

Council
August 16, 1979

A discussion and questioning of staff ensued on the matter and Alderman Sullivan indicated he would like the item referred to the Committee of the Whole Council as he would like an opportunity to further discuss the matter with City staff.

Council agreed that the matter be referred to the next regular meeting of the Committee of the Whole Council.

City Lands - Kempt Road - Adjacent to CNR Overpass

MOVED by Alderman Clarke, seconded by Alderman Sullivan that, as recommended by the Finance and Executive Committee:

1. The City indicate to Foodcorp Ltd., or its agents, that it is prepared to accept its offer of \$340,000 for Parcels N, O, Q-1A, and a portion of Kempt Road to be closed provided that on the date of transfer, the applicant owns or holds a valid Agreement of Purchase and Sale in respect of the abutting property now owned by Atlantic Concrete Limited, subject to (a) street closures, (b) lot consolidation, (c) retirement of underground services, and (d) the development proposed for the overall site; all further subject to completion of an Agreement of Purchase and Sale acceptable to the parties.

2. A date be set for a public hearing in respect of closure of the portion of Kempt Road and consolidation of the lands presently owned by the City and Atlantic Concrete Ltd. as approximately indicated on the sketch attached to the staff report of July 27, 1979.

Motion passed.

The City Clerk advised that the public hearing was scheduled for Wednesday, October 3, 1979, at 7:30 P.M.

City of Halifax - National Harbours Board - Agreement H-126

MOVED by Alderman Shannon, seconded by Alderman Sullivan that, as recommended by the Finance and Executive Committee, authority be granted for the Mayor and City Clerk to execute the leases attached to the staff report of July 31, 1979, on behalf of the City.

Motion passed.

Award of Tender No. 79-37 - Traffic Improvements -
Construction of pavement on Westridge Road

MOVED by Alderman Hamshaw, seconded by Alderman Sullivan that, as recommended by the Finance & Executive Committee;

1. Tender No. 79-37 for the project listed in Appendix "A" attached to the staff report of July 24, 1979, be awarded to Standard Paving Mr. Ltd. for the unit prices quoted.
2. Project funds be authorized from Capital Account CJ044 and funding transfers be approved as shown in the staff report of July 24, 1979.

Motion passed.

Appointment of Returning Officer

MOVED by Alderman Meagher, seconded by Alderman Shannon that, as recommended by the Finance and Executive Committee, Gladys Blennerhassett, the City Clerk, be appointed Returning Officer for the City of Halifax pursuant to Section 3, Subsection 1 of the Municipal Election Act.

Motion passed.

Award of Tender No. 520256 - Pedestrian Signals -
Nine Intersections

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

1. Tender No. 520256 for the project(s) listed in the staff report dated July 16, 1979, be awarded to Canadian General Electric Co. Ltd., 940 Lansdowne Ave., Toronto, Ontario, for the unit prices quoted.
2. Funding transfers be approved as shown in the staff report of July 16, 1979.

Motion passed.

Award of Tender No. 520128 - Landscaping, Rockingstone Park

MOVED by Alderman Wooden, seconded by Alderman Clarke that, as recommended by the Finance & Executive Committee:

1. Tender No. 520128 for the project(s) listed in the staff report of July 9, 1979, be awarded to D. Coupar Landscaping Ltd. for the unit price quoted.
2. Project funds be authorized from Capital Account FA036 - Rockingstone Park.
3. Funding transfers be approved as shown in the staff report of July 9, 1979.

Motion passed.

Council
August 16, 1979

The Collection of Fines on Parking Violations

MOVED by Alderman Sullivan, seconded by Alderman Maley that, as recommended by the Finance & Executive Committee:

1. The Police Department be instructed to employ Corps of Commissionaire personnel to deliver those summonses which are currently awaiting delivery and that portion of the future workload that cannot be handled by the City Police Force, and that an amount of \$18,000 be authorized as an addition to the Police Department 1979 Budget under Section 201(1) of the Charter for that purpose.
2. Staff be authorized and instructed to take the necessary steps which will secure a change in the governing legislation which will permit a change in the present parking fine structure to provide for a substantially higher penalty if not paid within ten days.
3. Staff be instructed to continue to work with the Provincial Government in identifying alternative ways of increasing the number of Court dockets which deal with parking violations and report back to Council when an acceptable solution has been achieved.

Following a short discussion and questioning of staff, the Motion was put and passed with Deputy Mayor Downey and Alderman Meagher against.

Appointment of Landscape Architect - NIP II "Old South End"

Following a short discussion, it was MOVED by Alderman Maley, seconded by Alderman Hamshaw that Council appoint ADDLAND to carry out detailed design and the preparation of tender documents as well as supervision of construction upon award of tenders; services requested, as detailed in the Terms of Reference attached to the report of July 25, 1979, to be rendered accordingly with per diem rates submitted and are not to exceed the upset price of \$8,600.00, and that it be understood that none of the four principals involved thereafter, bid upon the projects designed under the consultancy contract by the firm called ADDLAND; funds to implement the project available in Account #EH004.

Motion passed.

Municipal Agreement Pilot Project - NIP III

MOVED by Alderman Sullivan, seconded by Alderman Hamshaw that, as recommended by the Finance and Executive Committee, Council authorize the Mayor and City Clerk to enter into an agreement with the Vestry of St. Mark's Church.

Motion passed.

Council
August 16, 1979

NIP I implementation Project - Land Acquisition for Playground

MOVED by Deputy Mayor Downey, seconded by Alderman Hamshaw that, as recommended by the Finance and Executive Committee, Council authorize staff to enter into negotiations for the acquisition of the vacant property located on the east side of Maynard Street between Civic No. 2019-2027 as shown on the map attached to the staff report of August 1, 1979, for the purpose of developing a playground; funds for the acquisition and subsequent construction available in Account #EH003.

Motion passed.

Award of Tender 79-21 - New Sidewalk

MOVED by Alderman Hamshaw, seconded by Alderman Sullivan that, as recommended by the Finance and Executive Committee:

1. Tender No. 79-21 for the project(s) listed in Appendix "A" of the staff report of August 3, 1979, be awarded to Steed and Evans Ltd., Stewiacke Const. Ltd., Standard Paving Mar. Ltd. for the unit prices quoted.
2. Project funds be authorized from Capital Accounts CA053, Ck024, CA064, and Ck010.
3. Funding transfers be approved as shown in Appendix "A" of the staff report of August 3, 1979.

Motion passed.

Street Sweeping - Transfer of Funds

MOVED by Alderman Shannon, seconded by Alderman Sullivan that, as recommended by the Finance & Executive Committee:

1. Council approve a budget transfer of \$50,266 from the Clean-Up-Week Account (D2600-1R003) and \$44,000 from the Snow and Ice Control Account (D1700) to the Street Cleaning Account (D2800).
2. Of the total transfer of \$94,266, an amount of \$47,700 be allocated to Machine Sweeping (Bs002) so that these programs can be continued until their normal completion date of November 15, 1979.

Motion passed.

Mainland North Servicing Study

MOVED by Alderman Hamshaw, seconded by Alderman Clarke that, as recommended by the Finance & Executive Committee, Council approve the recommendations in the staff report of July 9, 1979, entitled "Mainland North Servicing Study".

Motion passed.

School Admissions Age - Alderman Clarke

Alderman Clarke advised that he received the letter from Mr. Perry dated July 13th and advised he would like the matter returned to the Board again.

Alderman Clarke indicated it was his understanding from reading the letter that if the Board considers the proposal, some changes will have to be made in the Primary program. Alderman Clarke said that rather than raise the matter again in the Spring, he would like to have the Board's policy determined for 1980. Alderman Clarke also referred to a previous article in the newspaper which indicated the Board will probably change the admission age in 1980/81, saying he would like to know if the Board intends to do that. If so, he suggested the Board may seek some Provincial assistance or provision would have to be made in the Board's budget which is submitted to Council.

Alderman Clarke said he would like an update on the Board's position in regard to whether it will recommend the change and, in fact, implement the change for the year 1980 as well as some confirmation as to whether such a change will not be made for 1979. Alderman Clarke advised that he would like the item placed before the Board at its next meeting.

His Worship advised that staff would convey the comments to the Board.

Petition - Taxi Drivers - Alderman Meagher

MOVED by Alderman Meagher, seconded by Alderman Sullivan that, as recommended by the Finance and Executive Committee, the petition be received and forwarded to the Taxi Commission.

Motion passed.

Petition - North End Community Health Association -
Deputy Mayor Downey

MOVED by Deputy Mayor Downey, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, the petition be received and tabled by City Council.

Motion passed.

Resolution - Town of Wolfville

MOVED by Alderman Shannon, seconded by Alderman Hamshaw that, as recommended by the Finance and Executive Committee, the matter be referred to the City of Halifax delegates to the Union of Nova Scotia Municipalities conference.

Motion passed.

Council
August 16, 1979

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on August 8, 1979, as follows:

Street Closure - Cheapside from Hollis Street to Bedford Row -
SET DATE FOR PUBLIC HEARING

MOVED by Deputy Mayor Downey, seconded by Alderman Sullivan that, as recommended by the Committee on Works, Council set a date for a public hearing to discuss the closure of Cheapside from Hollis Street to Bedford Row.

Motion passed.

The City Clerk advised that the public hearing was scheduled for October 17, 1979 at 7:30 P. M.

Closure of Wharf at the North West Arm

Alderman Maley indicated she had no problem with the recommendation of the Finance & Executive Committee but asked that when staff are preparing next years budget, funds be identified for a wharf on the North West Arm for public access. Alderman Maley referred to people who cross the Arm by boat and suggested there should be a place where they can tie their boats.

MOVED by Alderman Maley, seconded by Alderman Clarke that, as recommended by the Committee on Works, City Council approve the continued closure of the North West Arm Wharf on Quinpool Road and that sufficient funds be allocated in the 1980 Current Budget Special Items Account for demolition of the wharf.

Alderman Meagher suggested that Council should give consideration to the wharf in the 1980 budget but not necessarily for demolition but perhaps for the repair and renewal of it.

His Worship noted staff's estimate for a concrete jacket was in the amount of \$35,000, to carry out maintenance repairs on the wharf to its present approximate configuration would be about \$50,000, and to demolish it would cost about \$12,000. His Worship said Alderman Meagher is suggesting that Council keep its options open and to deal with the matter in the budgetary process. His Worship suggested Council would have to provide an amount of \$50,000 as a potential expenditure saying that if the decision of Council were otherwise, the amount could be reduced.

Alderman Shannon advised that she would be making a request to be included in the Capital Budget for improvements to the slip at the end of Jubilee Road saying she would like staff to look at all the slips along the Arm to determine how Council can best spend funds to be a service to most people.

Council
August 16, 1979

MOVED in Amendment by Alderman Meagher, seconded by Alderman Maley that staff be asked to include an item called North West Arm Recreational Services in the budget in the amount of \$50,000 and that no decision be made with respect to the wharf at the North West Arm until the matter is considered during the budget review.

His Worship suggested that at that time, Council will debate whether it is going to spend all or any part of the money on concrete encasements, demolition, other repairs, or other locations saying that for the present time, the wharf will continue to be closed for public use and left as it is.

The Motion in Amendment was put and passed with Alderman Clarke against.

Chocolate Lake Water Quality

MOVED by Alderman Sullivan, seconded by Alderman Clarke that, as recommended by the Committee on Works, staff be authorized by City Council to:

1. Request the Province to undertake a water quality sampling program of Chocolate Lake and to undertake long term water quality monitoring of Chocolate Lake to determine the water quality improvements (if any) achieved by the discharge from Chain Lake.
2. Negotiate with the Public Service Commission for the release of 1 CFS from Chain Lake through the Coronet Avenue brook to Chocolate Lake.

Motion passed.

Temporary Closure - Kenny Street - Alderman Sullivan

The above item was forwarded to City Council without recommendation for the purpose of receiving a staff report.

His Worship advised that a report was prepared on the matter which was not circulated until today, and the Acting City Manager advised that the item has been placed on the agenda for the next regular meeting of the Committee of the Whole Council.

Following a short discussion, Council agreed that the item be referred to the August 22nd meeting of the Committee of the Whole Council.

Council
August 16, 1979

REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS & COMMISSIONS

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

The above item was considered by the Committee of the Whole Council at its last regular meeting held on August 8, 1979.

MOVED by Alderman Clarke, seconded by Deputy Mayor Downey that proposed New Ordinance No. 133, respecting the Emergency Measures Civil Defence Organization, as submitted, be read and passed a Second Time.

Motion passed.

REPORT - CITY PLANNING COMMITTEE:

Building Permit Moratorium - Old South End and Peninsula Centre

The above item was forwarded to City Council without recommendation with the request that DAPC I submit further recommendations on the matter with particular reference to the submission of the Future Land Use Map for the area and a time frame proposed for the completion of their detailed area plan.

Alderman Maley spoke to the matter and indicated she would like staff for their views on the matter.

Mr. Murphy advised he found it difficult to present a thorough discussion in public of his views or both sides of a legal matter. Mr. Murphy noted a private and confidential memo was previously submitted on the matter which indicates the nature of the difficulty.

Further discussion ensued on the matter and His Worship noted that at the last meeting, Council asked staff to see if a way could be found around the difficulty and asked if staff had any views as to how Council might achieve what some are urging.

Alderman Clarke referred to the City Planning Committee minutes of August 8th which requested that DAPC return to Council with further recommendations, and asked whether there has been a further submission from DAPC I.

His Worship referred to discussions held at the last meeting and indicated there has been no further response to what was referred to as a request that DAPC I submit further recommendations on the matter with particular reference to the submission of their future land-use map for the area and a time frame for DAPC itself.

Council
August 16, 1979

Further discussion and questioning of staff ensued and Mr. Murphy advised that, as a result of a discussion with the Director of Planning, if Council's concern is with future developments for which, at the moment, the City has no applications and which results from a commercial development which would be inconsistent with the residential environments, or even if it were an R-3 development inconsistent with the land designated to become R-2, there is a possibility staff could prepare a report for the Committee of the Whole Council meeting in an attempt to deal with that type of development.

Council agreed that the matter be referred to the next regular meeting of the Committee of the Whole Council for the purpose of receiving the report.

Case No. 3734 - Contract Development, Lot A - University Avenue, Henry Street, & Seymour Street - SET DATE FOR PUBLIC HEARING

MOVED by Alderman Shannon, seconded by Alderman Maley that, as recommended by the City Planning Committee, City Council set a date for a public hearing to consider the proposed development of Lot A, University Avenue, Henry Street, and Seymour Street under Section 83 of the Zoning Bylaw (Peninsula Area).

Motion passed.

The City Clerk advised that the public hearing has been scheduled for Wednesday, October 17, 1979, at 7:30 P.M.

Case No. 3754 - Contract Development - 270 Dutch Village Road - SET DATE FOR PUBLIC HEARING

MOVED by Alderman Shannon, seconded by Alderman Meagher that, as recommended by the City Planning Committee, City Council set a date for a public hearing to consider the proposed construction of a free-standing sign at Civic No. 270 Dutch Village Road.

Motion passed.

The City Clerk advised that the public hearing has been scheduled for October 3, 1979, at 7:30 P. M.

Case No. 3703 - Contract Development and Lot Consolidation - Civic No. 6210 (Lot M-1) Chebucto Road - SET DATE FOR PUBLIC HEARING

MOVED by Alderman Meagher, seconded by Alderman Clarke that, as recommended by the City Planning Committee, City Council set a date for a public hearing to consider the application for contract development and lot consolidation at Civic No. 6210 Chebucto Road.

Motion passed.

The City Clerk advised that the public hearing was scheduled for Wednesday, October 17, 1979, at 7:30 P. M.

Council
August 16, 1979

Case No. 3729 - Application for Contract Development -
1121 South Park Street (Point Pleasant Lodge) -
SET DATE FOR PUBLIC HEARING

MOVED by Alderman Shannon, seconded by Alderman Hamshaw that, as recommended by the City Planning Committee, City Council set a date for a public hearing to consider a contract to permit Able Courier Services Limited, the Victorian Order of Nurses offices, and the Nova Scotia Commission on Drug Dependency offices to occupy space in Point Pleasant Lodge (Civic No. 1121 South Park Street).

Alderman Maley asked whether it was questioned at the Committee of the Whole meeting whether the public hearing should be on the subject of a contract or changes to the Municipal Development Plan which, she suggested, staff have said would be required in this case. Alderman Maley asked whether Council can consider a contract before the possibility for one exists in the Municipal Development Plan. She suggested that perhaps staff might reply to the question for the meeting next week.

Alderman Shannon noted a public meeting was required prior to an amendment being made to the Plan.

The Acting City Manager suggested that such applications present a problem for staff and questioned who decides whether a particular application or use of property does, or does not, meet the policies of the Plan. Mr. Murphy said it was decided that all such applications should be presented to Council for a decision to be made.

Mr. Murphy suggested the first decision is whether the applications are consistent with the policies of the plan saying if Council decides they are not inconsistent and it wishes to proceed, a public hearing would have to be held to amend the Plan.

Mr. Murphy, in referring to the effort that has gone into the development of the policies of the Plan, suggested another question relates to whether Council wants staff to advise applicants that it would encourage amendments to the Plan.

Alderman Maley suggested Council should receive a report from staff on the matter for the next Committee of the Whole Council meeting.

Further discussion and questioning of staff ensued and Alderman Maley indicated she had no difficulty with setting a date for a hearing on the subject application but said she would still like an answer to the questions that have been raised. Alderman Maley asked how Council proceeds with applications that do not fit within the Plan.

The Motion was put and passed.

The City Clerk advised that the public hearing was scheduled for October 3, 1979 at 7:30 P. M.

Council
August 16, 1979

Case No. 3748 - Rezoning - 6178 Almon Street - DATE FOR PUBLIC HEARING

MOVED by Alderman Meagher, seconded by Alderman Sullivan that, as recommended by the City Planning Committee, City Council set a date for a public hearing to consider the proposed rezoning of Lot FR-1 (Civic No. 6178) Almon Street from Multiple Dwelling Zone (R-3) to General Business Zone (C-2).

Motion passed.

The City Clerk advised that the public hearing was scheduled for October 17, 1979 at 7:30 P. M.

M O T I O N S

Motion Alderman Wooden Re: Amendment to Municipal Development Plan - Implementation Policy 3.2.2

On July 3, 1979, Alderman Wooden presented a Notice of Motion with respect to Section 66(b) of the Zoning Bylaw to delete the phrase "five thousand square feet in floor area" and to substitute therein the phrase "fifteen hundred square feet in floor area. On July 12, 1979, Alderman Wooden presented a Notice of Motion with respect to the Municipal Development Plan to delete from Implementation Policy 3.2.2 the phrase "5,000 sq. feet in floor area" and substitute therein '1,500 sq. feet in floor area'.

A staff report dated August 13, 1979, was submitted relating to the above matter.

MOVED by Alderman Wooden, seconded by Alderman Sullivan that the proposed amendment to the Municipal Development Plan to delete from implementation policy 3.2.2 the phrase "5,000 sq. feet in floor area" and substitute therein "1,500 sq. feet in floor area", be read and passed a First Time.

His Worship suggested the next step would be for the Planning Advisory Committee to hold a public meeting.

The Motion was put and passed with Aldermen Shannon and Maley against.

MOVED by Alderman Wooden, seconded by Alderman Meagher that the proposed amendment to Section 66(b) of the Mainland Zoning Bylaw by deleting the phrase "five thousand square feet in floor area" and substituting therein the phrase "fifteen hundred square feet in floor area", be read and passed a First Time.

His Worship questioned whether Council should be proprotoring to be considering an amendment to the Zoning Bylaw before it receives a report from the Planning Advisory Committee and the Director of Planning suggested that if the public hearing date were set sufficiently far enough in advance, and the Planning Advisory Committee were to report that no action be taken, then the Hearing could be cancelled. He noted the staff report is suggesting that the City Planning Committee hold the public meeting as the P.A.C. has not been appointed.

Council
August 16, 1979

His Worship suggested that what is intended by the two Motions is to set a date for public hearings into the Zoning Bylaw and Municipal Development Plan changes which should be set sufficiently far enough in advance to allow the City Planning Committee to carry out a public meeting process.

Further discussion ensued on the matter and the Motion was put and passed with Aldermen Maley, Shannon, and Clarke against.

The City Clerk advised that the public hearing was scheduled for December 5, 1979.

Alderman Sullivan asked if an item could be placed on the agenda of the Committee of the Whole Council dealing with subject matter and went on to ask what would happen if an application was received that did not conform to the proposed amendment. Alderman Sullivan asked if such an application could be processed or would it have to wait until a decision by City Council.

The Acting City Manager advised that he would prefer to respond to the question at the Committee meeting and Council agreed that the item be placed on the agenda of the Committee of the Whole Council meeting scheduled for next Wednesday.

MISCELLANEOUS ITEMS

Appointments

A report dated August 13, 1979, was submitted from His Worship the Mayor respecting appointments to the Board of Health.

MOVED by Alderman Meagher, seconded by Alderman Sullivan that City Council confirm re-appointments to the Board of Health of Aldermen Downey, Shannon, and Wooden to October 31, 1980; the appointments of Mr. Joseph Daniel and Paul Edwards to January 17, 1980, and appoint His Worship the Mayor to January 17, 1980.

Motion passed.

Bill Posters License - Baseball Canada - Canadian Junior Championships

A letter dated August 13, 1979, was submitted from the President of the Halifax Pepsi Cola Juniors Baseball Club making application for a Bill Posters license under Ordinance No. 19.

Council
August 16, 1979

MOVED by Alderman Sullivan, seconded by Alderman Clarke that Halifax City Council approve the application for a Bill Posters License to the Halifax Pepsi Cola Juniors Baseball Club in accordance with Ordinance No. 19.

Motion passed.

Use of City of Halifax Flag

A staff report dated August 14, 1979, was submitted relating to the above matter.

MOVED by Alderman Sullivan, seconded by Alderman Meagher that Council grant permission for use of the City of Halifax flag as indicated in the staff report of August 14, 1979.

Motion passed.

Recommendations - Tax Concessions & Grants Committee

A report dated August 16, 1979, was submitted from the Secretary of the Tax Concessions and Grants Committee.

Alderman Clarke referred to the proposed grant for the Point Pleasant Child Care Centre and suggested there are other day care centres that could use funds saying he had some difficulty in supporting the recommendation at this time.

His Worship suggested the two recommendations contained in the report could be separated and the Director of Finance could be asked to supply Council with a report respecting day care centre support.

Alderman Meagher, Chairman of the Tax Concessions and Grants Committee, advised that there was no problem in deferring the matter of the Point Pleasant Child Care Centre at this time.

MOVED by Alderman Meagher, seconded by Deputy Mayor Downey that:

1. The matter of the proposed grant for the Point Pleasant Child Care Centre, be deferred,
2. A grant in the amount of \$250.00 be approved for the centre for Exceptional Children (Cunard Street School), and
3. A grant in the amount of \$350.00 be approved for the Childrens' Development Centre (Cunard Street School).

Motion passed.

Council
August 16, 1979

Halifax Fire Department - Annual Report - 1978 - TO BE TABLED

The 1978 Annual Report of the Halifax Fire Department was submitted.

MOVED by Alderman Clarke, seconded by Alderman Wooden that the 1978 Annual Report of the Halifax Fire Department be tabled by City Council.

Motion passed.

Senior Citizens Project - City Owned Land - Northridge Road

A staff report dated August 1, 1979, was submitted.

Following a short questioning of staff, it was MOVED by Alderman Sullivan, seconded by Alderman Hamshaw that Council authorize staff to hold the parcel of land for a senior citizens project for a period of one year or until the Nova Scotia Housing Commission receives an acceptable tender for the construction of the project whichever comes first; if an acceptable tender is received within the specified time, the land will be sold to the Nova Scotia Housing Commission for \$2.00 per sq. ft. as determined by survey, providing the density of the project does not exceed 40 units per acre.

Motion passed.

Authorization to Expropriate - Fairview Overpass Project

A confidential staff report dated August 14, 1979, was submitted.

MOVED by Alderman Hamshaw, seconded by Alderman Wooden that Council authorize expropriation and statutory offers of compensation in respect of the following properties required for construction of the improvements to the Fairview Overpass:

1. Lands of Forrest Travel Trailers Limited -
Plan No. TT-27-25783 (Compensation \$117,500),
2. Leasehold interest and improvements of Smith Bros.
Granite Ltd. - Plan No. TT-27-25788 (compensation \$12,000),
3. Lands of Larry and Carmen Navarro - Plan No. TT-27-25789
(Compensation \$73,000),

Fund available from Account Number 222306-Z0500-EH014 (Land for Municipal Purposes).

Motion passed.

QUESTIONS

Question Alderman Sullivan Re: Closure of Hollis Street at Duke St.

Alderman Sullivan referred to the above closure and asked how much longer the area will be closed, and the Director of Works advised that it is hoped the work will be finished by next week.

Question Alderman Sullivan Re: Lights at Isleville Street
Playground

Alderman Sullivan noted Council agreed a fence would be installed in the area but said he has had requests as to when the lights would be installed in the area, and the Director of Works advised that he would have to report on the matter.

Question Alderman Sullivan Re: Richmond Street

Alderman Sullivan noted he previously mentioned cleaning up the small section of Richmond Street between Devonshire Avenue and Union Street. He advised that sidewalks are now being installed on Union Street and suggested that if fill will be required on the Richmond Street improvement, it may be possible to use some of the fill that will be available from the Union Street project.

Question Alderman Sullivan Re: Building - Corner of Bilby and
Agricola Streets

Alderman Sullivan referred to the building located at the above location which has been boarded up for a number of years and asked if staff could contact the owner for the purpose of having the building repaired or other appropriate action to make it more acceptable.

Question Alderman Clarke Re: Street Cleaning Sign

Alderman Clarke said he would like to be advised at an early date on the possible of having a street cleaning sign on Deacon Street.

Question Alderman Clarke Re: Right-hand turn Sign

Alderman Clarke said he would like staff to advise him on the feasibility of having a right-hand turn sign located at the corner of Young and Windsor Streets proceeding towards Bayers Road.

Alderman Sullivan, in referring to the same intersection, and to cars coming up Windsor Street to the intersection of Windsor and Young Streets, asked if staff could look at the possibility of installing a flashing green for left turning vehicles.

Question Alderman Wooden Re: Leiblin Park Sidewalk

Alderman Wooden asked when the Leiblin Park Sidewalk will be completed and the Acting City Manager advised that staff would report on the matter.

Question Alderman Wooden Re: Guard Rail - Leiblin Drive

Alderman Wooden asked why a more aesthetically pleasing guard rail was not installed when the retaining wall was built on Leiblin Drive. The Acting City Manager suggested that Alderman Wooden could be called tomorrow on the matter.

Question Alderman Maley Re: Report - Incinerators

Alderman Maley asked when staff will be submitting a further report on incinerators saying she is receiving complaints on the matter again.

The Acting City Manager advised that staff would report on the matter.

Question Alderman Shannon Re: Street Signage - Notification to Residents

Alderman Shannon asked whether when the City erects signs on the streets that indicate a different pattern of use such a street cleaning or no parking signs due to work that is to take place, if it would be possible to place a small card in the residents doors on both sides of the street.

Question Alderman Meagher Re: Heating - Public Housing

Alderman Meagher asked when Council can expect to receive a report on the matter of heating in public housing, and His Worship noted that question is presently before the Residential Tenancies Board. His Worship indicated that a response is being awaited from the Board and advised an attempt would be made to ascertain from the Board when they would expect to deal with the matter.

Question Alderman Meagher Re: Baseball - Wanderer's Grounds

Alderman Meagher noted the Wanderer's Grounds are to be closed on August 20th in preparation for the national games but said this will make it difficult for the Intermediate A, B, and C teams. Alderman Meagher suggested that Mr. Waye might check with the Recreation staff and advise him tomorrow if it would be possible to change the date so as not to interfere with the play-offs.

His Worship referred to conversations held on the matter and advised that Mr. Fiske was quite satisfied with arrangements made by Mr. Waye and Mr. Connell.

Question Alderman Meagher Re: Signs - Quinpool Road Project

Alderman Meagher asked if Mr. Waye might contact Mr. Kettless with respect to when the signs will be arriving for entrance to the Quinpool Road project.

Question Deputy Mayor Downey Re: Report - Public Service Commission

Deputy Mayor Downey asked if it would be possible to receive a report from the Public Service Commission with respect to the discoloration of water in certain parts of the City particularly in the South Park and Queen Street area.

His Worship advised that Deputy Mayor Downey could be called tomorrow on the matter but suggested the situation is caused by the flushing of pipes by the Public Service Commission. His Worship indicated the Commission could be contacted on the matter.

Question Deputy Mayor Downey Re: Street Paving

Deputy Mayor Downey advised that he has observed street paving taking place on Barrington Street and asked whether paving is taking place in other parts of the City. Deputy Mayor Downey suggested that a number of streets are in need of repair and asked if a report could be received with respect to the streets being paved.

ADDED ITEMS

Zoning Review - Soft Area 11

A staff report dated August 10, 1979, was submitted.

Alderman Clarke said the recommendation contained in the staff report was different from what he discussed with staff and advised he would like to have the item deferred to the next regular meeting of the Committee of the Whole Council in order that he may further discuss the matter with staff, to which Council agreed.

School Crossing Guards - Alderman Shannon

The above item was added to the agenda at the request of Alderman Shannon who advised that she was extremely disturbed to hear that the Police Department plans to reduce the number of school crossing guards by 18 to 20 guards. Alderman Shannon advised that the rationale seems to be partly budgetary and partly because the number of school children is declining.

Alderman Shannon noted, however, the number of vehicles using the streets is not declining and suggested the proposal demands an urgent report from the Department explaining what is taking place and why. Alderman Shannon said she could not recall Council ever giving any indication that it would want to save money in the Police Department budget by taking such action.

A short discussion ensued and Alderman Shannon suggested that action would have to be taken soon if the City wants the guards for September saying it was her understanding that letters have been forwarded to the affected guards advising them of the reduction.

His Worship advised that appropriate action would be taken.

Social Service Benefits - Deputy Mayor Downey

The above item was added to the agenda at the request of Deputy Mayor Downey who advised that he has received calls this week from persons receiving social assistance. Deputy Mayor Downey advised that it seems recipients are receiving less since the new government was elected. Deputy Mayor Downey asked if it would be possible to receive a report on the problems associated with the financing of social assistance.

Mr. Harold Crowell, the Social Planner, advised that within the last month, the City has been more restrictive in allowances for special items. He advised that the reasons are that the City is operating at the amount budgeted by the City and also, responses from the Province indicated they were not prepared to cost share up to the amount budgeted by the City.

Mr. Crowell advised that in previous years, the City increased the food allowance the first of August but said that this year, the City is not able to do that as it did not receive a firm response back from the Province on cost sharing.

Deputy Mayor Downey said he was called by one gentleman who visited the Cornwallis Street office and received an amount in the order of \$13.00. Deputy Mayor Downey asked what such an amount would represent.

His Worship suggested that Deputy Mayor Downey supply Mr. Crowell with the name of the gentleman and Mr. Crowell could advise what the payment was for.

12:30 A. M. - Meeting adjourned.

HEADLINES

Presentation of Regimental Crest - 33rd Halifax Service Battalion	409
Minutes	409
Approval of the Order of Business, Additions & Deletions ...	409

DEFERRED ITEMS:

Zoning Review - Soft Area 13 and Rezoning Civic Nos. 2872-2894 Barrington Street	410
Zoning Review - Soft Area 9	411
Zoning Review - Soft Area 4	411

Stage I Approval - Bus Bay Shelter and Fish Market (Waterfront Development Corporation)	412
Zoning Review - Soft Area 16	413
Case No. 3665 - Contract Zoning - 138 (Lot B) Old Sambro Road	413
Case No.3726 - Rezoning - Civic No. 106 Dutch Village Rd. ..	414
Possible Changes in the Pension Plan Contributions and Benefits	414

PUBLIC HEARINGS, HEARINGS, ETC.

Appeal of the Decision of the City Clerk in refusing to Grant a Lord's Day Permit - Clearwater Lobster Limited ...	415
---	-----

PETITIONS AND DELEGATIONS:

Petition - Residents of Meadowlark Crescent Re: Re-numbering of Properties on Meadowlark Crescent - Alderman Hamshaw ..	415
Delegation - Halifax Retired Police Association - Dalhousie Legal Aid	415
Petition - Area Residents - Larry O'Connell Field	416
Petition - Residents of Russell & Barrington Streets	416
Petition - Walkway - Scarlet and Bayview Roads	416
Petition - Residents of Colindale Area	416

REPORT - FINANCE AND EXECUTIVE COMMITTEE:

Wanderer's Lawn Bowling Club	417
Larry O'Connell Field	417
Possible Acquisition - 2233-35 Barrington Street	417
Proposed Renewal of Lease - City of Halifax and Halifax Developments Limited - Scotia Square Offices	418
Partial Closure - Rezoning and Disposal - Kaye Street	418
City Lands -Kempt Road - Adjacent to CNR Overpass	419
City of Halifax - National Harbours Board, Agreement H-126 .	419
Appointment of Returning Officer	420
Award of Tender No. 520256 - Pedestrian Signals - Nine Intersections	420
Award of Tender No. 520128 - Landscaping, Rockingstone Park.	420
The Collection of Fines on Parking Violations	421
Appointment of Landscape Architect - NIP II "Old South End".	421
Municipal Pilot Project - NIP III	421
NIP Implementation Project - Land Acquisition for Playground	422
Award of Tender 79-21 - New Sidewalk	422
Street Sweeping - Transfer of Funds	422
Mainland North Servicing Study	422
School Admissions Age - Alderman Clarke	423
Petition - Taxi Drivers - Alderman Meagher	423
Petition - North End Community Health Association - Deputy Mayor Downey	423
Resolution - Town of Wolfville	423

REPORT - COMMITTEE ON WORKS:

Street Closure - Cheapside from Hollis Street to Bedford	
Row - SET DATE FOR A PUBLIC HEARING	424
Closure of Wharf at the North West Arm	424
Chocolate Lake Water Quality	425
Temporary Closure - Kenny Street - Alderman Sullivan	425

REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS & COMMISSIONS:

Motion Alderman Clarke Re: New Ordinance No. 133, respecting the Emergency Measures Civil Defence Organization - SECOND READING	426
---	-----

REPORT - CITY PLANNING COMMITTEE:

Building Permit Moratorium - Old South End and Peninsula Centre	426
Case No. 3734 - Contract Development, Lot A - University Avenue, Henry St., & Seymour St. - SET DATE FOR PUBLIC HEARING	427
Case No. 3754 - Contract Development - 270 Dutch Village Road - SET DATE FOR PUBLIC HEARING	427
Case No. 3703 - Contract Development and Lot Consolidation - Civic No. 6210 (Lot M-1) Chebucto Road - SET DATE FOR PUBLIC HEARING	427
Case No. 3729 - Application for Contract Development - 1121 South Park Street (Point Pleasant Lodge) - SET DATE FOR A PUBLIC HEARING	428
Case No. 3748 - Rezoning - 6178 Almon Street - DATE FOR PUBLIC HEARING	429

MOTIONS:

Motion Alderman Wooden Re: Amendment to Municipal Development Plan - Implementation Policy 3.2.2	429
---	-----

MISCELLANEOUS ITEMS:

Appointments	430
Bill Posters License - Baseball Canada - Canadian Junior Championships	430
Use of City of Halifax Flag	431
Recommendations - Tax Concessions & Grants Committee	431
Halifax Fire Department - Annual Report - 1978	432
Senior Citizens Project - City Owned Land - Northridge Road	432
Authorization to Expropriate - Fairview Overpass Project .	432

QUESTIONS:

Question Alderman Sullivan Re: Closure of Hollis Street at Duke Street	433
Question Alderman Sullivan Re: Lights at Isleville Street Playground	433
Question Alderman Sullivan Re: Richmond Street	433
Question Alderman Sullivan Re: Building - Corner of Bilby and Agricola Streets	433
Question Alderman Clarke Re: Street Cleaning Sign	433
Question Alderman Clarke Re: Right-hand Turn Sign	433

Council
August 16, 1979

Question Alderman Wooden Re: Leiblin Park Sidewalk	434
Question Alderman Wooden Re: Guard Rail - Leiblin Drive .	434
Question Alderman Maley Re: Report - Incinerators	434
Question Alderman Shannon Re: Street Signage - Notification to Residents	434
Question Alderman Meagher Re: Heating - Public Housing ..	434
Question Alderman Meagher Re: Baseball - Wanderer's Grounds	434
Question Alderman Meagher Re: Signs - Quinpool Road Project	435
Question Deputy Mayor Downey Re: Report - Public Service Commission	435
Question Deputy Mayor Downey Re: Street Paving	435

ADDED ITEMS:

Zoning Review - Soft Area 11	435
School Crossing Guards - Alderman Shannon	435
Social Service Benefits - Deputy Mayor Downey	436

MAYOR EDMUND L. MORRIS
CHAIRMAN

G. I. BLENNERHASSETT (Mrs.)
CITY CLERK

Date Approved by City Council: _____

SPECIAL CITY COUNCIL
PUBLIC HEARINGS
M I N U T E S

Council Chamber,
City Hall,
Halifax, N. S.
August 22, 1979
7:45 p.m.

A Special Meeting of 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, Meagher, Sullivan, Clarke, Wooden, Hanson, Moore and Hamshaw.

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

Stage I Approval - Bus Bay Shelter and Fish Market
(Waterfront Development Corporation)

At a regular meeting of City Council held on August 16, 1979, the above-noted item was referred to this meeting for consideration.

His Worship indicated to City Council that he has the assent of officers of the Waterfront Development Corporation to defer the matter to the next regular meeting of City Council.

MOVED by Alderman Meagher, seconded by Alderman Hamshaw that the matter be deferred to the next regular meeting of City Council to be held on August 30, 1979.

PUBLIC HEARING - Application under Schedule "C", Section 83 of the Zoning Bylaw (Peninsula Area) to convert the existing single-family dwelling located at 5750 Spring Garden Road to a professional office and four apartment units

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

Special Council,
Public Hearing,
August 22, 1979

Mr. Wm. Campbell, Development Department, with the aid of sketches, advised that the purpose of the application is to allow the conversion of the existing single family dwelling to a small architect's office to be occupied by the owners, with the remainder of the building to be converted into four apartment units. He advised that the contract development is necessary as the lot has insufficient frontage, the eastern side yard is deficient, and the R-3 zoning does not permit professional offices such as the one proposed. He stated that staff are satisfied that the application meets the policies of the Municipal Development Plan and recommend that the application be approved.

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

Mr. Charles Mitchell, architect, stated that he and his partner, Mr. Greg Robinson, owners of the building at 5750 Spring Garden Road, would like very much to operate an architectural practice from that location and agree wholeheartedly with staff's recommendation.

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

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

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

PUBLIC HEARING - Rezoning of lands of the Maritime Broadcasting Company Limited in Rockingham from Schedule "K", to I-2 (Radio Transmitter Zone)

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

Mr. Wm. Campbell, Development Department, with the aid of sketches, advised that the property under consideration was zoned I-2 prior to the adoption of the Municipal Development Plan. He stated the Plan placed the property within the bounds of Schedule "K", thereby making the use nonconforming and necessitating an amendment to both the Municipal Development Plan and the Zoning Bylaw

Special Council,
Public Hearing,
August 22, 1979

before an extension to the existing operation could be approved. Mr. Campbell indicated that staff are of the opinion that the I-2 zone is sufficiently restrictive and the application adheres to the policies of the Municipal Development Plan.

In response to a question, Mr. Campbell advised that if the tower was damaged by fire or otherwise in excess of 50%, under its present zone it could not be repaired or replaced.

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

Mr. Peter J. MacKeigan, solicitor for Maritime Broadcasting Company Limited, addressed City Council in support of the application, indicating his agreement with the facts set forth in the staff report and adding that his client has owned the property since 1947.

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

PUBLIC HEARING - Amendment to the Peninsula Portion of the Zoning Bylaw to restrict the Size and Height of Billboards to bring the Billboard Requirements of the Zoning Bylaw (Peninsula Area) into conformance with those of the Proposed Signs Ordinance

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

Alderman Wooden stated that the motion of City Council provided for amendments to the Mainland and Peninsula Zoning Bylaws. His Worship advised that the advertisement re the public hearing refers only to the Peninsula Zoning Bylaw.

Special Council.
Public Hearing,
August 22, 1979

The Acting City Solicitor advised that presently new billboards are not permitted in the Mainland area. He suggested that City Council proceed with the public hearing re the Peninsula Zoning Bylaw and, if it so wishes, advertise another public hearing to deal with amendments to the Mainland Zoning Bylaw.

His Worship suggested that staff advise prior to the next regular meeting of City Council whether it is advisable to proceed with a public hearing re the Mainland Zoning Bylaw.

His Worship advised that the proposed amendment would restrict the size of signs to a maximum of twenty square meters and a height above mean grade of eight meters.

His Worship called for those persons present who wished to address City Council in support of the proposed amendment. No persons present wished to address City Council in support of the proposed amendment.

His Worship called for those persons present who wished to address City Council in opposition to the proposed amendment.

Mr. George C. Findlay, Vice-President, Maritime Provinces, Mediacom Incorporated, addressed City Council, and indicated he had submitted his objections in writing to the City Clerk. He stated there was no objection to the proposed eight meter height restriction, however, one of the three billboard sizes in their current building program requires a frame around the structure which increases the overall square footage to 300 square feet. He stated there is no intention to build any great number of such structures in the future, nevertheless the Company would request due consideration to provide for an area of 300 square feet, or approximately 28 meters, in the bylaw.

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

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

Special Council,
Public Hearing,
August 22, 1979

PUBLIC HEARING - Application under Schedule "F", Section 84 of the Zoning Bylaw (Peninsula Area) for the development of a Commercial Office Building at the Corner of Brunswick and George Streets, and, an Application for Consolidation of Lots 1 to 6 inclusive to create Block S at the Corner of Brunswick and George Streets

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

Mr. Wm. Campbell, Development Department, advised that the application is for contract development and lot consolidation at the corner of Brunswick and George Streets. He stated that the development site is zoned General Commercial Zone (C-2) and is under Schedule "F" of the Zoning Bylaw which permits City Council to consider a specific development request, provided it meets the policies of the Municipal Development Plan and view planes legislation.

Mr. Campbell stated that staff have reviewed the proposed development in relation to the policies of the Municipal Development Plan, particularly Part II, Section III, Central Business District Objectives and Policies, in respect to the use of the property, the present development pattern in the City, and the integration of the proposed use with that development pattern. He further advised that the proposal does not protrude through any view plane. He stated that staff foresees no problem with the proposed consolidation of lots 1 to 6 to create Block S.

Mr. Campbell concluded that the proposal meets with the policies of the Municipal Development Plan with respect to land use, integration with the existing development pattern, and existing uses, as well as view planes legislation. He advised that the development can be properly serviced.

In response to a question, Mr. Campbell advised that the southern and eastern walls of the building that do not front on a street must be finished to staff's specifications and the National Building Code does not permit windows in a wall on, or within the proposed proximity, to the property line. He further advised that the parking provided is a small amount of long-term parking adding that there is no parking requirement for a C-2 use.

In response to further questions, Mr. Campbell indicated that staff mainly considered the policy in the Municipal Development Plan that would encourage development to keep an active Central Business District. He added that staff recognized the fact that a study is

Special Council,
Public Hearing,
August 22, 1979

underway re planning criteria for Brunswick Street, however, the report is incomplete and has not been approved by City Council and therefore could not be considered when assessing the proposal; staff have to be guided by the existing policies.

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

Mr. F. B. Wickwire, solicitor for the applicant, introduced to City Council Mr. Robert Stapells, President of Canterbury Investments Ltd. and Mr. Andrew B. Lynch, architect for the development. Mr. Wickwire then called upon Mr. Lynch to address City Council in respect to urban design, architecture, and scale in relation to the proposed development.

Mr. Lynch, with the aid of various sketches, explained the technical aspects of the proposal, reviewing the design process which lead to the application, and commenting on the relevant sections of the Municipal Development Plan. He suggested that the application should be best judged on how the developer has met the design criteria. Mr. Lynch displayed a series of diagrams depicting the shadow cast by the proposal on the surrounding area three times daily during the four seasons.

In response to a question, Mr. Lynch stated he believes the proposal would contribute to the wind conditions on Market Street and commented that he has not been able to ascertain staff's specifications for the southern and eastern walls of the proposed building that do not front on a street.

Mr. F. B. Wickwire, solicitor for the applicant, again addressed City Council and stated the proposal presents no technical problems, e.g., pedestrian, traffic, servicing etc. He added that the only ground upon which the proposal has been questioned is its proximity to the heritage resources of Citadel Hill and the Town Clock, and to a much lesser extent the Welfare Building and the Old Halifax Academy on Brunswick Street.

Mr. Wickwire noted that staff recommends approval of the application, with four or five minor conditions, all of which are acceptable to the applicant. He stated that all of the standards and criteria by which the application is to be considered are contained in the Municipal Development Plan and the Zoning Bylaw and suggested that City Council's job is to apply the criteria which it has already formulated. He pointed out that the

Special Council,
Public Hearing,
August 22, 1979

applicant has satisfied the view planes legislation. Mr. Wickwire stated that there is nothing in the heritage amendments in the Municipal Development Plan specifically directed to the east side of Brunswick Street.

Mr. Wickwire, referring to the Municipal Development Plan policy relating to scale and design, submitted copies of a schedule showing the ranking of the proposed building with other prominent office buildings in the City of Halifax.

Mr. Wickwire stated that notwithstanding the fact that the Plan specifies that further work should be done by way of height and design criteria on Brunswick Street, this has not yet been finalized and is not yet part of the Municipal Development Plan.

Mr. Wickwire responded affirmatively when asked if it is his opinion that there is theoretical, legal limitation upon what City Council may decide with regard to the application, adding that he does not think City Council now has the broad discretion it once had, because of the existence of the Municipal Development Plan.

Mr. Wickwire submitted that the compelling strength of the application is the degree to which it meets the existing planning criteria. He submitted to members of City Council copies of a letter from the Director of Planning, City of Halifax, dated June 5, 1978, addressed to the applicant, asking that the letter be made part of the record because it is on the basis of the said letter principally the developer decided to proceed with the application. Mr. Wickwire responded to questions from members of City Council.

His Worship requested that Mr. Wickwire consider providing to members of City Council some written observations re Policy 5.3. prior to City Council making a decision on the application. Mr. Wickwire indicated that he would do so.

Mr. Graham Hicks, a resident of Young Street, addressed City Council in support of the application stating his belief that the view planes legislation addresses the question of where development can be located in relation to Citadel Hill, and urging City Council's approval.

Mr. Pat Moriarity, a resident of Ward 1, addressed City Council in support of the application, stating the development is an asset to the downtown business core and compliments what now exists and what will exist there in the future. He suggested it has been amply demonstrated

Special Council,
Public Hearing,
August 22, 1979

that the development meets the planning criteria and the developer is sensitive to the environmental and heritage aspects of the downtown area.

Mr. Gary Hurst, 1137 Beaufort Avenue, owner of the Carleton Hotel, addressed City Council in support of the application stating he would be discouraged to find a situation where the developer has met the specific criteria of the City and has had his application refused by City Council.

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

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

Commodore A. C. McMillin, Chairman, Halifax Landmarks Commission, addressed City Council in opposition to the proposal, highlighting points made in a brief, copies of which were circulated to members of City Council.

Ms. Kenna Manos, 1633 Chestnut Street, representing the faculty and staff of the Nova Scotia College of Art and Design, presented a petition expressing their strong opposition to the proposed development.

Mr. Harvey MacDonald, resident at 305, 3125 Gottingen Street, addressed City Council in opposition to the proposal, and suggested that the City has already gone too far in allowing high-rise structures that block the view of the Harbour. Mr. MacDonald submitted a brief dated August 18, 1979.

Mr. Shamus Dunn, Kent Street, asked if the application is denied by City Council, is the developer entitled to appeal to the Planning Appeal Board of Nova Scotia, and, if so, is the public permitted to attend a hearing of the Planning Appeal Board. His Worship stated that there is a provision whereby a decision of City Council in such matters can be appealed by any person who can be proved to be an interested person before the Planning Appeal Board. He further stated that the matter of attendance at such appeals is within the competence of the Chairman and members of the Provincial Planning Appeal Board.

Special Council,
Public Hearing,
August 22, 1979

Mr. Alan Dunlop, 5885 Cunard Street, appearing on behalf of the Federation of Museums, Heritage, and Historical Societies of Nova Scotia, advised City Council of the Federations's opposition to the proposal.

Mr. F. W. Matthews, Member of Board of Trustees, Heritage Trust of Nova Scotia, addressed City Council in opposition to the proposal. Mr. Matthews read a brief dated August 22, 1979, copies of which were circulated to members of City Council.

Mr. John Godfrey, 6360 Coburg Road, addressed City Council in opposition to the proposal, reiterating the remarks of a previous speaker re the distinctive nature of Halifax. Mr. Godfrey stated that City Council is being asked to consider the public good and, as well, the national good, as the Citadel is a national heritage.

Mr. Pat Thomson, Atlantic Regional Director of Parks Canada, addressed City Council in opposition to the proposed development, and presented a formal brief, copies of which were circulated to members of City Council.

Mr. Allan Duffus, native born resident of the City of Halifax who has practised as an architect in the City for 33 years, addressed City Council in opposition to the proposed development. Mr. Duffus stated he was impressed by the presentation made by the applicant's representatives. He stated he cannot put aside the feeling that the proposal presented is imposing itself upon one of the prime landmarks of the City. He suggested that the staff report is distinguished in what it does not state, noting it is a very supportive report and includes a positive recommendation to City Council in favour of the applicant. Mr. Duffus suggested that the developer could take another look at the development and make adjustments which would resolve the problems to the benefit of everyone concerned.

Mrs. Elizabeth Pacey, 6269 Yukon Street, addressed City Council in opposition to the proposal, and submitted a brief dated April 30, 1979, copies of which were circulated to members of City Council. Ms. Pacey emphasized what she suggested is the principal image of Halifax, that is, the view of Halifax Harbour from Citadel Hill with the Old Town Clock in the foreground.

Special Council,
Public Hearing,
August 22, 1979

Ms. Carolyn MacGregor, representing the Board of Directors, Community Planning Association/Nova Scotia, addressed City Council in opposition to the proposed development and submitted a brief dated August 22, 1979, copies of which were circulated to members of City Council.

Mr. Greg Murray, Chairman, Downtown Committee, addressed City Council in opposition to the proposed development and emphasized points made in the Committee's brief dated August 20, 1979, copies of which were circulated to members of City Council.

Mr. Tom Merklinger, representing the Urban Committee of the Ecology Action Centre, addressed City Council in opposition to the proposed development, submitting a brief dated August 22, 1979, copies of which were circulated to members of City Council. Mr. Merklinger made a video tape presentation showing the shadowing effect that the proposal would have on its surroundings.

Mr. Louis W. Collins, Vice-President, Nova Scotia Historical Society, addressed City Council in opposition to the proposed development. Mr. Collins commented briefly on a submission from the Society dated August 20, 1979, copies of which were circulated to members of City Council.

Mr. Roy McGill, who resides at the corner of Prince and Brunswick Streets, addressed City Council and stated it seems to make more economic sense when developing the downtown area to provide for residential uses rather than further office space when there are in excess of 50% vacancy rates in certain office towers.

Ms. Jane Redman, 1349 Brenton Street, presented a petition containing approximately 369 signatures of Ward Three (Old South End Area) residents opposing the construction of a high-rise office building at the corner of Brunswick and George Streets as proposed by Canterbury Investments Limited.

Mr. Ian Muncaster, Chairman of the Ward I Residents' Association, citizen and Downtown businessman, addressed City Council in opposition to the proposed development. He stated that the Association's concern is not about development per se, but about the particular development and its affect on the Citadel and the City.

Mr. Blair Beed, resident of Colby Village, addressed City Council expressing his opposition to the proposal mainly because it will interrupt the view from the Citadel.

Special Council,
Public Hearing,
August 22, 1979

Dr. Malcolm MacAulay, representing the Ward Two Residents' Council, addressed City Council in opposition to the proposed development. Dr. MacAulay stated that the Chairman of the Planning Committee, Ward Two Residents' Council, submitted a brief dated August 21, 1979, copies of which were circulated to members of City Council. Dr. MacAulay added that the solicitor for the applicant earlier implied that members of City Council have less discretionary power and stated reasons why he feels the discretionary power has actually been increased rather than decreased.

Mr. Allan Ruffman, resident of Ferguson's Cove, addressed City Council in opposition to the proposed development. He stated he has come to the conclusion that the development is inappropriate for that location, and noted development is presently underway on Brunswick Street at a very low scale. Mr. Ruffman asked if there were any minority reports from City staff re the proposal.

Ms. Donna MacKenzie, 1661 Argyle Street, addressed City Council and recommended reading of the Old Town Clock series.

Mr. Howard Epstein, solicitor, addressed City Council in opposition to the proposed development, suggesting that the view from the harbour to the Citadel should also be given consideration, which view would cease to exist with the construction of the proposed building. Mr. Epstein submitted that City Council is not obliged to grant approval of the application as was implied by the solicitor for the applicant.

Professor Larry W. Richards, resident at 5770 Spring Garden Road, addressed City Council in opposition to the proposed development and reiterated the concerns expressed in his letter dated August 14, 1979, copies of which were circulated to members of City Council.

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

The following correspondence was received in opposition to the proposed development:

Letter dated May 2, 1979 from Esther I. Crichton
Letter dated May 2, 1979, from Mrs. Margaret R. Bowman
Letter dated May 3, 1979 from Miss Maud E. C. Godfrey
Letter dated May 6, 1979, from Diana Mills
Letter dated May 7, 1979, from Douglas R. Price, President,
Heritage Trust of Nova Scotia
Letter dated May 14, 1979, from Susan Mayo, Coordinator,
Ecology Action Centre

Special Council,
Public Hearing,
August 22, 1979

Letter dated May 7, 1979, from Doris E. Butters
Letter dated May 7, 1979, from Edith Clare
Letter dated May 9, 1979, from Wenda Young
Letter dated May 11, 1979, from Brenton Haliburton
Letter dated May 17, 1979, from Marian C. Hayden
Letter dated May 28, 1979, from Richard Vinson
Letter dated June 20, 1979, from Elizabeth Pacey
Letter dated July 4, 1979, from Mildred H. Rogers
Letter dated July 5, 1979, from Agnes Malouf
Letter dated July 19, 1979, from Claudia Giles
Letter dated July 26, 1979, from Bonnie L. Arthur
Letter dated July 31, 1979, from Elizabeth Lane
Letter dated August 4, 1979, from Dorothy Gill
Letter dated August 6, 1979, from Jane Redman
Letter dated August 6, 1979, from W. Graham Allen
Letter dated August 7, 1979, from Janice E. Cruikshank
Letter dated August 7, 1979, from Mrs. A. H. Teichert
Letter dated August 8, 1979, from M. Linda MacLellan,
President, Downtown Halifax Business Association
Letter dated August 8, 1979, from Arthur Carter,
President, Carter & Issenman Design Group Limited
Letter dated August 8, 1979, from Mrs. A. M. Dimock
Letter dated August 8, 1979, from Mrs. Vera Fairweather
Letter dated August 8, 1979, from Eric Fiss, Member of
Networks and Assistant to the Campus Design Coordinator,
Nova Scotia Technical College
Letter dated August 9, 1979, from Carol MacLennan
Letter dated August 9, 1979, from Robert Walsh
Letter dated August 10, 1979, from Miss Marie T. Dee
Letter dated August 10, 1979, from Phyllis R. Blakeley
Letter dated August 11, 1979, from Lola Henry
Letter dated August 11, 1979, from J. A. Edwards
Letter dated August 11, 1979, from Mary E. Cameron
Letter dated August 11, 1979, from Luci-le Stewart
Letter dated August 13, 1979, from Marjorie V. Hyde and
Olive M. Hyde
Letter dated August 13, 1979, from Gayle E. Reiner
Letter dated August 13, 1979, from Don Macgillivray,
President, Old Sydney Society
Letter dated August 13, 1979, from R. MacLean, Ph.D.,
Department of History, St. Francis Xavier University
Letter dated August 14, 1979, from Miss Joan M. Morrison
Letter dated August 14, 1979, from C. J. & J. F. Ascah
Letter dated August 14, 1979, from Candace Stevenson
Letter dated August 14, 1979, from Helen Creighton
Letter dated August 15, 1979, from Maureen Nowlan
Letter received August 6, 1979, from Mrs. Morna Anderson
Letter dated August 15, 1979, from Frances Davies
Letter dated August 15, 1979, from Richard & Lenora
Duffield

Special Council,
Public Hearing,
August 22, 1979

- Letter dated August 15, 1979 from Eve Burden
- Letter dated August 15, 1979 from B. M. Ross
- Letter dated August 15, 1979 from Mrs. Phyllis Thornhill
- Letter dated August 15, 1979 from David B. Flemming
- Letter dated August 16, 1979, from Janet Erskine
- Letter dated August 16, 1979, from Judith Tulloch
- Letter dated August 16, 1979, from Mrs. Margaret L. Perry
- Letter dated August 16, 1979, from Judy Mossip
- Letter dated August 17, 1979, from H. R. Percy
- Letter dated August 19, 1979, from Bernard Hendrickson
- Letter dated August 19, 1979, from Verne Powell
- Letter dated August 17, 1979, from Muriel Duckworth
- Letter dated August 17, 1979, from Muriel Hatfield
- Letter dated August 18, 1979, from Janet E. Wood
- Letter dated August 18, 1979, from James D. Davison,
President, Wolfville Historical Society
- Letter dated August 18, 1979, from B. Mackintosh, President,
Cole Harbour Rural Heritage Society
- Letter dated August 19, 1979, from Marian I. deWitt and
eleven others
- Letter dated August 20, 1979, from Jobina M. Stoddard
- Letter dated August 20, 1979, from Doug Meggison and
nine others
- Letter dated August 20, 1979, from Susan A. McLean
- Letter dated August 20, 1979, from Malcolm Ross
- Letter dated August 20, 1979, from Dr. & Mrs. O. C. Sewell
- Letter dated August 20, 1979, from Lewis G. Billard
- Letter dated August 20, 1979, from Elizabeth Howell
- Letter dated August 21, 1979, from Robert M. Read, M.D.
- Letter dated August 21, 1979, from Hugh A. Taylor
- Letter received August 22, 1979, from Mrs. R. M. Read
- Letter dated August 22, 1979, from Helen M. Stewart
- Letter received August 22, 1979 from Bernard Green

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

Meeting adjourned - 12:40 a.m.

HEADLINES

- Stage I Approval - Bus Bay Shelter and Fish Market
(Waterfront Development Corporation) 440
- PUBLIC HEARING - Application under Schedule "C",
Section 83 of the Zoning Bylaw (Peninsula Area) to
convert the existing single-family dwelling located
at 5750 Spring Garden Road to a professional office
and four apartment units 440

Special Council,
Public Hearing
August 22, 1979

HEADLINES (CONT'D)

- PUBLIC HEARING - Rezoning of lands of the Maritime Broadcasting Company Limited in Rockingham from Schedule "K", to I-2 (Radio Transmitter Zone) 441
- PUBLIC HEARING - Amendment to the Peninsula Portion of the Zoning Bylaw to restrict the Size and Height of Billboards to bring the Billboard Requirements of the Zoning Bylaw (Peninsula Area) into conformance with those of the Proposed Signs Ordinance 442
- PUBLIC HEARING - Application under Schedule "F", Section 84 of the Zoning Bylaw (Peninsula Area) for the development of a Commercial Office Building at the Corner of Brunswick and George Streets, and, an Application for Consolidation of Lots 1 to 6 incl. to create Block S at the Corner of Brunswick and George Streets 444

MAYOR EDMUND L. MORRIS
CHAIRMAN

G. I. BLENNERHASSETT (MRS.)
CITY CLERK

Date Approved by City Council: _____

Record

CITY COUNCIL
MINUTES

Council Chamber,
City Hall,
Halifax, N. S.
August 30, 1979
8:20 p.m.

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

The meeting was called to order and members of 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, Meagher, Sullivan, Clarke, Wooden, Hanson, Moore and Hamshaw.

ALSO PRESENT: City Manager, B. Allen, Acting City Solicitor, City Clerk and other staff members.

MINUTES

Minutes of City Council meetings held on August 16, and August 22, 1979, were approved on Motion of Alderman Moore, seconded by Alderman Hamshaw.

APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS AND DELETIONS

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

- 20.1. - Case No. 3718, Contract Development - Bedford Highway
- 20.2. - Old North End Community Housing Limited

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

- 17.3. - Creighton Street Multi-Purpose Court - Contract No. 79-111

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

- 20.3. - Strikes - Essential Services
- 20.4. - Canadian Junior Baseball Championships