying he preferred the wording of 18(b) which provides for a guarantee to the portion of financial commitment to the responsibility the participating body is involved in.

His Worship advised that the matter would be reviewed and noted it is an either/or situation.

Alderman Moore said he would like to see the City only enter into a guarantee to the extent of its portion of the financing of a particular program or responsibility.

Discussion ensued on the matter and His Worship advised that the matter would be looked into and suggested that perhaps 18(a) could be deleted.

His Worship said he is taking notes of the points being made which will be considered at a meeting of the Regional Authority tomorrow morning before the matter is sent forward.

Discussion and questioning ensued with respect to other sections of the Act and Alderman Moore made reference to Section 41(2) on Page #30 and indicated his concern is that the pensions etc. of present employees of Halifax Transit will be looked after and can be transferred to the Commission which the Authority will establish.

His Worship, in referring to the matter of pensions, advised that the Authority has retained an actuary to review all pension plans etc. of the participants and to develop a system in which it is intended that employees of Halifax Transit, who transfer to the Commission, would not lose any pension. His Worship suggested a section could be included that would empower the Commission to assume any existing pension plans, and Alderman Moore suggested it should perhaps be at the option of the employees.

His Worship advised that consideration would be given to the matter tomorrow and the item would be placed on the agenda for the Committee of the Whole Council meeting scheduled for next week in anticipation that Council will have a further opportunity to discuss it.

His Worship said he would personally see that the matters raised are taken up by the Regional Authority at a meeting scheduled for tomorrow and any changes made will be made known to members of Council.

His Worship noted the sections in question are Sections 14(2), 14(8), 10(2), 18, and 41(4).

MOVED by Alderman Clarke, seconded by Alderman Wooden that, subject to at least one other municipality passing an identical request and in any event, not before at least one other municipality passes a similar request, and subject to consideration given to the matter at the Special Council meeting held on March 28, 1978, City Council authorize and instruct its representatives on the Halifax-Dartmouth Regional Authority to support the advancement of a draft Bill entitled "An Act Respecting the Metropolitan Authority of Halifax, Dartmouth and the Municipality of the County of Halifax", to the House of Assembly.

Motion passed.

With the unanimous consent of the members of Council present, it was agreed to add the following item:

Extension of the Setting of the 1978 Tax Rate

MOVED by Alderman Clarke, seconded by Alderman Downey that City Council request the Minister of Municipal Affairs for a further deferment in the setting of the 1978 tax rate to a date not later than Midnight, April 10, 1978.

Motion passed.

His Worship noted that the next Current Budget meeting is scheduled for April 4, 1978, at 9:30 A. M.

6:00 P. M. - Meeting adjourned.

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MAYOR EDMUND L. MORRIS  
CHAIRMAN

G. I. BLENNERHASSETT  
CITY CLERK

Date Approved by City Council: \_\_\_\_\_

Record

SPECIAL COUNCIL  
PUBLIC HEARING  
MINUTES

Council Chamber  
City Hall  
Halifax, N. S.  
March 28, 1978  
7:40 p.m.

A special meeting of City Council was held on the above date.

After the meeting was called to order, the members of Council attending, led by the City Clerk, joined in reciting the Lord's Prayer.

Present: Deputy Mayor Shannon, Chairman; Aldermen Downey, Meagher, Clarke, Wooden, Hanson and Moore.

Also Present: Acting City Manager, City Clerk, Mr. Richard Matthews, Mr. D. Russell and other staff members.

The meeting was called especially to give consideration to the Proposed Zoning Bylaw for the City of Halifax.

Proposed Zoning Bylaw

Mr. Richard Matthews, Director of Planning, addressed City Council and indicated that the purpose of the hearing is to consider the Proposed Zoning Bylaws for the City of Halifax for the Peninsula and Mainland areas as per the minutes of the Municipal Development Plan Committee of February 25, 1978.

Mr. Matthews distributed copies of the minutes of the meeting of the Municipal Development Plan Committee dated March 9, 23, and 28, 1978 and suggested that City Council consider and adopt the recommendations and the amended zoning map, ZM-16, as outlined in the minutes.

The Chairman suggested that the members of City Council be given a chance to review the minutes of the Municipal Development Plan Committee and that the adoption of the minutes and the changes to the map could be dealt with at the adjourned hearing on March 29, 1978 at 2:00 p.m.

Special Council,  
March 28, 1978

The Chairman called for those persons present who wished to address Council concerning the proposed Zoning Bylaw.

Mr. Belshaw and Mr. R. Radchuck addressed City Council on behalf of the Halifax Board of Trade and presented a brief dated March 1978. Mr. Radchuck outlined the brief and suggested that the Board of Trade recommends that the City undertake a complete review of the proposed approach to implement the objectives and policies of the Municipal Development Plan.

Mr. R. A. Cluney, Solicitor for the Governors of Dalhousie College and University, addressed City Council and presented a brief dated March 28, 1978. Mr. Cluney outlined the objections of Dalhousie University and suggested that the proposed zoning by-law, insofar as it affects Schedule "C" lands in which Dalhousie presently has its land holdings and which it looks to for future development, is completely inappropriate and makes it impossible for Dalhousie to do any meaningful planning for the future.

Alderman Lawrence arrives - 8:10 p.m.

Mr. John S. McFarlane addressed City Council on behalf of Community Developers Limited and National Sea Products Limited and submitted two briefs outlining the concerns of the Community Developers and National Sea.

Mr. McFarlane indicated that Community Developers Limited is the owner of approximately 4 acres of land located in the area of Deadman's Island in the City of Halifax and suggested the Proposed Zoning Bylaw would affect the present zoning of the land.

Mr. McFarlane indicated that National Sea Products Limited is the owner of approximately 3 acres of land located on Water Street which would fall within Schedule "G" of the proposed Zoning Bylaw. Mr. McFarlane indicated that it is the submission of National Sea Products Limited that the present zoning of the land remain and the proposed amendment to add Part 7, Section 3 not be adopted. Mr. McFarlane suggested that National Sea Products Limited reports the general proposals of the brief presented by the Halifax Board of Trade.

Special Council,  
March 28, 1978

Mr. Ken Butler and Mr. George Russell addressed City Council on behalf of the Urban Development Institute of Nova Scotia and presented a brief dated March 28, 1978 which outlines the concerns of the UDI in relation to the proposed Zoning Bylaw for the Peninsula and Mainland area.

Mr. Ivor Harrington addressed City Council on behalf of the Ward One Residents Association and presented a brief. Mr. Harrington indicated that the Ward One Residents Association supports the Municipal Development Plan. He briefly outlined the concerns and recommendations of the Residents Association with respect to the Zoning Bylaw as indicated in their brief.

Mr. D. J. Mathews addressed City Council on behalf of A. Keith & Son Limited and presented a brief dated March 28, 1978. Mr. Mathews indicated that A. Keith & Son Limited own land bounded by Salter Street, Hollis Street, Bishop Street, Halifax Harbour and Lower Water Street which fall within Schedule "G" on the zoning map. He said that his client is against the proposed downzoning of the lands to R-3 and the addition of Part XVII, Section 3, as suggested in the Proposed Amendment.

Mr. V. Penick addressed City Council on behalf of Mr. Raymond W. Ferguson and presented a brief dated March 13, 1978. He indicated Mr. Ferguson owns about five (5) acres of land which run between the Purcell's Cove Road and the Northwest Arm and is currently zoned R-4.

Mr. Penick indicated that Mr. Ferguson supports the concept of a holding zone on R-4 type uses in the Schedule "D" area, but submits that the lands on the Northwest Arm merit different treatment and recommends that these lands be exempted from S.70(a) of the proposed amendments to the Mainland Bylaw.

Special Council,  
March 28, 1978

Dr. M. A. MacAulay addressed City Council on behalf of the Ward Two Residents' Council and presented a brief dated March 28, 1978. Dr. MacAulay outlined his brief with respect to the proposed zoning bylaw and suggested that the Ward Two Residents' Council endorses the strategy adopted by the City and urges City Council to submit the proposed zoning bylaw revisions along with the proposed Municipal Development Plan to the Minister according to the original schedule.

Mr. Allan Ruffman addressed City Council and indicated that he supports the Proposed Municipal Development Plan. Mr. Ruffman made reference to a small parcel of land located at the foot of the Dingle Tower in Fleming Park and suggested that it be rezoned from C-1 to Park and Institutional.

Mr. Ruffman referred to Spectacle Island and suggested that it be zoned Park and Institutional.

Mr. Matthews referred to the minutes of the Municipal Development Plan Committee dated March 23, 1978 and indicated that on the basis of the submission made by the Ecology Action Centre and Staff's recommendation, it was agreed by the Committee that staff be instructed to revise all maps included in the plan to indicate Spectacle Island.

Mr. Ruffman made reference to the present western boundary of C-5 which runs from the boundary of Schedule "G" to North Street and suggested that this boundary be relocated to include the eastern side of Barrington Street and the Deepwater Yards.

Mr. Ruffman also made reference to a piece of property he owns on Salter Street which appears to be located on the boundary of Schedule "G" and "J" and suggested that the line between Schedule "G" and "J" be relocated to the north side of Salter Street.

No other persons present wished to address City Council on the matter of the proposed Zoning Bylaw.

A written brief was submitted by Mrs. Mary Power, dated March 21, 1978 and was distributed to the members of City Council.

Special Council,  
March 28, 1978

The Chairman indicated that the comments and briefs submitted at this meeting would be referred to staff for review and comment.

MOVED by Alderman Meagher, seconded by Alderman Lawrence that this Special Meeting of City Council be adjourned until 2:00 p.m. March 29, 1978.

Motion passed.

Meeting adjourned - 9:10 p.m.

DEPUTY MAYOR SHANNON  
CHAIRMAN

G. I. BLENNERHASSETT, (MRS.)  
CITY CLERK



Special Council,  
March 29, 1978

A Special Meeting of City Council was reconvened at 2:10 p.m. on Wednesday, March 29, 1978, to continue a public hearing re the proposed Zoning Bylaw.

Present: His Worship the Mayor, Chairman; Deputy Mayor Shannon, Aldermen Downey, Meagher, Sullivan, Clarke, Wooden and Hanson.

Also Present: Acting City Solicitor, City Clerk, Director of Planning and other staff members.

His Worship called for those persons present who wished to address City Council re the proposed Zoning Bylaw.

Mr. Donald Mason, representing Foord Housing Limited, submitted a brief and, with the aid of a map, explained their two requests relating to the Northwest Center Lands and their Herring Cove Road lands near Catamaran Pond. Mr. Mason responded to questions from members of City Council.

Mrs. Mary Power of 629 Bedford Highway addressed City Council re her letter dated March 21, 1978, copies of which were circulated at the public hearing held on March 28, 1978. Mrs. Power requested that her property at 629 Bedford Highway be zoned commercial.

Mr. R. Matthews, Director of Planning, in response to questions from members of City Council, indicated that the request of Mrs. Power would necessitate a change to Map 9 of the Plan as well as a change to the Zoning Bylaw.

Mr. Jack MacIsaac, representing Mr. Gaston Chagnon, the owner of properties at 1169 - 1179 Tower Road, stated these lands were acquired in December 1977 or January 1978 for redevelopment purposes. He stated that he wished to voice objections to any change in the zoning of these lands that would not permit his client's intended use of the properties for apartment development.

Mr. Jack MacIsaac, representing Mr. Donald Keddy, the owner of vacant land at or near Auburn Street, consisting of 11½ acres, addressed City Council and pointed out that some years ago some services were installed and they were geared at that time to anticipate future apartment use. He requested that there be no change in the present zoning of the said property which would prohibit their intended apartment use.

Mr. MacIsaac responded to questions from members of City Council re the location of the said property.

No other persons present wished to address City Council on the matter of the proposed Zoning Bylaw.

The following written briefs were submitted, copies of which were circulated to members of City Council:

Letter dated March 28, 1978 from F. D. Medjuck, Medjuck & Medjuck, Barristers and Solicitors

Letter dated March 28, 1978 from Gordon D. Hebb, Chairman, NIP II Core Committee

Letter dated March 29, 1978 from Mr. John Jay, P. Eng., President, Canadian Plant and Process Engineering Ltd.

Staff circulated a report dated March 29, 1978, entitled "Staff Comments on Written Objections to the Proposed Zoning Bylaw".

MOVED by Deputy Mayor Shannon, seconded by Alderman Meagher, that the matter be referred to the next regular meeting of City Council without recommendation. Motion passed.

Meeting adjourned - 2:50 p.m.

HEADLINES

Public Hearing Re: Proposed Zoning Bylaw ..... 145

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MAYOR EDMUND MORRIS  
CHAIRMAN

\_\_\_\_\_  
G. I. BLENNERHASSETT (MRS.)  
CITY CLERK

Date approved by City Council: \_\_\_\_\_

Record

CITY COUNCIL  
MINUTES

Council Chamber  
City Hall  
Halifax, N. S.  
March 30, 1978  
8:00 P. M.

A meeting of City Council was held on the above date.

After the meeting was called to order, the members of Council attending, led by the City Clerk, joined in reciting the Lord's Prayer.

Present: His Worship the Mayor, Chairman; Deputy Mayor Shannon, and Aldermen Maley, Downey, Meagher, Sullivan, Clarke, Wooden, Hanson, Moore, and Lawrence.

Also Present: Acting City Manager, City Clerk, and other staff members.

MINUTES

Minutes of City Council meetings held on March 16 & 22, 1978, were approved on Motion of Alderman Meagher, seconded by Alderman Lawrence.

APPROVAL OF ORDER OF BUSINESS, ADDITIONS AND DELETIONS

At the request of the City Clerk, Council agreed to add:

- 20(a) - 1050 Gallon Pumper - Diesel Powered
- 20(b) - Development Agreement - Phase "A" Uniacke Square

At the request of Alderman Moore, Council agreed to add:

- 20(c) - Aid for the Visually Handicapped
- 20(d) - Setting of the Tax Rate
- 20(e) - School Avenue

The agenda, as amended, was then approved.

DEFERRED ITEMS

Rezoning of Civic No. 149 and 151 Herring Cove Road from R-3 (Multiple Dwelling Zone) to C-2 (General Business Zone)

A public hearing was held with respect to the above noted matter on March 22, 1978.

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Alderman Wooden noted that at the public hearing, the applicant was asked whether he would agree to a caveat being attached to the rezoning saying it was her understanding that the City Manager received a letter from the applicant's Solicitor on the subject.

The Acting City Manager advised that a letter was received which did express the applicant's intention with respect to the use of the property but it was silent on the matter of a caveat.

His Worship advised that he had discussions with the applicant on today's date and indicated the applicant volunteered that he was agreeable to any caveat the City wished to ask for and suggested that perhaps the matter should be deferred and the Solicitor for the applicant be asked whether his client would be agreeable to a caveat.

It was then agreed that the matter be deferred to the next Regular meeting of City Council.

Rezoning of Lots Y-1, X, and a Portion of Lot B (Civic No. 61-61½) Melwood Avenue, from R-1 (Single Family Dwelling Zone) to R-2 (Two Family Dwelling Zone)

A public hearing was held with respect to the above noted matter on March 22, 1978.

MOVED by Alderman Hanson, seconded by Alderman Clarke that the matter be deferred to the next regular meeting of City Council at the request of the applicant.

Motion passed with Alderman Moore abstaining.

Rezoning from R-2 Two Family Dwelling Zone, to R-4 Multiple Dwelling Zone, Lands of Central Builders, Main Avenue

A public hearing was held on the above noted matter on March 22, 1978.

MOVED by Alderman Moore, seconded by Alderman Hanson that the application to rezone Lot E, lands of Central Builders Ltd., Main Avenue from R-2 Two-Family Dwelling Zone, to R-4 Multiple Dwelling Zone, as shown on Plan Nos. P200/8243 and P200/8213 of Case No. 3517, be approved by City Council.

Following a short discussion, the Motion was put and passed with Alderman Meagher abstaining.

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REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on March 22, 1978, as follows:

Abbie Lane Hospital - Maintenance Payments

MOVED by Alderman Sullivan, seconded by Alderman Maley that, as recommended by the Finance and Executive Committee, payments to the Abbie Lane Hospital as described in the staff report dated March 7, 1978, be processed monthly by the Social Planning Department, payments being made from Account #152-122-00000 and that the Province be billed monthly for 100% of this amount with revenue being reported in Account #640-536-PT004.

Motion passed.

Flea Markets

The above noted item was forwarded to City Council without recommendation.

The Acting City Manager advised that a report was prepared on the matter but had not been delivered to the meeting. Mr. Murphy advised the report indicated the conditions flea markets must meet to qualify for a Sunday Opening Permit and suggested that if Council were going to consider an Ordinance, the hours during which flea markets might be able to open may be restricted. Mr. Murphy said the report suggested the hours between 1:00 and 5:00 P.M., and advised that any Ordinance would have to comply with the Provincial Statute.

Alderman Maley asked whether there was any way the City could look at requirements with respect to areas where Flea Markets could be held in terms of licensing locations or giving guidelines as to where they could be held.

Mr. Murphy suggested that it may be possible as it was his recollection that permits may be issued on such terms and conditions as set out in the Ordinance.

Alderman Wooden advised she supported the idea of licensing properties under certain guidelines and spoke against the operation of Flea Markets on Sundays which are not for charitable purposes.

The Acting City Manager suggested that staff prepare a further report on the matter and the item be dealt with at the next regular meeting of the Committee of the Whole meeting.

Following a further short discussion, Council agreed that the matter be referred to the next regular meeting of the Committee of the Whole Council.

Possible Expropriation - Oriole Street (Estate of James J. Cosgrove)

Following a discussion and questioning of staff on the matter, it was MOVED by Alderman Lawrence, seconded by Alderman Moore that in the event of failure of negotiation, City Council authorize the expropriation for street purposes of the land and interest in land of the Estate of James J. Cosgrove as shown on City of Halifax Plan No. TT-24-22664 and that the approved compensation be based on the appraisal by Turner, Drake & Partners Limited referred to in the staff report dated March 10, 1978, amended as necessary to the date of expropriation; funds available in Account Number HAF09 (Land for Municipal Purposes).

Motion passed with Alderman Sullivan against.

His Worship advised the staff report would remain confidential unless expropriation does take place.

Brunswick Street Housing and Heritage Conservation Area

MOVED by Deputy Mayor Shannon, seconded by Alderman Maley that, as recommended by the Finance and Executive Committee:

1. Council affirm the members of the Mayor's Task Group as a Steering Committee, under the Chairmanship of the Deputy Mayor, to be responsible for the planning and redevelopment of the Brunswick Street Housing and Heritage Conservation Area;
2. The Steering Committee proceed immediately with the preparation of a site plan showing the details previously outlined in the report dated March 14, 1978, using City staff when possible, and/or outside consultants if necessary. It is important that this site plan be prepared at the earliest possible date so that designation of the use of existing buildings can be made as soon as possible. If outside consulting is required, Council will be asked for specific authority to spend the money out of the existing Partnership fund;
3. The Landmarks Commission draw up the terms of reference, subject to the approval of the Steering Committee, and supervise an architectural and structural assessment to ensure the retention of the existing facades and to assess the structural condition of the existing buildings;

4. Council authorize staff to prepare necessary documentation for the incorporation of a municipal non-profit corporation to be presented to Council when drafted for signing authority, containing the proviso that the corporation be used specifically for the refurbishing of the existing houses in the Brunswick Street Housing and Heritage Conservation Area, until such times as Council is satisfied that this type of housing is a viable means of housing low income residents; and

5. All land and buildings be retained by the Partnership until the site plan for the area and assessment of all units for potential re-use has been completed.

Motion passed.

His Worship suggested that perhaps Council would wish to deal with the added item at this time relating to the "Development Agreement - Phase "A" Uniacke Square", to which agreement was expressed.

Development Agreement - Phase "A" Uniacke Square

A staff report dated March 29, 1978, was submitted.

Following a questioning of staff with respect to the Agreement, it was MOVED by Deputy Mayor Shannon, seconded by Alderman Downey that Council give final approval to the Development Agreement and authorize His Worship the Mayor and the City Clerk to sign the Agreement on behalf of the City of Halifax.

Motion passed.

Tender 77-159R - Police, Fire and Transit Shirts

The above noted item was referred to City Council without recommendation.

A supplementary staff report dated March 29, 1978 was submitted.

MOVED by Alderman Lawrence, seconded by Alderman Moore that authority be granted to award the contract for Police, Fire and Transit Shirts to Star Uniforms Inc., for \$21,402.64, 972 St. Lawrence Blvd., Montreal, Quebec, the lowest bid meeting all specifications.

Motion passed.

Quinpool Road Borrowing Resolution

A supplementary staff report dated March 28, 1978 was submitted.

MOVED by Alderman Lawrence, seconded by Alderman Sullivan that the Minister of Municipal Affairs be requested to revoke his approval of the borrowing of \$5,300,000.00 for the purchase of the lands known as the "Quinpool Road Site" in the City of Halifax- to the extent of \$3,156,637.00, leaving therefrom the sum of \$2,143,363.00 still authorized to be borrowed under the approval dated the 21st day of January, 1975 and extensions thereto, for the same purpose for a period to run from midnight March 31, 1978 to midnight May 31, 1979.

Motion passed.

Supplementary Report re Stipends Committee Recommendations

MOVED by Alderman Lawrence, seconded by Deputy Mayor Shannon that, as recommended by the Finance & Executive Committee, staff be instructed to include provision in the 1978 operating budget of the City of Halifax, for the purchase of an automobile for the use of the Mayor and Aldermen and the staff of the Mayor's Office as directed.

Motion passed with Alderman Meagher against.

Amendment to Section 3 - City Council Resolution of January 27, 1977 Re: Exemption from Taxes

MOVED by Alderman Moore, seconded by Alderman Lawrence that the exemption from residential taxes for the year 1978, be raised to \$150.00 and that it be applicable to assessed owner/occupied properties where the owners' income in the year preceding was \$5,000.00 or less and that staff be authorized to include an additional \$87,500.00 in the budget.

Alderman Maley questioned whether the City has fully explored all avenues with respect to cost sharing on the item and asked whether the item could be deferred to the next budget meeting with a view to again determining whether cost sharing is available.

Alderman Moore suggested that under the new Act, there is no provision for cost sharing for such an item.



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Alderman Wooden asked if the \$150.00 exemption would apply to people who have already made an application for the \$125.00 and the Acting City Manager advised that if it was the wish of Council, it would be provided for.

The Acting City Manager suggested the way to assist people is by way of the deferred payment of taxes and suggested Council should re-institute the Ordinance and the City should encourage older people to take advantage of the Ordinance as it is in the best interest of the taxpayer as well as the City.

Mr. Murphy said that if it was the wish of Council, staff would bring back the new Ordinance on the Deferred Payment of Taxes to which general agreement was expressed.

The Motion was put and passed.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on March 22, 1978, as follows:

Private Lanes

MOVED by Alderman Sullivan, seconded by Alderman Clarke that, as recommended by the Committee on Works, the matter be tabled and taken up at a later date.

Motion passed.

Closure of Portion of Granville and Buckingham Streets

MOVED by Alderman Downey, seconded by Alderman Wooden that, as recommended by the Committee on Works, City Council set a date for a public hearing to discuss the closure of a portion of Buckingham Street and a small section of Granville Street consisting of + 540 sq. ft. as shown on Plan TT-24-22965.

The City Clerk advised that the public hearing has been scheduled for May 17, 1978, at 8:00 P. M.

Motion passed.

Forward Avenue - Petition

The above noted item was forwarded to City Council without recommendation.

MOVED by Alderman Hanson, seconded by Alderman Wooden that the installation of curb and gutter and paving on Forward Avenue be proceeded with as a local improvement.

Motion passed.

Vernon Street - Petition Against Asphalt Paving and Renewal

MOVED by Deputy Mayor Shannon, seconded by Alderman Maley that, as recommended by the Committee on Works, the renewal of paving on Vernon Street between Watt Street and Coburg Road, be deleted from the Capital Budget.

Following a questioning of staff, the Motion was put and passed.

REPORT - SAFETY COMMITTEE

Council considered the report of the Safety Committee from its meeting held on March 22, 1978, as follows:

Proposed Amendments to Ordinance #155 - Truck Routes

The above noted item was forwarded to City Council without recommendation.

Alderman Lawrence noted that at the Safety Committee meeting, some confusion existed on the matter and asked why Lacewood Drive was being included as a truck route as it does not go anywhere at the present time. Alderman Lawrence asked if it could be deleted as a Truck Route until a cul-de-sac is constructed or the street is connected to Dunbrack Street.

The Acting City Manager advised that the Traffic Authority is away on vacation and suggested that perhaps a decision on the subject should be deferred until Alderman Lawrence receives an answer to his question.

His Worship noted that a Notice of Motion is required to amend the Ordinance and suggested that Council could proceed with the Notice but that the process of amending the Ordinance would not be completed until an answer is received to the question, to which Council agreed.

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Demonstration Project - Connaught Avenue and Jubilee Road

MOVED by Deputy Mayor Shannon, seconded by Alderman Maley that, as recommended by the Safety Committee, staff be requested to terminate the traffic experiment at the intersection of Jubilee Road and Connaught Avenue and associated temporary traffic changes.

Deputy Mayor Shannon said she would like staff to review the termination carefully as motorists are accustomed to coming up Connaught Avenue and turning on Jubilee Road without any problems. Deputy Mayor Shannon felt the termination should wait until Mr. Bradbrook returns from his vacation.

His Worship advised that staff would take note of the point saying that if Council approves of the matter tonight, it does not mean the experiment will terminate tomorrow morning.

Motion passed.

REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS & COMMISSIONS

Adoption of the Municipal Development Plan Pursuant to Section 14 of the Planning Act of Nova Scotia - SECOND READING

The above noted matter was deferred to today's meeting from the March 16, 1978, meeting of City Council.

MOVED by Deputy Mayor Shannon, seconded by Alderman Maley that the proposed Municipal Development Plan as amended by minutes of the Municipal Development Plan Committee meetings of February 11 & 25, 1978, and March 9 & 23, 1978, be read and passed a Second Time and be advanced to the Minister of Municipal Affairs for approval.

Alderman Moore asked that members of Council be circulated with a copy of the Zoning Map with the latest amendments.

Motion passed unanimously.

Adoption of the Zoning Bylaw for the City of Halifax Pursuant to Section 7 of the Planning Act of Nova Scotia - SECOND READING

The above noted item was read by the Committee of the Whole Council at its meeting held on March 22, 1978.

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MOVED by Deputy Mayor Shannon, seconded by Alderman Lawrence that the adoption of the Zoning Bylaw for the City of Halifax for the purpose of carrying out the intent of the Municipal Development Plan as per minutes of the Municipal Development Plan Committee meeting of February 25, 1978, and as recommended to be amended as per the minutes of the Municipal Development Plan Committee meetings of March 9, and 23, 1978, and of the public hearing of March 28, 1978 adjourned to March 29, 1978, and as recommended in recommendations 2 and 3 of a Planning Department paper of March 29, 1978, be read and passed a Second Time and be forwarded to the Minister of Municipal Affairs for formal approval.

A questioning of staff ensued on the matter and His Worship referred to the Private and Confidential report dated March 30, 1978 which was circulated to members of Council today, and suggested Council adjourn to meet privately with the City Solicitor.

9:30 P. M. - Meeting adjourned.

10:00 P. M. - Meeting reconvened with the same members being present.

His Worship stated that as there is a possibility that changes made to the Zoning Bylaw after the publication of the advertisement might be interpreted as substantive, City Council will hold a further public hearing to provide an opportunity for comment upon any changes made after the first draft of the Zoning Bylaw. He further advised that, in the meantime, City Council will consider the motion to adopt the Zoning Bylaw.

Alderman Moore raised the subject of a uniform Zoning Bylaw for both the Peninsula and Mainland areas and asked how this could be achieved.

Mr. Matthews, the Director of Planning, stated that Policy 3.7 of the Municipal Development Plan states that it shall be the intention of the City, subject to further study, to draft a new Zoning Bylaw which would more precisely reflect the intent of the Plan. He stated that the matter is now under study in his Department and it is expected that it will be presented to City Council within three to six months. He stated it would be a consolidated single document.

Alderman Maley referred to a written submission from the NIP II Core Committee suggesting that an "N" schedule be overlaid and asked how this could be accomplished. Mr. Matthews stated that if Council chose to deal with the matter, the appropriate policies would be addressed by staff and presented to City Council for consideration as amendments to the Plan and an appropriate Zoning Bylaw drafted which would be subject to the statutory process set forth in the Planning Act for adoption as an amendment to the Plan.

The Motion was put and passed unanimously.

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Third NIP REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on March 22, 1978 as follows:

Lot Consolidation at 5813 - 15 North Street - Case No. 3543

MOVED by Alderman Sullivan, seconded by Alderman Hanson that, as recommended by the City Planning Committee, the application for consolidation of Civic Number 5813 and Civic Number 5815 North Street, creating Lot 29A and 29B, as shown on Plan P200/8261 of Case No. 3543, be approved by City Council and that City Council authorize staff to enter into negotiations to acquire Lot 29B for a 10' x 10' corner cut-off. Motion passed.

Case No. 3532 - Application for Lot Consolidation, Civic No. 6025 Livingstone Street, Lands of John M. Farrell

MOVED by Alderman Clarke, seconded by Alderman Alderman Sullivan that, as recommended by the City Planning Committee, the application to consolidate lots 13 and 14, Civic No. 6025 Livingstone Street, lands of John M. Farrell, to create Lot A, be approved by City Council. Motion passed.

Case No. 3557 - Modification of Lot Area and Lot Frontage - 3850 Newbery Street

MOVED by Alderman Sullivan, seconded by Alderman Clarke that, as recommended by the City Planning Committee, a modification of the lot frontage and area requirements of the Zoning Bylaw (Peninsula) to allow conversion of a duplex located at 3850 Newbery Street to a three-unit apartment building be approved. Motion passed with Deputy Mayor Shannon and Alderman Wooden voting against.

Case No. 3548 - Modification of Lot Frontage - 3391-95 (Lot Y) Gottingen Street

MOVED by Alderman Sullivan, seconded by Alderman Downey that, as recommended by the City Planning Committee, City Council approve the application to modify the lot frontage for 3391-95 (Lot Y) Gottingen Street, as shown on Plan No. P200/8272 of Case No. 3548. Motion passed.

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Third NIP Area

Alderman Meagher requested that an area of his Ward which abuts the NIP I area be added to the City Planning Committee's recommendation for an area to be considered for a NIP III program. He more specifically described the lands to include a portion of land abutting Agricola Street, Moran Street, Sarah Street, Davison Street, John Street and part of West Street, being a block not extending to Robie Street.

The Acting City Manager stated that he has had a discussion with Alderman Meagher on the matter and he has requested staff to look into the matter of having the lands added to the NIP area.

His Worship pointed out the funding approved for the NIP III area as compared to the funding and physical area of the previous two NIP areas.

Alderman Wooden addressed Council in support of a third NIP area being approved in Spryfield.

After some discussion on the matter, it was MOVED by Alderman Sullivan, seconded by Alderman Clarke that, as recommended by the City Planning Committee, an area in Halifax North, bounded by North, Gottingen, Russell and Robie Streets (Area 1A) be approved for a Neighbourhood Improvement Program.

MOVED by Alderman Meagher, seconded by Alderman Downey, that the motion be amended to provide that the NIP III area be extended to include a portion of Agricola Street, Sarah Street, Moran Street, Davison Street, John Street and West Street; that the funds assigned to the area recommended by the City Planning Committee not be diluted; and that the Mayor and the City Manager determine if additional monies are available from the Senior Government to include the additional land area.

The amendment was put and lost, two voting for the same and eight against as follows:

FOR:	Aldermen Meagher and Downey	2
AGAINST:	Deputy Mayor Shannon, Aldermen Maley, Sullivan, Clarke, Wooden, Hanson, Moore and Lawrence	8

The main motion was then put and passed with Aldermen Wooden and Hanson voting against.

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Call for Proposals - City of Halifax Lands

This matter was considered at a meeting of the City Planning Committee held on March 22, 1978 and referred to City Council without recommendation.

MOVED by Alderman Sullivan, seconded by Alderman Wooden that staff reissue the Call for Proposals for City of Halifax lands adjoining Convoy Place and that there be a 45-day time limit on the acceptance of proposals. Motion passed.

NIP II Area Permit Application Number 76842 - 5706 South St.

MOVED by Alderman Maley, seconded by Alderman Downey that, as recommended by the City Planning Committee, authority be given to the Building Inspector to issue a building permit to repair fire damage and convert the second floor from individual rooms to two apartment units at 5706 South Street, once the Bylaw and Building Code requirements have been met. Motion passed.

NIP II Area Permit Application Number 76849 - 1266 Queen St.

MOVED by Alderman Maley, seconded by Deputy Mayor Shannon that, as recommended by the City Planning Committee, authority be given to the Building Inspector to issue a building permit to convert the third floor of 1266 Queen Street from individual rooms to one apartment unit once the Bylaw and Building Code requirements have been met. Motion passed.

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MOTIONS

Motion - Alderman Lawrence re: Amendment to Ordinance  
Number 147, respecting the Licensing of Dogs -  
FIRST READING

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An amendment to Ordinance No. 147 was submitted.

MOVED by Alderman Lawrence, seconded by Alderman  
Moore that an amendment to Ordinance No. 147, respecting  
the Licensing of Dogs, as submitted, be now read and  
passed a First Time. Motion passed.

Motion - Alderman Sullivan re: Introduction of New  
Ordinance Number 116 respecting the Transportation  
of Passengers for Hire in the City of Halifax -  
FIRST READING

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A new Ordinance No. 116 respecting the Regulation  
of Vehicles Transporting Passengers for Hire was submitted.

MOVED by Alderman Sullivan, seconded by Alderman  
Hanson that the new Ordinance No. 116 respecting the  
Regulation of Vehicles Transporting Passengers for Hire,  
as submitted, be now read and passed a First Time.  
Motion passed.

MISCELLANEOUS BUSINESS

Joseph Howe Festival - Trade Dollars

A staff report dated March 23, 1978 was  
submitted.

MOVED by Alderman Meagher, seconded by Alderman  
Hanson that City Council grant permission to the Joseph  
Howe Festival Society to mint and sell "Trade Dollars:  
and that the Mayor be authorized to proclaim the "Joseph  
Howe Trade Dollar" for a specified period, subject to  
the approval being for 1978 and not to be construed as a  
necessary precedent thereafter; and further, that the  
Joseph Howe Festival Society will finance the minting  
costs and that the profits should be directed to the  
greatest possible extent to limiting requested other  
financial support from the City and, further that City  
Council give permission to reproduce the Crest of the  
City of Halifax on one side of the said "Trade Dollars".  
Motion passed.



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QUESTIONS

Question Alderman Lawrence Re: Payment of Taxes

Alderman Lawrence asked if the extension to the time limit for setting the tax rate for the City of Halifax will result in an extension in the time limit within which residents must pay their taxes in order to avoid a penalty charge.

The Acting City Manager advised that the deadline within which taxes must be paid in order to avoid a penalty charge will not change.

Question Alderman Lawrence Re: Installation of Speed Limit Signs in School Zones

Alderman Lawrence stated that the Province uses traffic signs, particularly in rural areas, which limit speeds to a certain number of kilometers per hour 'when children are present' in school zones. He asked if the Traffic Authority would consider implementing those signs in the City of Halifax and possibly having the speed limit at 40 kilometers per hour or whatever is considered necessary other than the present 50 kilometers per hour.

The Acting City Manager stated that the request will be considered and staff will submit a report.

Question Alderman Lawrence Re: Signs Prohibiting Motor Vehicles from Playground Areas

Alderman Lawrence asked that staff investigate to see what signs prohibiting motor vehicles from school grounds and playgrounds need replacing at this time.

Question Alderman Lawrence Re: Dog Litter in Playgrounds

Alderman Lawrence asked that staff submit a report on the problem of dog owners removing litter produced by their own dogs and whether an Ordinance can be enacted prohibiting persons from allowing their dogs to litter on playgrounds and school grounds.

Alderman Wooden asked that the area of the Grand Parade be included as she has noticed people using it as a dog run on a regular basis.