

Special Council
June 20, 1979

Zoning Review - Soft Area 13 (MDP Map 4)

This matter was referred to this Special Meeting of City Council from a meeting of the City Planning Committee held on June 20, 1979.

MOVED by Alderman Sullivan, seconded by Alderman Clarke that, as recommended by the City Planning Committee, City Council consider the rezoning of the properties located at the southwesterly corner of the intersection of Russell and Barrington Streets (shown as C-2 on Map ZM-2 of the Zoning Bylaw) from C-2 (General Business) to R-2 (General Residential); and further that the public hearing to consider this matter be held in conjunction with the public hearing on Soft Area 13 previously scheduled for July 11, 1979.

Motion passed.

Alderman Sullivan requested that the area of notification be extended to include both sides of Russell Street to its intersection with Gottingen Street.

Public Hearing Re: Heritage Amendments - Municipal Development Plan

His Worship indicated that, subsequent to Council's adoption of these amendments on March 15, 1979, it was discovered that the advertising requirements had possibly not been met and that it was therefore necessary for the matter to be brought before a public hearing a second time.

There were no persons present wishing to address Council on this matter.

MOVED by Alderman Shannon, seconded by Alderman Maley that the matter be referred to City Council without recommendation. Motion passed.

A submission dated June 20, 1979 in support of the so-called "heritage amendments" was received from Commodore A. C. McMillin, Chairman, Halifax Landmarks Commission.

Public Hearing Re: Contract Zoning - 1200 Tower Road
(South Tower Apartments)

In reviewing this application, Mr. E. Boyd Algee, Development Officer, noted that, while the proposed use would be located at an intersection (the southwest corner of Tower and South Streets) and although it would be operated in an apartment building containing 100 units, it is staff's opinion that the beauty salon would not be in conformance with Municipal Development Plan policies relating to neighbourhood commercial uses and should therefore be refused.

Responding to a question from Alderman Shannon regarding commercial uses presently located at this civic number, Mr. Algee indicated that a foodstuffs store and what is presumed to be a rental office are in operation at 1200 Tower Road.

With reference to a question from Alderman Maley, Mr. Algee stated that the two primary objections staff have expressed with regard to the location of this salon is that it would not be owner-occupied, nor would it cater specifically to residents of the immediate neighbourhood.

Alderman Maley emphasized that the beauty salon in question has been operating in this neighbourhood for almost seventeen years so that it is therefore probable that it would continue to serve its existing clientele, most of whom live within walking distance of 1200 Tower Road.

Responding to a question from His Worship the Mayor, Mr. R. J. Matthews, Director of Planning, indicated that, in his opinion, Policy 2.1.1 of the Plan had been intended primarily as a guideline for Council's direction in rezoning matters and as such, could be deemed to be flexible in matters such as this. He added that, should Council wish to approve the application presently before it, an amendment to the Plan would not be required.

His Worship then called for those individuals present wishing to address Council in support of this application.

Mr. A. M. McCrea, President of the Armour Group, advised that all commercial uses proposed for these premises will be restricted to the ground floor and will conform to the requirements established in the Zoning Bylaw for commercial uses in an R-3 Zone. Using maps and diagrams Mr. McCrea indicated the approximate location of the beauty salon and noted that the Armour Group, owner of the property known as 1200 Tower Road, maintains a management office on the premises.

Mr. John Ashley, appearing on behalf of the prospective tenant, emphasized that the application represents merely a relocation of an existing neighbourhood business and, as such, would not introduce additional competition for other salon operators in the area.

Responding to a question from Alderman Hanson, Mr. Ashley advised that approximately 85% of the salon's existing trade is drawn from the immediate neighbourhood and that five chairs are presently in use at its South Street location.

There were no further persons wishing to address Council on this matter.

MOVED by Alderman Maley, seconded by Alderman Shannon that the matter be referred to City Council without recommendation. Motion passed.

Public Hearing Re: Contract Zoning - Maritime Museum
of the Atlantic

Mr. C. L. Dodge of the Development Department, using maps and diagrams, indicated the site of the proposed Museum and of its auxiliary buildings. He noted that staff is recommending Stage I approval for this project, despite the fact that the specifications do not conform to the height restrictions established in Schedule "J" of the Zoning Bylaw.

His Worship called for those persons present wishing to address Council in support of this application.

Mr. Niels Jannasch, Curator of the Maritime Museum, presented a brief history of the Museum and spoke in support of its proposed relocation.

Using conceptual drawings, Mr. Allan F. Duffus, architect for the project, described various aspects of the facility, noting that Stage II application will be made in the very near future with a view to commencing construction in early September.

Responding to a question from Mr. Allan Ruffman, Mr. Dodge advised that the proposed Museum does not at this time necessitate removal of the arch at the foot of Sackville Street.

There were no further persons wishing to address Council regarding this matter.

MOVED by Deputy Mayor Downey, seconded by Alderman Meagher that the matter be referred to City Council without recommendation. Motion passed.

A submission was received from Mr. Greg Murray, Chairman of the Downtown Committee, dated May 7, 1979, in support of this application.

Public Hearing Re: Contract Zoning - New Ferry Terminal

His Worship, noting that a two-stage approval process is required under the Schedule "J" provisions of the Zoning Bylaw, indicated that he had encouraged the City of Dartmouth on at least three occasions to bring this matter forward for final approval.

Mr. C. L. Dodge, using site plans and elevations, gave a brief overview of the proposed Ferry Terminal, noting that the building exceeds the height restrictions established in Section 86(a) of the Zoning Bylaw, but otherwise follows very closely the specifications contained in the Stage I approval.

At the request of His Worship the Mayor, Mr. Dodge described the enclosed pedestrian walkway proposed as the primary access route to the Terminal building. He noted, however, that passengers will undoubtedly be encouraged to use the overhead passageway from the Law Courts Building until construction at the Terminal is completed.

Responding to a further question from His Worship the Mayor, Mr. Dodge advised that the overhead passageway conducts pedestrians to the Second Floor of the Terminal building, noting that access to the Main Floor can only be gained by using a flight of stairs. He stated that the absence of an escalator or an elevator did indeed make this access impossible for non-ambulatory persons, but noted that the provisions of the Public Buildings Access Act had been met in that an alternate access route would be provided. Mr. Dodge added that the applicant had been requested to review the feasibility of installing an elevator on the second level, but reported that such an addition would prove too expensive for the amount of traffic anticipated in this area.

Mr. John Lukan of the City of Dartmouth Planning Department submitted a copy of a plan (previously forwarded to staff) with regard to the requirements of Section 87(3)(d) of the Zoning Bylaw, noting that a further report, pertaining to Section 87(3)(e), will be submitted in the very near future.

Mr. Soosar of Sperry Associates gave a brief presentation concerning various aspects of the proposed terminal building.

9:10 P. M. - Alderman Shannon retired from the meeting.

His Worship requested that Mr. Lukan submit in written form clarification of the access routes proposed for the terminal buildings, including an explanation of the reasons it is deemed unessential to provide the Halifax Terminal with an elevator and/or escalator for the use of non-ambulatory persons.

Alderman Wooden further requested that the applicant submit figures pertaining to the relative costs and merits of both elevators and escalators.

There were no further persons present wishing to address Council on this matter.

MOVED by Alderman Sullivan, seconded by Alderman Hanson that the matter be referred to City Council without recommendation. Motion passed.

Public Hearing Re: Rezoning of Parcel "U", Lady Hammond Road from R-2 (Second-Density Residential) to C-2 (General Business)

Mr. Boyd Algee described the proposed rezoning, noting that the application is in conformance with the policies of the Municipal Development Plan for this area.

After some questioning of staff, His Worship called for those persons present wishing to address Council regarding this matter.

Mr. John MacFarlane, solicitor for the Nova Scotia Credit Union League, addressed Council in support of the proposed rezoning, noting that the additional parking space provided by this rezoning would be of considerable advantage to the NSCUL and its customers. He further indicated that his client would be agreeable to a caveat stipulating that the property in question would be used solely for parking purposes.

There were no further persons present wishing to address Council regarding this application.

MOVED by Alderman Moore, seconded by Alderman Hamshaw that the matter be referred to City Council without recommendation. Motion passed.

9:40 P. M. - Meeting adjourned.

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MAYOR EDMUND MORRIS
CHAIRMAN

G. I. BLENNERHASSETT (MRS.)
CITY CLERK

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Date Approved by City Council: _____

CITY COUNCIL
MINUTES~~CONFIDENTIAL~~Council Chamber
City Hall
Halifax, N. S.
July 3, 1979
8:20 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 Downey, and Aldermen Maley, Shannon, Meagher, Sullivan, Clarke, Wooden, Hanson, Moore, and Hamshaw.

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

MINUTES

His Worship advised that in addition to the City Council minutes of June 14th listed on the agenda for approval, the minutes of a special meeting of June 20th had also been circulated.

Minutes of City Council meetings held on June 14 & June 20, 1979, were approved on Motion of Alderman Maley, seconded by Alderman Hamshaw.

APPROVAL OF ORDER OF BUSINESS, ADDITIONS AND DELETIONS

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

- 9.1 - Petition - Residents of Meadowlark Crescent
Re: Sidewalks (In the name of Alderman Hamshaw)
- 20.1 - 6073 Coburg Road - Contract Zoning, Date for Hearing
- 20.2 - Award of Tender 79-69 - Sidewalk Renewals
- 20.3 - Bill Posters License - International Atlantic
Summer School and Festival of Music
- 20.4 - Amendment to 1979 Bond Issuing Resolution

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

- 20.5 - Tax Concessions and Grants Committee.

The agenda, as amended, was approved.

DEFERRED ITEMS

Heritage Amendments - Municipal Development Plan

A public hearing was held on the above matter on June 20, 1979.

MOVED by Alderman Shannon, seconded by Alderman Maley that City Council amend the Municipal Development Plan as proposed by the appendix attached to the Municipal Development Plan Committee report dated January 23, 1979, with the exception that Schedule III.2, Schedule III.3, and Schedule IV.1 remain in the relevant sections of the Plan, and the amendment proposed to Part III, Section III, "Procedure for the Designation of Heritage Resources", be deferred.

Motion passed.

Contract Zoning - 1200 Tower Road

A public hearing was held on the above matter on June 20, 1979.

MOVED by Alderman Maley, seconded by Alderman Shannon that the City enter into a contract with the owners of Civic No. 1200 Tower Road to permit a beauty salon to locate on the ground floor of Civic No. 1200 Tower Road (South Tower) as shown on Plan No. P200/8940 of Case No. 3727.

Motion passed.

Contract Zoning - Maritime Museum of the Atlantic

A public hearing was held on the above matter on June 20, 1979.

MOVED by Alderman Sullivan, seconded by Deputy Mayor Downey that City Council give Stage One approval to the proposed Maritime Museum of the Atlantic under Sections 86 and 87, Schedule "J" of the Zoning Bylaw, Peninsula Area.

Motion passed.

Contract Zoning - New Ferry Terminal

A public hearing was held on the above matter on June 20, 1979.

The City Clerk advised that Alderman Shannon was not present at the public hearing but the Chairman ruled, on the advice of the City Solicitor, that Alderman Shannon could vote on the matter.

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MOVED by Deputy Mayor Downey, seconded by Alderman Sullivan that City Council approve a contract development under Section 86 of Schedule "J" of the Zoning Bylaw, Peninsula Area, for the construction of the Ferry Terminal at a height which exceeds the 25-foot height limit in Schedule "J".

His Worship expressed Council's sense of disappointment and regret that another municipality did not follow the customary procedures in such matters.

The Motion was put and passed.

Rezoning of Parcel "U", Lady Hammond Road from R-2 to C-2

A public hearing was held on the above matter on June 20, 1979.

MOVED by Alderman Clarke, seconded by Alderman Sullivan that the application to rezone Parcel "U" Lady Hammond Road from R-2 Residential to C-2 General Business, as shown on Plan No. P200/8692 of Case No. 3664, be approved by City Council subject to a caveat that the applicant, his heirs, assigns, or successors, will not object to Halifax City Council rezoning the property to R-2 should any other use in the C-2 zone, other than parking, be contemplated.

The City Clerk advised that Alderman Shannon was not present at the public hearing but the Chairman ruled that Alderman Shannon would be permitted to vote on the matter.

The Motion was put and passed with Alderman Shannon abstaining.

PETITIONS AND DELEGATIONS

Petition - Residents of Meadowlark Crescent Re:
Sidewalks (Submitted in the name of Alderman Hamshaw)

Alderman Hamshaw submitted a sidewalk petition for Meadowlark Crescent signed by residents of the street.

Council agreed that the petition be referred to staff for review and report.

REPORT - FINANCE & EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on June 20, 1979, as follows:

Council
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Current Borrowing Resolution

MOVED by Alderman Maley, seconded by Alderman Meagher that, as recommended by the Finance & Executive Committee, City Council authorize His Worship the Mayor and the City Clerk to sign a Current Borrowing Resolution covering the period July 1, 1979 to December 31, 1979, in the amount of \$6,000,000.

Motion passed.

School Admissions - Age Requirement

The above item was forwarded to City Council without recommendation and staff were requested to ask the School Board:

1. If it can supply the demographic series from Statistics Canada to determine the numbers involved;
2. Whether a local school board can change the admission date as a matter of right; and
3. Whether the Department of Education would cost share if the City made such a change without others making a change.

An information report dated July 3, 1979, was submitted.

MOVED by Alderman Clarke, seconded by Alderman Hamshaw that Halifax City Council support and recommend that a policy be adopted by the Halifax School Board which would admit any child to school who attains his or her fifth birthday before December 31st of the calendar year commencing September 1, 1979, and that the matter be placed for consideration by the School Board at its next meeting by the Aldermanic representatives.

A lengthy discussion ensued on the matter and His Worship suggested Council should make known forthwith to the Department of Education of the Province of Nova Scotia that Council supports a change in admission age and asks the Department to bring it into force by Regulation under the Education Act with effect from September 1, 1979.

Further discussion ensued and the Motion was put and passed with Aldermen Maley, Wooden, and Hanson against.

MOVED by Alderman Clarke, seconded by Alderman Maley that a communication be forwarded to the Provincial Government strongly supporting the Board of School Commissioner's recommendation respecting the school admission age and urging that the Government make a decision known forthwith for application commencing in September 1979.

Motion passed.

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His Worship suggested that one motion is to be sent to the Province and the other to the School Board with the request that the School Board wait for approximately two weeks pending a reply from the Province, to which agreement was expressed.

Future Use of the Forum & Transit Corporation Lands

The following was the recommendation of the Finance & Executive Committee:

- "1. The Forum be maintained and City staff be asked to determine under what conditions the City might maintain its continued use of the Civic Arena;
2. A decision with respect to the Transit garage recommendation as contained in the staff report of May 14, 1979, be deferred; and
3. City Council authorize the budget money allocated for capital renovations for the year 1979, to be spent on the Forum building only as shown by the Halifax Forum Commission."

MOVED by Alderman Clarke, seconded by Alderman Hanson that City Council authorize the capital budget money allocated for capital renovations for the year 1979 in the amount of \$250,000, to be spent on the Forum building only as shown by the Halifax Forum Commission.

Alderman Maley noted that at the Committee meeting, a suggestion was made that no action be taken until information was received with respect to the location of the Atlantic Winter Fair.

It was MOVED by Alderman Maley, seconded by Alderman Woode, that the matter be deferred until Council holds discussions with the Atlantic Winter Fair Board.

The Motion to defer was put and lost with four voting for the same and six voting against.

A lengthy discussion ensued on the matter following which the main Motion was put and passed with Alderman Maley against.

Reduced Transit Fares for Senior Citizens

MOVED by Alderman Meagher, seconded by Deputy Mayor Downey that, as recommended by the Finance & Executive Committee, a net amount of \$13,200 a month be made available in the Social Planning budget to enable the program to continue until Metro Transit is in full operation and that, subject to a review at intervals of 2 months, this amount be taken from the Halifax Transit budget.

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

Confirmatory Deed - Freeman Tattrie, Joseph Street

MOVED by Alderman Meagher, seconded by Alderman Hanson that, as recommended by the Finance & Executive Committee, the Mayor and City Clerk be authorized to execute a deed on behalf of the City confirming the sale of the 15-foot strip of land abutting Civic Number 2583 Joseph Street to Freeman Tattrie.

Motion passed.

Funding Agreements between Nova Scotia Department of Tourism and Halifax Visitors and Convention Bureau

MOVED by Alderman Wooden, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, His Worship the Mayor and the City Clerk be authorized to sign, on behalf of the City, a contract, including supplementary agreement between the City of Halifax and the Province of Nova Scotia to permit assistance to the Halifax Visitors & Convention Bureau for the fiscal year April 1, 1978 to March 31, 1979; and further that His Worship the Mayor and the City Clerk be authorized to sign, on behalf of the City, a similar contract to cover the current provincial fiscal year (April 1, 1979 to March 31, 1980).

Motion passed.

1979 Capital Borrowing Authorization

The above item was forwarded to City Council without recommendation.

MOVED by Alderman Hanson, seconded by Alderman Wooden that the Mayor and City Clerk be authorized to sign the resolutions on behalf of the City of Halifax before they are submitted to the Minister of Municipal Affairs.

Motion passed.

Council,
July 3, 1979

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on June 20, 1979, as follows:

Tender 79-16 - New Paving, Hartlen Avenue (Herring Cove Road to End)

MOVED by Alderman Wooden, seconded by Alderman Hanson that, as recommended by the Committee on Works:

1. Tender 79-16, Alternative 2, for the projects listed on Appendix "A" of the May 29, 1979 staff report, be awarded to Fred Smithers Concrete Contracting Limited for the unit prices quoted; and
2. Project funds be authorized from Capital Account CD017 for the total amount of \$361,000.00.

Motion passed.

Tender 79-29 - Sidewalk Renewals

MOVED by Deputy Mayor Downey, seconded by Alderman Meagher that, as recommended by the Committee on Works, Tender #79-29 for the projects listed in Appendix "A" of the May 30, 1979, staff report be awarded as follows:

1. Item Nos. 2 and 3 to Steed & Evans Limited and Fred Smithers Concrete Contracting Limited respectively.

Motion passed.

It was agreed that items 1 and 4 be referred to the Committee of the Whole meeting of July 18, 1979, in view of the meeting arranged by staff with residents of Ward 5.

Encroachment - Civic No. 2590 Agricola Street

MOVED by Alderman Meagher, seconded by Alderman Maley that, as recommended by the Committee on Works, an encroachment license be granted to Angelo Dipietrantonio for the purpose of erecting a canopy across the face of the building known as Civic No. 2590 Agricola Street. Motion passed.

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Tender 79-18 - Sidewalk Renewal (Duke Street, Barrington
Street, Cogswell Street)

MOVED by Deputy Mayor Downey, seconded by
Alderman Maley that, as recommended by the Committee on
Works:

1. Tender No. 79-18 for the projects listed in Appendix "A" of the June 4, 1979 staff report be awarded to Municipal Spraying and Contracting Limited for the unit prices quoted; and
2. Project funds be authorized from Capital Accounts CJ023, CJ024, CJ025, CJ026, and CJ027.

Motion passed.

Approval of Cost Sharing for Sidewalk Renewal Projects
Abutting the Public Archives Building

An information staff report dated June 28, 1979, was submitted.

MOVED by Alderman Shannon, seconded by
Alderman Maley that:

1. The cost sharing proposal from the N. S. Department of Public Works for renewal of sidewalk, curb & gutter, trees and sodding on University Avenue, Robie Street and Edward Street, in the environs of the Public Archives Building, be accepted, up to the amount of \$21,000.00;
2. Renewal of the remainder of sidewalk, curb and gutter on the east side of Edward Street, be carried out in conjunction with this work, at a cost of \$22,000.00.
3. Funds required for the completion of this work be authorized from unused funds available for Sidewalk Renewals.

Alderman Meagher suggested that His Worship meet with the newly-appointed Minister of Public Works to determine whether a more favourable arrangement can be reached regarding the sidewalk renewal costs.

Alderman Shannon asked that staff look at the west side of Edward Street across from the entrance to the new building to determine whether the sidewalk should be renewed.

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Alderman Shannon referred to the request that staff investigate the damages to the curb and gutter on University Avenue adjacent to the Civic Hospital and on Summer Street near its intersection with University Avenue and asked if the report is being prepared. The City Manager advised that a report will be submitted.

His Worship stated if it is Council's wish, he will meet with the Minister of Public Works.

MOVED by Alderman Shannon, seconded by Alderman Meagher, that the matter be deferred to the Committee of the Whole Council meeting of July 18, 1979.

Award of Tender 79-06 - Crackfilling of Streets

MOVED by Alderman Sullivan, seconded by Alderman Hamshaw that, as recommended by the Committee on Works:

1. Tender 79-06 for the projects listed in Appendix "A" of the June 13, 1979 staff report, be awarded to Road Savers Limited for the unit prices quoted; and
2. Project funds be authorized from Capital Accounts CE002 and CE003, and Current Accounts BM005 and 2P004.

Motion passed.

Petition - Old Sambro Road (Against Installation of Curb and Gutter, Sidewalk, Sodding, and Trees

MOVED by Alderman Wooden, seconded by Alderman Hanson that, as recommended by the Committee on Works, the installation of curb and gutter, sidewalk, sodding, and trees proposed for both sides of the Old Sambro Road between Herring Cove Road and North West Arm Drive, proceed as a local improvement, subject to the conditions that:

- a) there are no buildings involved in the said alignment; and
- b) the intersection of Herring Cove Road and Old Sambro Road be looked at with an effort to keep the sidewalk over to the Fire Station side rather than to the north.

Motion passed.

Council,
July 3, 1979

Petition - Herring Cove Road (Against Installation of
Curb and Gutter, Sod, and Trees)

MOVED by Alderman Wooden, seconded by
Alderman Sullivan that, as recommended by the Committee
on Works, the installation of curb and gutter, sidewalk,
sod and trees on the west side of Herring Cove Road
between Punch Bowl Drive and the existing sidewalk proceed
as a local improvement. Motion passed.

Clovis Street - Petition Against Installation of Pavement,
Curb and Gutter, Sidewalk, Sodding and Trees

MOVED by Alderman Wooden, seconded by
Alderman Sullivan that, as recommended by the Committee on
Works, the petition be accepted and the City not proceed
with the installation of paving, concrete curb and gutter,
sidewalk, sodding and trees on Clovis Avenue between Herring
Cove Road and William's Lake Road.

His Worship asked if it was understood that
the motion has the qualification that the funds put aside
for the project will remain in the Capital Budget and not,
unless otherwise instructed by City Council, be designated
for the shopping list. It was so agreed.

Motion passed.

Dairy Lands - Chebucto Road and Chebucto Lane

Alderman Meagher stated that the lands are
presently being cleaned up and, if necessary, he will raise
the matter at a future date.

Mr. Grant, Director of Development, advised
that it is staff's understanding that the depression at the
northeast corner will be filled in due course. He stated
that staff will follow-up on the matter and report verbally
at the Committee of the Whole meeting of July 4, 1979.

2650 Dublin Street

A report dated June 22, 1979, was submitted
by the City Solicitor.

Alderman Meagher referred to a report
received from the Building Inspector re the deficiencies
and the City Solicitor's report, and asked that the Legal
Department submit a report on the legal proceedings as
well as the status of the final clean-up and bringing the
building into conformity with the Ordinance.

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Award of Tender 79-103 - Lacewood Storm Retention Basin

MOVED by Alderman Hamshaw, seconded by Alderman Moore that, as recommended by the Committee on Works, City Council:

1. approve the award of Tender No. 79-103 to Woodlawn Construction Limited for the low bid of \$543,641.00 for the construction of the Lacewood Storm Retention Basin;
2. approve the appointment of Project Planning Consultants Limited as the supervision and inspection consultants for the City at a cost of \$48,000.00; and
3. authorize the expenditure of \$618,823.00 from Account No. DA007 of the 1979 Capital Budget as the total project cost.

Motion passed.

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on June 20, 1979 as follows:

Case No. 3730 - 5750 Spring Garden Road - DATE FOR PUBLIC HEARING

MOVED by Deputy Mayor Downey, seconded by Alderman Maley that, as recommended by the City Planning Committee, in accordance with Section 83, Subsections (c) and (d) of the Peninsula portion of the Zoning Bylaw, City Council set a date for a public hearing to consider the proposed development as shown on Plans P200/8954-57 of Case No. 3730. Motion passed.

The City Clerk advised that the public hearing is scheduled for Wednesday, August 22, 1979, at 7:30 p.m. in the Council Chamber.

Zoning Review - Soft Area 7 (MDP Map 4)

MOVED by Deputy Mayor Downey, seconded by Alderman Wooden that, as recommended by the City Planning Committee, City Council take no further action with respect to the Zoning Review of Soft Area 7 (MDP Map 4). Motion passed.

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Zoning Review - Soft Area 12 (MDP Map 4)

MOVED by Alderman Sullivan, seconded by Alderman Clarke that, as recommended by the City Planning Committee, City Council take no further action with respect to the Zoning Review of Soft Area 12 (MDP Map 4).
Motion passed.

Zoning Review - Soft Area 15 (MDP Map 4)

MOVED by Alderman Sullivan, seconded by Alderman Moore that, as recommended by the City Planning Committee, no further action be taken on the zoning of Soft Area 15 and staff be instructed to review the zoning of the areas to the north and east of Soft Area 15.
Motion passed.

Zoning Review - Soft Area 19 (MDP Map 4) - DATE FOR HEARING

MOVED by Alderman Sullivan, seconded by Alderman Clarke that, as recommended by the City Planning Committee, City Council set a date for a public hearing to consider the rezoning of those properties within Soft Area 19 from C-2 (General Business) to C-1 (Local Business), as shown on Map 2, Plan No. P200/9043. Motion passed.

It was requested that the City Solicitor advise verbally at the Committee of the Whole meeting on July 4, 1979, re an extension of the deadline date within which consideration of soft areas is to be completed.

It was agreed that the setting of a date for the public hearing be deferred to the next regular meeting of City Council.

Zoning Review - Soft Area 2 (MDP Map 4)

MOVED by Alderman Hamshaw, seconded by Alderman Sullivan that, as recommended by the City Planning Committee, City Council take no action on the zoning at this time and instruct staff to report to Council on the potential of portions of Soft Area 2 for industrial development.
Motion passed.

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Case No. 3671 - Proposed Rezoning at Maritime Broadcasting
Property (Rockingham) - DATE FOR HEARING

MOVED by Alderman Sullivan, seconded by
Alderman Hamshaw that, as recommended by the City Planning
Committee, a date be set for a public hearing to consider
removing from Schedule "K" and rezoning to I-2 (Radio
Transmitter Zone), the lands of Maritime Broadcasting
Company Limited in Rockingham, as shown on Plan No.
P200/8802 of Case No. 3671. Motion passed.

The City Clerk advised that the public hearing is scheduled for Wednesday, August 22, 1979, at 7:30 p.m. in the Council Chamber.

Case No. 3712 - Contract Development and Lot Consolidation
(Brunswick and George Streets) - DATE FOR
HEARING

MOVED by Deputy Mayor Downey, seconded by
Alderman Sullivan that, as recommended by the City Planning
Committee, a date be set for a public hearing to consider
the proposed development at the corner of Brunswick and
George Streets, under Section 83, Schedule "F" of the Zoning
Bylaw, Peninsula Area, subject to the following terms and
conditions:

1. the building must be constructed in terms of exterior dimensions according to Plan Nos. P200/8854 to 8857 inclusive;
2. the building must not protrude into any View Plane;
3. the podium roof must be landscaped with artificial grass;
4. service access to the building must be from Market St;
5. storm water collected above the Brunswick Street level must be discharged to the Brunswick Street storm sewer and the balance of the storm water below the Brunswick Street level and the sanitary flows must be discharged to the sewer on Market Street; and
6. the southern and eastern walls of the building that do not front on a street must be finished in a manner satisfactory to City staff.

The City Clerk advised that the public hearing is scheduled for Wednesday, August 22, 1979, at 7:30 p.m. in the Council Chamber. Aldermen Moore and Hamshaw objected to the date.

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Fairmount Connector and Subdivision

A supplementary staff report dated July 3, 1979, was submitted.

MOVED by Alderman Moore, seconded by Alderman Hamshaw that the matter be referred to the meeting of Committee of the Whole Council scheduled for July 4, 1979, so that members of City Council may consider the supplementary staff report. Motion passed.

Application for Harbour Side Dining Facility

MOVED by Alderman Sullivan, seconded by Alderman Clarke that, as recommended by the City Planning Committee, the application for the Lobster Supper Concessions be granted, subject to the following conditions:

1. Written agreement from the Waterfront Development Corporation Limited if arrangements for the Boat Show can be made;
2. A building permit;
3. Authorization by Council for the Mayor and City Clerk to sign a license for the operation;
4. If it is a requirement of the Board of Health that a letter of consent be received from the City's Medical Health Officer and that a written plan be submitted to the Board of Health, that such a procedure be followed and that the Board of Health be requested to take the appropriate action.
5. Such approval be for the summer season of 1979 only.

Motion passed with Alderman Moore voting against.

MOTIONS

Motion Alderman Clarke Re: New Ordinance No. 133, respecting the Emergency Measures Civil Defence Organization - FIRST READING

A report dated June 14, 1979 was submitted by the Chairman of the Emergency Measures Organization.

A staff report dated June 27, 1979 was submitted.

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MOVED by Alderman Clarke, seconded by Alderman Wooden that new Ordinance No. 133, respecting Emergency Measures Planning, as attached to the report dated June 14, 1979, submitted by the Chairman of the Emergency Measures Organization (Halifax), be now read and passed a First Time. Motion passed.

The City Solicitor advised that the differences in the staff report and the report submitted by the Chairman of the Emergency Measures Organization can be reconciled prior to the meeting of Committee of the Whole Council of July 18, 1979.

Motion Alderman Moore re: Amendments to the Peninsula and Mainland Zoning Bylaws - DATE FOR HEARING

A staff report dated June 27, 1979 was submitted.

MOVED by Alderman Moore, seconded by Alderman Hanson that City Council set a date for a public hearing to consider amendments to the Peninsula and Mainland portions of the Zoning Bylaw to restrict the size and height of billboards, the specific changes being set out in Appendix "A" attached to the staff report dated June 27, 1979. Motion passed.

The City Clerk advised that the public hearing is scheduled to be held on Wednesday, August 22, 1979, at 7:30 p.m. in the Council Chamber.

MISCELLANEOUS ITEMS

Flamingo Drive - New Sidewalk

A staff report dated June 25, 1979 was submitted.

His Worship asked if a tender had been called for the above-noted sidewalk last year and the matter subsequently delayed. Mr. Connell stated it was his recollection that the matter was deferred during capital budget deliberations.

His Worship also requested an explanation of the term '79 Average Unit Prices'.

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It was agreed that the matter be deferred to the Committee of the Whole meeting of July 4, 1979 so that staff may at that time comment on the matters raised.

Case No. 3710 - Contract Development, 1472 Tower Road -
DATE FOR HEARING

A staff report dated June 25, 1979 was submitted.

MOVED by Alderman Meagher, seconded by Alderman Clarke that a date be set for a public hearing to consider an application by Garden Park Apartments Limited to permit the development of non-residential uses on the ground floor of the apartment building under construction at Civic No. 1472 Tower Road, in accordance with Section 83, Schedule "C" of the Zoning Bylaw, Peninsula area. Motion passed.

The City Clerk advised that the public hearing is scheduled for Wednesday, September 19, 1979, at 7:30 p.m. in the Council Chamber.

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QUESTIONS

Question Alderman Meagher Re: Bowling Surface - St.
Mary's Recreation Club

Alderman Meagher asked that the Director of Engineering and Works have Parks and Grounds staff look at the grass on the bowling surface at St. Mary's Recreation Club.

Question Alderman Meagher Re: Street Sweeping

Alderman Meagher advised that he has had several complaints from citizens who have received parking tickets for nights on which the streets have not been cleaned, and further noted that the streets in Ward 4 have not been swept for the past couple of weeks.

Alderman Meagher asked the Director of Engineering and Works to advise how the street sweeping program is progressing, if the equipment is in working order, and, if not, what seems to be the problem.

Mr. Connell advised that the sweepers have been mostly used during the last two weeks on streets involved in the Royal Visit. He further advised that his sweeping budget is just about depleted and he is in the process of preparing a report for City Council with suggestions on what might be done for the remainder of the year.

His Worship pointed out that the offence consists of parking on the street whether the street is swept or not.

Question Alderman Meagher Re: Signs Re No Left Turn on
Monestary Lane and Quinpool Road Project

Alderman Meagher referred to an information report from the Traffic Authority re the above subject and asked on what date the signs will be erected.

Question Alderman Shannon Re: Legislation re Loitering
on School Grounds

Alderman Shannon asked if staff of the Legal and Police Departments could get together to look

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into legislation to control loitering on school grounds.

Question Alderman Shannon re: Traffic at Quinpool Centre

Alderman Shannon referred to an information report dated June 28, 1979, re the above subject and asked staff to bear in mind that Vernon Street should be looked at along with Preston Street because both streets carry an almost identical volume of traffic and, historically, as the traffic volume on one increases, the volume on the other does as well. She further stated that the increased traffic volume on those streets leads to the problem of the no left turn at Oxford Street and Quinpool Road from 4:00 p.m. to 6:00 p.m. and the implications for Connaught Avenue. She suggested that the whole turning pattern has to be studied before anything is done about Preston Street.

Question Alderman Shannon re: Sodding on North Side of
Sackville Street between Bell Road and
Brunswick Street

Alderman Shannon asked if the dead sods located in the sidewalk area on the north side of Sackville Street between Bell Road and Brunswick Street are going to be replaced. Mr. Connell responded in the affirmative.

Question Deputy Mayor Downey re: Provincial Cost-Sharing
of City Streets

Deputy Mayor Downey asked if a response has been received from the Provincial Government re cost-sharing of City streets. His Worship advised that staff have not been able to make an appointment with the Minister of Highways about the matter.

Question Deputy Mayor Downey re: Halifax Relief Fund

Deputy Mayor Downey advised that about two months ago a government survey was undertaken involving recipients of a Halifax Relief pension and, to date, the recipients have not been contacted further. He asked what is the status of the funds to be turned over.

His Worship advised that the Halifax Relief Commission Fund is in the care of the Federal and Provincial governments and the City is in no way involved with the funds.

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His Worship advised that staff can only relay the inquiry to the appropriate Provincial office and request that they deal with it.

Alderman Sullivan asked that when staff are responding to questions asked previously re the Fund, information be forthcoming re the number of such pensioners who reside in the Halifax area. His Worship advised that staff are preparing a response to the questions referred to and it is anticipated further dialogue will take place in early or mid September.

Question Deputy Mayor Downey re: Metro Transit

Deputy Mayor Downey asked why a person enroute to Dartmouth from Halifax by transit must transfer in Dartmouth whereas a person enroute from Halifax to Sackville does not.

Alderman Shannon advised that the Sackville bus is operated by Halifax Transit for Metro Transit and is fully funded by the Provincial Government. She advised that transfers will be required between the Halifax and Dartmouth areas until Metro Transit takes over the two operations, at present Halifax Transit and Dartmouth Transit are two separate operations.

Question Alderman Sullivan re: Richmond Street between
Devonshire Avenue and Union Street

Alderman Sullivan stated that some time ago he requested that the old part of Richmond Street between Devonshire Avenue and Union Street be cleaned up. He stated the work has not been undertaken and asked when it will be underway. Mr. Connell advised that he will submit a report on the matter.

Question Alderman Sullivan re: Fort Needham Walkways

Alderman Sullivan stated that some weeks ago he submitted a memorandum re the walkways at Fort Needham which are overgrown with weeds, etc. requesting that new gravel be put down. He asked if and when the work will be undertaken and further requested that the hedge at Fort Needham be trimmed.

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Question Alderman Sullivan re: Restaurant at Corner of
Agricola and Young Streets

Alderman Sullivan advised that a restaurant has recently located at the corner of Agricola and Young Streets and requested that he be advised of the zoning on the said property.

Question Alderman Sullivan re: Trees on Devonshire Avenue
between Russell and Albert Streets

Alderman Sullivan requested that the trees on Devonshire Avenue between Russell and Albert Streets be trimmed, particularly where the trees cover the street lights.

Question Alderman Maley re: Crosswalk at Rogers Drive

Alderman Maley noted that a crosswalk was approved for Rogers Drive and asked when it will be installed.

Question Alderman Maley re: Pedways from Delta Hotel to
Bank of Commerce and Scotia Square

Alderman Maley noted that the pedway from the Delta Hotel to the Bank of Commerce is presently being installed and asked when the pedway from the Hotel to Scotia Square will be constructed. She recalled a suggestion that the pedways be constructed mostly of glass so as not to impede the view and pointed out that, in her opinion, the one presently under construction does obstruct the view. Alderman Maley requested a staff report on the matters raised.

His Worship stated there is every intention to construct the pedway from the Hotel to Scotia Square.

Question Alderman Maley re: Surcharge on Passengers of the
Queen Elizabeth II

Alderman Maley requested a report from staff re the effects of the \$3.00 surcharge on passengers aboard the Queen Elizabeth II during its recent visit to Halifax. She suggested that perhaps representation should be made to the Province to have the tax removed. She asked that the report be submitted to the next regular meeting of City Council.

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Question Alderman Maley re: Minutes of Boards, Commissions,
etc. of the City

Alderman Maley asked that minutes of meetings of Boards and Commissions of the City of Halifax be forwarded to the City Clerk's office.

His Worship stated that there is some confusion regarding the matter and suggested that Alderman Maley make a motion to clarify it.

MOVED by Alderman Maley, seconded by Alderman Shannon that the City Clerk request that all Boards, Commissions and Agencies of City reference, including the Halifax-Dartmouth Metropolitan Authority, the Public Service Commission, and Halifax Transit Corporation, promptly file copies of the minutes of their proceedings with the City Clerk for purposes of reference by members of Halifax City Council. Motion passed.

Question Alderman Hamshaw re: Rockingham North Services

Alderman Hamshaw asked when the permits re Rockingham North services will be available for distribution. His Worship advised that it will commence on July 4, 1979.

His Worship advised that he has asked staff to consider, if possible, the installation of an evening service for the convenience of residents.

Question Alderman Hamshaw re: Cutting of Grass on Dunbrack Street

Alderman Hamshaw asked if it is possible for City staff to cut the grass on Dunbrack Street.

Mr. Connell advised that staff has been concerned about the problem of grass cutting on Dunbrack Street for some time. He pointed out that staff are bound by the provisions of the Streets Ordinance and issued registered letters to residents approximately two weeks ago, to which considerable response has been forthcoming. He stated that for those who have no obvious intention to comply, it is planned that City staff will cut the areas in violation and the residents will be billed.

The City Solicitor advised that staff are reviewing the problem and it is anticipated that a report will be submitted to the Committee of the Whole meeting of July 18, 1979.

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Question Alderman Hamshaw re: Consultant re Concrete Cradles

Alderman Hamshaw asked what is the status of his recent request that a consultant be hired to report on the feasibility of concrete cradles.

Mr. Connell advised that staff are presently preparing the terms of reference for the consultant and will be approaching the City Manager for approval of funding.

Question Alderman Wooden re: Warrants for Street Markings

Alderman Wooden asked whose guidelines does the City follow re warrants for street markings and are they appropriate for all areas of the City.

The City Solicitor advised that the warrants are based on Canadian standards and on Canadian study at the national level, and perhaps at the North American level.

His Worship requested that the Traffic Authority communicate directly with Alderman Wooden on the matter.

Question Alderman Wooden re: MacIntosh Runs

Alderman Wooden requested that staff submit suggestions on how the problem of debris in the MacIntosh Runs can be resolved.

Question His Worship the Mayor re: Traffic Markings -
Angus L. MacDonald Bridge - Halifax Side

His Worship stated there are no markings on the Halifax side of the Angus L. MacDonald Bridge in the area of the north side of where the median bends into Gottingen Street and when it bends out of the Bridge around to Barrington Street by moving north and proceeding under the Bridge. He asked if staff have deliberately left out the markings or if it has been an oversight.

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NOTICE OF MOTION

Notice of Motion Alderman Wooden re: Section 61(1) of the
Halifax Zoning Bylaw (Mainland Area)

Alderman Wooden gave notice that at the next regular meeting of Halifax City Council, to be held on Thursday, July 12, 1979, she will move an amendment to Section 61(1) of the Halifax Zoning Bylaw (Mainland Area), specifically to delete Subsection 61(1)(d) and to substitute therein Subsection 61(1)(d), to read, "the office of a professional person located in the dwelling house used by such professional person as his private residence" and Subsection 61(1)(e), to read, "any use other than a privy accessory to any of the uses in a, b, c, and d."

She advised the intent of the motion is to allow for uses appropriate in residential areas of the holding zone which do not offend the intent of the policies of the Municipal Development Plan that have required the establishment of a holding zone.

Notice of Motion Alderman Wooden re: Section 66(b) of the
Halifax Zoning Bylaw (Mainland Area)

Alderman Wooden gave notice that at the next regular meeting of Halifax City Council, to be held on Thursday, July 12, 1979, she will move an amendment to Section 66(b) of the Zoning Bylaw (Mainland Area) to delete the phrase "five thousand square feet in floor area" and to substitute therein the phrase "fifteen hundred square feet in floor area".

She advised the intent of the motion is to discourage commercial, industrial and/or institutional uses which may, by the policies of the Municipal Development Plan, be inappropriate.

ADDED ITEMS

Contract Development - 6073 Coburg Road

A supplementary staff report dated June 27, 1979, was submitted.

Mr. Matthews, Director of Planning, advised that the applicant is of the opinion he is in conformance with the Plan and, therefore, his application is for a contract zoning.

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MOVED by Alderman Meagher, seconded by Alderman Moore that a date be set for a public hearing to consider an application for a contract zoning, to permit the offices of Impact Publishing Limited to locate at 6073 Coburg Road, which is zoned R-3 (Third Density Residential). Motion passed.

The City Clerk advised that the public hearing will be held on Wednesday, September 19, 1979, at 7:30 p.m. in the Council Chamber.

Award of Tender 79-69, Sidewalk Renewals

A staff report dated June 25, 1979 was submitted.

It was agreed that the matter be referred to the Committee of the Whole Council meeting of July 4, 1979, so that members of City Council may further review the staff report.

Bill Posters License - International Atlantic Summer School and Festival of Music

An application dated June 28, 1979 for a bill posters licence was submitted by Branco Mizerit, Artistic Director, International Atlantic Summer School and Festival of Music.

It was agreed that a bill posters licence be issued for the International Atlantic Summer School and Festival of Music provided the applicant undertakes to remove the said posters subsequent to August 14, 1979, and understands that permission is required from property owners if their property is to be used for the posting of such bills.

Amendment to 1979 Bond Issuing Resolution

A staff report dated July 3, 1979 was submitted.

MOVED by Alderman Sullivan, seconded by Alderman Wooden that Council authorize an amendment to the issuing resolution to provide the printing of the \$5,000,000. debenture in the denominations requested and that the Mayor and City Clerk be authorized to sign this change. Motion passed.

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Tax Concessions and Grants Committee - Brunswick Street
United Church - Alderman Meagher

MOVED by Alderman Meagher, seconded by
Deputy Mayor Downey that a grant in the amount of \$1,000.00
be approved for the Brunswick Street United Church to assist
with restoration of the Church.

Alderman Shannon suggested that the motion should be subject to the rebuilding of the church on the present site.

His Worship stated the motion is to make available \$1,000.00 for the Church on the understanding that it is to replace the church in its present position and, if that were not to happen, they would advise City Council who would again consider the matter.

Motion passed.

Meeting adjourned 12:10 a.m.

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MAYOR EDMUND E. MORRIS
CHAIRMAN

G. I. BLENNERHASSETT (MRS.)
CITY CLERK

Date Approved by City Council: _____

Record

SPECIAL MEETING
HALIFAX CITY COUNCIL
MINUTES

Council Chamber
City Hall
Halifax, N. S.
July 4, 1979
7:30 P. M.

A Special Meeting of Halifax City Council was held on the above date.

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

PRESENT: His Worship the Mayor, Chairman; Deputy Mayor Downey; Aldermen Maley, Shannon, Sullivan, Wooden, Hanson, Moore and Hamshaw.

ALSO PRESENT: R. J. Matthews, Acting City Manager, City Solicitor, City Clerk and other members of staff.

The meeting was called as a public hearing with respect to the following items:

1. To consider the amendment of Implementation Policy 3.3 of the Municipal Development Plan by deleting the phrase "but excepting Area 4 on Map 4", and further, to consider the following rezoning proposals:
 - a. To rezone all that area north of the CNR right-of-way from I-1 (General Industrial) to Schedule "K" (Mixed Residential), excepting a pending application;
 - b. To rezone all that area from St. Margaret's Bay Road to the CNR right-of-way from I-1 (General Industrial), R-4 (Multiple Dwelling) and C-1 (Local Business) to R-2 (Two-Family), except for the property of the Public Service Commission and those properties fronting on St. Margaret's Bay Road identified as Civic Nos. 53, 55, 57 and 59; and
 - c. To rezone the lands of the Public Service Commission from I-1 (General Industrial) to W (Watershed), all as shown on Plan No. P200/8875 of Case No. 3691.
2. To consider the rezoning of that area bounded by the Container Port and existing residential development adjacent to Young Avenue and Ogilvie Street; specifically that the Container Port facility be rezoned from R-3-V (Multiple Dwelling Zone) to C-3-V (Industrial Zone) or to C-5-V (Harbour-Related Industrial Zone).

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3. To consider an application under Schedule "E", Section 67(b), (c) and (d) of the Zoning Bylaw (Mainland Area) to construct a new facility to contain the present lobster wholesale/retail business at Civic No. 741-49 Bedford Highway; and further, to consider the consolidation of the lots known as Civic No. 741-49 and L1 Bedford Highway.

Public Hearing Re: Soft Area 4 - Proposed Amendment to
the Municipal Development Plan and Rezoning

Referring to a staff report on the matter dated March 27, 1979, Mr. David Russell, Senior Planner, described the provisions contained in Schedule "K", emphasizing that this schedule is in itself a comprehensive development zone which requires residential development consisting of a mix of housing types with particular attention being paid to landscaping and the provision of community services. He noted that, because the use of a Schedule "K" zone was not contemplated for the area in question at the time the Municipal Development Plan was being formulated, Implementation Policy 3.3 prohibits residential development in what is generally known as Soft Area 4.

He added, however, that in their subsequent review of this soft area, staff had noted that the Future Land Use Map of the Plan designates the area as "residential environments" and that Plan policies call for the encouragement of residential development in Mainland South of which this soft area represents a portion. Under these circumstances, it is staff's recommendation that Implementation Policy 3.3 be amended to delete the phrase "but excepting Area 4 on Map 4" and that the said area be rezoned from I-1 (Industrial) to Schedule "K" to more appropriately reflect the overall Plan policies for Mainland South.

His Worship noted that it was his understanding the the Public Service Commission are presently considering the viability of constructing an emergency pumping station in this area to support the existing Pockwock system. Referring to the proposal to rezone these lands from I-1 (General Industrial) to "W" (Watershed), he inquired if a Plan amendment would still be deemed necessary if the rezoning were instead to R-2.

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Responding to His Worship's question, Mr. Russell advised that the proposed Plan amendment would not affect this particular area of land and that by rezoning to "W", the Public Service Commission would be able to continue watershed uses as appropriate under the provisions of the "W" Zone.

After some further discussion, His Worship called for those persons present wishing to address Council regarding this proposal.

Mr. R. Murphy, a resident of 39 Crown Drive and the owner of various commercial properties in the area, voiced his opposition to the proposed rezoning to R-2.

Mr. Woodward, the owner of five apartment units located at 43 Crown Drive, presented his objection to the proposed down zoning from R-4 to R-2.

Responding to a question from Alderman Shannon, Mr. Russell noted that there are approximately twelve properties presently designated as R-4 uses in this area. With reference to a further question from Alderman Shannon, Mr. Russell stated that staff were reluctant to recommend that the existing R-4 Zone be retained owing to the R-4 provisions on the Mainland which would enable developments that would not only conflict with the character of the existing area, but would also necessitate considerable upgrading of existing municipal services.

After some discussion, His Worship requested that staff submit a report concerning the feasibility of amending the R-2 provisions contained in the Mainland Zoning Bylaw to conform with those of the Peninsula R-2 Zone, thereby prohibiting buildings containing more than four apartment dwelling units in a Mainland R-2 Zone. He asked that staff, in their report, also consider the impact this amendment would have on existing and proposed development in this area.

Alderman Wooden further recommended that staff consider this amendment against the impact it could have on the entire Mainland area.

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Mr. Frank J. Powell, representing Joseph Salah, the owner of a 21-unit apartment building located at 23 St. Margaret's Bay Road, spoke in opposition to the proposed rezoning to R-2, requesting that it be retained as a C-1 designation or rezoned to R-4.

Mr. Bernard Saunders, a resident of 33 Crown Drive and the owner of three 6-unit apartment buildings in the area, voiced his objection to the proposed rezoning, asking that it be retained as R-4.

8:25 P. M. - Alderman Meagher entered the meeting.

Mr. Kenneth J. Butler, President of Butler Brothers Limited, addressed Council regarding properties owned by his company located within the boundaries of that area proposed for rezoning to Schedule "K". He noted that Butler Brothers presently have a residential development proposal before the City for this area and, as it was Mr. Butler's understanding that the proposed rezoning would impede approval of that application, he requested that Council defer its decision until his company's proposal could be reviewed against the implications of a Schedule "K" rezoning.

Responding to Mr. Butler's remarks, Mr. R. J. Matthews noted that, in his opinion, a decision to rezone to Schedule "K" would not serve as a deterrent to the development proposal. He indicated that, although the development was to consist primarily of single-family dwellings, the spirit of the Schedule "K" provisions was to provide a mix of housing types relating to the surrounding neighbourhood as a whole and was not intended to stipulate that any one development contain various housing types.

8:35 P. M. - Alderman Clarke entered the meeting.

Mr. M. R. Kunz of 13 Birchwood Drive addressed Council in support of the rezoning recommendations, noting that he would like to see R-4 uses restricted as much as possible in this area because of the heavy demand they place on existing roadways.

There were no further persons wishing to address Council regarding these matters.

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His Worship requested that staff submit a further report prior to the next regular meeting of City Council addressing the points raised during these proceedings. He further suggested that the Public Service Commission be contacted and asked to submit in written form a summary of their prospective intentions with regard to their property located in the area presently under review.

His Worship also requested that the City Solicitor prepare comments regarding the pumping station proposed by the Public Service Commission for this area, specifically to contain his recommendations as to whether a pumping station of this nature could legally be defined under the provisions of the "W" Zone.

MOVED by Alderman Hanson, seconded by Alderman Moore that the matter be referred to City Council without recommendation. Motion passed.

Written submissions concerning this matter were received from the following persons:

1. Miss Phyllis Fenerty, 9 Fenerty Road (June 29/79)
2. Mr. Donald J. Weeren, 7 Fenerty Road (July 3/79)
3. Mr. J. D. Eric Cormier, 27 St. Margaret's Bay Rd. (July 4/79)
4. Mr. Kenneth J. Butler, 7071 Bayers Road (July 4/79)
5. Mr. Frank J. Powell, Solicitor for Mr. Joseph Salah, 23 St. Margaret's Bay Road (July 4/79)

Public Hearing Re: Soft Area 5 - Rezoning of the Container Port facility from R-3-V to C-3-V or C-5-V

In summarizing the rezoning proposal for this area, Mr. Russell stated that it is staff's recommendation, based on Plan policies and the designations set forth by the Future Land Use Map, that the apartment complex located on Ogilvie Street (Ogilvie Towers) be retained as an R-3-V use while the property presently in use as an ancillary parking lot owned by the Container Port facility be rezoned to either C-3-V or C-5-V.

Responding to a question from His Worship the Mayor, Mr. Russell indicated that the C-5-V classification would be more restrictive in nature as it permits only harbour-related uses while the C-3-V Zone would allow general commercial uses.

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His Worship called for those persons present wishing to address Council regarding this matter.

Mr. John McKay, appearing on behalf of residents in the area of notification and also as a member of the DAPC I group, addressed Council in opposition to the proposed rezoning to a commercial designation. He suggested that Council may wish to consider the viability of retaining the residential character of the neighbourhood in question (specifically, to rezone it to R-2-V) and, if this were their decision, asked that the matter be referred to the DAPC I group for further review.

Responding to a question from Alderman Sullivan, the City Solicitor advised that it has generally been the policy of Crown Corporations to comply with the zoning regulations imposed by the City, although they could proceed otherwise if they so desired.

With reference to a question from His Worship the Mayor, Mr. Matthews advised that the present R-3-V designation does not permit use of the property in question as a parking lot.

Mr. C. F. Longley of 5603 Point Pleasant Drive addressed Council in opposition to the proposed rezoning to a commercial designation, preferring to have it retained as an R-3-V Zone.

Mr. Peter Andrews, a resident of 570 Young Avenue, addressed Council in opposition to the proposed rezoning to a commercial designation. He noted that by rezoning to either C-3-V or C-5-V, Council would be creating a temptation for the Container Port facility to maximize the potential of its property holdings in accordance with the commercial zoning regulations. If this action were taken, it was Mr. Andrews' opinion that the existing residential character of the surrounding neighbourhood would be severely jeopardized.

There were no further persons present wishing to address Council regarding this matter.

Mr. Matthews advised that representatives of the Canadian National Railways had been personally advised of this rezoning proposal.