

Special Council
Public Hearings
May 21, 1980

Correspondence was received from the following persons regarding this application:

Correspondence dated December 18, 1979, from Audrey E. Stuart, 1560 Larch Street, Halifax, Nova Scotia

Correspondence dated May 15, 1980, from Keith Vaughan, Chairman, Ward II Planning Committee, Ward Two Residents' Council.

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

Amendment to the Municipal Development Plan - Adult Entertainment Uses

A public hearing into this matter was held at this time.

Mr. David Russell, Senior Planner, addressed members of Council and referred to a staff report dated January 15, 1980, on this matter. The amendment to the Municipal Development Plan to Implementation Policy 4.7 would allow for regulations in the Zoning Bylaw covering adult entertainment uses. Presently, Policy 4.7 refers to massage parlours. The principle for regulations for such uses is based on the fact that these uses could deteriorate commercial areas.

Mr. Russell responded to questions from members of Council.

There were no persons present wishing to address Council in support or in opposition to this proposal.

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

Amendment to the Zoning Bylaw - Adult Entertainment Uses

A public hearing into this matter was held at this time.

Mr. David Russell, Senior Planner, addressed members of Council and referred to the staff report dated January 15, 1980, with Appendix II. These amendments to the Zoning Bylaw would affect the C-6 Zone to change the title to Adult Entertainment Uses and to delete any reference to massage parlours, as well as defining Adult Entertainment Use. The amendment to the C-2 zone would be to delete adult entertainment uses as a permitted use. As well, there are amendments to the Definitions Section

Special Council
Public Hearings
May 21, 1980

of the Zoning Bylaw to add definitions of Adult Entertainment Uses, Sex-aid Shops and Adult Bookstore.

There were no persons present wishing to address members of Council in support of or in opposition to this proposal.

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

Case No. 3819 , Contract Development, Lodge Drive
Lot Consolidation, Lodge Crescent
Street Closure, Lodge Crescent

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

Mr. E.B. Algee, Development Department, addressed members of Council on this application. With the aid of maps, Mr. Algee explained this application for permission to construct a single-family dwelling on a lot at Lodge Drive which is without municipal services, as required by Section 14A of the Zoning Bylaw, Mainland area. The property, proposed as Lot X contains 3.85 acres with frontage on Lodge Drive. In order to approve the application, four separate actions by Council are required, as referred to in the staff report dated April 14, 1980. It is recommended that Council refuse this application as the history of septic systems in the past do not operate efficiently and the undeveloped areas of the mainland area should not be opened up again, for this type of development. It is felt there is sufficient area in the City which is capable of being serviced with sewer and water. Schedule E was implemented to control development and was not intended to be used as a way to permit development of these unserviced areas.

Mr. Algee responded to questions from members of Council.

Mr. Donald S. Hogan, the applicant, addressed members of Council in support of this application. With the aid of maps, Mr. Hogan addressed Council and the question of the closure of Lodge Crescent. Mr. Hogan felt he is the rightful owner of the property and has been the registered owner; the city holds the deed which was never registered. Mr. Hogan stated he pays the taxes on the entire property. Mr. Hogan offered to exchange access to Hemlock Ravine at the southern end of Lodge Drive in exchange for Lodge Crescent. Mr. Hogan stated further that this was a single-family dwelling being built on four acres; not twenty-five homes on four acres;

and further stated that he has a "Category 1" in the ground survey with the Department of Public Health with regard to the septic tank system.

Mr. Hogan also stated he did not want the citizens' of the City of Halifax to be deprived from trekking the paths of the Hemlock Ravine. Mr. Hogan advised that he had visited homes in the neighbourhood and felt he had the support of many of those visited.

Mr. Hogan responded to questions from members of Council. Alderman Hamshaw presented a petition on behalf of the residents of Prince's Lodge.

Mr. Ronald Brandon, 2 Lodge Drive, Halifax, addressed members of Council in support of this application. Mr. Brandon felt one home was better for the area than maybe 20. He suggested that the proposed Lot X be covered under Schedule E for a twenty-year period. On the subject of the street closure, Mr. Brandon felt that some right of way should be maintained, since a footpath existed since the early 1920's.

Mr. Brandon responded to questions from members of Council.

Mr. Robin Calder, 15 Lodge Drive, Halifax, addressed members of Council in support of the application. Mr. Calder advised that he was not totally in favor of the application, but did state that building one single family dwelling did not seem to be a problem with him. He expressed concern on the access to the Hemlock Ravine. Mr. Calder also advised he had written a letter with his concerns expressed, which is part of the official file.

Mr. Scott Bridley, 17 Lodge Drive, addressed members of Council in support of this application. Mr. Bridgley reiterated previous speakers' remarks on single-family dwelling.

There were no other persons present wishing to address Council in support of this application.

Mr. Peter McDonough, on behalf of certain residents surrounding the Hogan lands, addressed members of Council in opposition to the application. He advised of the legal complications and implications involved with this application. Mr. McDonough referred to the staff report and its negative aspects. He also referred to the sale and closure of Lodge Crescent and expressed the citizens' concern that it should remain as it is; and Hemlock Ravine and its pathway entrances should also remain as such. Mr. McDonough responded to questions.

Mr. David Hoebraker, 12 Prince's Walk, addressed members of Council in opposition to this application. Mr. Hoebraker advised Council he had been a resident of the area for 29 years and had objection to the deed of the private road to accommodate the application. He advised that the access pathway to Hemlock

Special Council
May 21, 1980

Ravine should remain as is.

Mr. Bartkus, 42 Lodge Drive, Halifax, addressed members of Council in opposition to the application. Stating objections to on-site services regardless of the reassurances from the Provincial Department of Health and also that having a parking lot at the end of Lodge Drive would not be desirable.

Mr. Jonathan Welsh, on behalf of the Ward Ten Community Association, addressed members of Council in opposition to the application. Mr. Welsh expressed opposition to closure of the public access to the Hemlock Ravine. Mr. Welsh expressed concern with the changes to Section 14(a), and the use of the Schedule as a way to develop. Mr. Welsh stated there was no objection to single-family dwelling.

There were no other persons present wishing to address Council in opposition to this application.

The following correspondence was received and circulated to members of City Council.

Correspondence dated May 8, 1980 from Dr. Richard and Dorothy Perkyns, 43 Lodge Drive, Halifax.

Correspondence dated May 14, 1980 from L.S. Bartkus, 42 Lodge Drive, Halifax.

Correspondence dated May 16, 1980 from Dr. & Mrs. A.G. McInnes, 11 Prince's Walk, Halifax.

Correspondence dated May 17, 1980 from Jack Brayley, Kerr's Mill Road, Wallace, Cumberland Co., N.S.

Correspondence dated May 19, 1980 from Lionel V. Brandon, 9 Lodge Drive, Halifax.

Correspondence dated May 20, 1980 from Dr. M.J. Harvey, Dept. of Biology, Dalhousie University, Halifax.

Correspondence dated May 21, 1980 from Robin & Louise Calder, 15 Lodge Drive, Halifax.

Submission dated May 13, 1980 from Donald Hogan re Estimate of Construction and Graveling of Section of roadway and Parking Lot, from Pontiac Paving Limited, Bedford.

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

Special Council
Public Hearings
May 21, 1980

CASE NO. 3828 - CONTRACT DEVELOPMENT- PURCELL'S COVE ROAD

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

Before staff's presentation of the application, the Acting City Solicitor commented on the legal action taken in this case, and stated that it would be proper to deal with the application as if three lots existed.

Mr. E.B. Algee, Development Control, with the aid of maps and sketches, addressed members of Council, with an explanation of the application which is permission to construct a single-family dwelling on a lot without sewer and water services, which are required under Section 14A of the Zoning Bylaw, Mainland area. This application made under Section 66 of the Zoning Bylaw. Mr. Algee stated the subdivision was approved in 1970 with six lots approved. Conditions were placed on the subdivisions at the time and the application also considers the consolidation of Lots 1, 2, and 3 located along Jolly Drive, with access at Purcell's Cove Road. There are no municipal services in the area. The property is covered by Schedule D of the Zoning Bylaw.

Mr. Algee stated that the staff recommended refusal because of the septic tank system, and the Schedule was not intended for this use.

Mr. Algee responded to questions from members of Council.

Mr. Joel Hickman, on behalf of Imperial Investments Limited, addressed members of Council in support of the application. Mr. Hickman stated that Imperial Investments Limited have made numerous attempts to sell the lots at various times and the present owner purchased the property with the understanding that Lots 1, 2 and 3 be consolidated to form one lot.

Mr. Hickman referred to the staff report dated April 14, 1980 and stated that the positive aspects of the application outweigh the negative ones. Mr. Hickman stated that a soil test had been done and is acceptable. The purchaser has an agreement of sale and the buyer present tonight, and the home would complement the other homes in the neighbourhood and would contribute to a good neighbourhood.

Mr. Hickman read the conditions of the subdivision plans to members of Council.

Mr. Hickman responded to questions from members of Council.

Special Council
Public Hearings
May 21, 1980

Mr. Sam Nauss, addressed members of Council in support of the application. Mr. Nauss stated he wished to build a home on this lot because of the low density of the area and felt it would be a better place in which to raise a family.

Mr. William Mont, the owner, addressed members of Council in support of this application. Mr. Mont stated he bought the property with the intention of living on it, but his family decided against it. Mr. Mont also stated the buyer is willing to put an attractive home on it and would result in additional tax dollars for the City.

Mr. Alan Ruffman addressed members of Council in support of this application. Mr. Ruffman stated his reasons for supporting the application; the large area in this parcel of land, the perc soil test for the septic system and also felt that water could be found with no salt intrusion from the ocean.

Mr. Ruffman responded to questions from members of Council.

Alderman Wooden requested that comments from DAPC 1 group on this application be forwarded to members of Council.

There were no other persons present wishing to address Council in support of this application.

Mr. George Cooper, on behalf of a group of citizens in the immediate area in question and also some of the residents along Purcell's Cove Road, addressed members of Council in opposition to this application. Mr. Cooper raised the question of the validity of the subdivision; also that multiple development is more appropriate for this area. Mr. Cooper referred to the staff report dated April 14, 1980, referring to Section 14A of the Zoning Bylaw, Mainland area. Mr. Cooper stated it would be premature to approve this application before the various study groups, Mainland South Planning, etc. have studied the area and made a final decision. In conclusion, Mr. Cooper felt that approving this application would set a precedent for future development, the basic rule of the Zoning Bylaw would be destroyed.

Mr. Cooper responded to questions from members of Council.

Mrs. Mona Fry, 4 Boulderwood Road, Halifax, addressed members of Council in opposition to this application. Mrs. Fry read a submission and presented it to the City Clerk as part of the official file. Mrs. Fry circulated a map of the area in question. Alderman Wooden requested that an up-to-date map of the area be forwarded to members of Council before the next regular meeting.

Special Council
Public Hearings
May 21, 1980

Mrs. Ruth Goldbloom, 324 Purcell's Cove Road, addressed members of Council, in opposition to this application. Mrs. Goldbloom stated she had lived in the area for 12 years, and with their own well and septic tank, they have had problems because of the water supply. Another concern was the fire protection for the area. Mrs. Goldbloom agreed with the staff report dated April 14, 1980.

Mr. Bill Ritchie, 316 Purcell's Cove Road, addressed members of Council in opposition to the application. Mr. Ritchie stated he resided in this area for ten years and felt that anything that would happen to this parcel of land would affect him. Mr. Ritchie expressed concern with the overburdened water and septic system in the area; also the problems which could result from common driveways, and so on.

Mr. Ritchie responded to questions from members of Council.

Mr. Nick Pitus, representing Kenneth Rowe, 2 Boulderwood Road, Halifax, addressed members of Council in opposition to the application. Mr. Pitus stated his client purchased his home four years ago and is aware of the history of the water and sewer problems in the area. Mr. Pitus stated that Mr. Rowe's concern was to the type of development at this time and felt that the recommendations of the DAPC group in the area should be awaited.

Mr. Pitus responded to questions from members of Council.

Mr. Velcoff, 313 Purcell's Cove Road, addressed members of Council in opposition to the proposal. Mr. Velcoff felt that the application should not be approved and that Section 14A of the Zoning Bylaw be adhered to. Mr. Velcoff expressed concern to his water problem and if any blasting or development takes place, the water supply will be affected.

Mr. Robert Crane, 1 Boulderwood Road, Halifax, addressed members of Council in opposition to this proposal. He reiterated previous speakers' remarks on the water supply.

Mrs. Florence Trynor, 317 Purcell's Cove, addressed Council members in opposition to the proposal. Mrs. Trynor also expressed concern about the water supply.

Mr. Jim Sykes, 300 Purcell's Cove Road, addressed members of Council in opposition to the application. Mr. Sykes felt that the DAPC process should be considered, since it has an opportunity for input, and the decision of Council based on this recommendation.

Mr. Sykes responded to questions from members of Council.

Special Council
Public Hearings
May 21, 1980

Mr. Murray Clements, 4 Wenlock Road, Halifax, Area Committee Chairman DAPC, addressed members of Council in opposition to this application. Mr. Clements noted the affect of blasting in the area and its effect of the water system.

Mr. Clements responded to questions from members of Council.

There were no other persons present wishing to address members of Council on the application.

The following correspondence was received and circulated to members of Council.

Correspondence dated February 13, 1980 from John F. Fry, P.O. Box 7022 N, Halifax, Nova Scotia

Correspondence dated February 20, 1980 from Kenneth C. Rowe, 2 Boulderwood Road, Halifax, N.S.

Correspondence dated May 19, 1980 from W.L. Ford, 9 Boulderwood Road, Halifax, N.S.

Correspondence dated May 20, 1980 from Elizabeth Huxtable, 249 Purcell's Cove Road, Halifax, N.S.

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

ZONING REVIEW - SOFT AREA 6

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

Mr. David Russell, Senior Planner, with the aid of maps, explained the rezoning which concerned a vacant parcel of land bounded by Robie Street on the east, Jubilee Road on the south, Henry Street on the west and Cedar Street on the north. Mr. Russell referred to the staff report dated February 12, 1980 which recommends that this parcel of land be rezoned from R-3 to R-2 to complete the rezoning process of Soft Area 6.

Mr. Russell responded to questions from members of Council.

Mr. David Lewis, 1755 Henry Street, Halifax, addressed members of Council in favour of this application. Mr. Lewis stated the buildings in the area are of good quality and contain many single family homes, and agrees with the staff report of maintaining the existing neighbourhood quality.

Special Council
Public Hearings
May 21, 1980

Mr. Keith Vaughan, on behalf of the Ward Two Residents' Council, addressed members of Council in support of the application. Mr. Vaughan felt the present rezoning is inappropriate for the area; the existing residential neighbourhood should be maintained. Mr. Vaughan mentioned the open space on the parcel of land which is owned in common by the people living in the area.

Mr. Craig Bent, on behalf of DAPC 2, Peninsula Centre, addressed members of Council in support of the application. Mr. Bent stated that the Committee supports the application which is the only appropriate designation for the parcel of land.

There were no other persons wishing to address members of Council in support of the application.

A Mr. Cowan, representing the property owner, Toulon Construction, addressed members of Council in opposition to this application. Mr. Cowan stated this property was purchased in 1967 and zoned R-2. In 1977-78, a proposal for an apartment building was made, the proposal was recommended by staff, and it was refused by Council. The decision was in turn appealed by the Planning Appeal Board. In the interim, the decision by the developer was to come back with a new proposal for this building. However, the proposal is awaiting Council's decision in this matter before proceeding with the new application. Mr. Cowan felt that down zoning would have an effect on future development in the area and felt it would not be capable of single-family housing.

Mr. Cowan responded to questions from members of Council.

The following correspondence has been received and circulated to members of Council.

Correspondence dated May 12, 1980 from C.L. Illsley, 6039 Jubilee Road, Halifax, N.S.

Correspondence dated May 20, 1980 from Keith Vaughan, Chairman, Ward II Planning Committee, Ward Two Residents' Council.

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

12:10 a.m. There being no further business, the meeting adjourned.

Special Council
Public Hearings
May 21, 1980

H E A D L I N E S

Proposed Offers of Compensation - Expropriation for
the Fairview Overpass Project and Widening of the
Dutch Village Road, Northern Section 235

Dog Control Services 236

School Admission Age 236

Interest Rates on Overdue Taxes 237

Application for Auctioneer's License - Vintage Car Auction 237

Case No. 3808 - Contract Development - 1585 Oxford St. . . 238

Amendment to the Municipal Development Plan-
Adult Entertainment Uses. 239

Amendment to the Zoning Bylaw - Adult Entertainment Uses . 239

Case No. 3819, Contract Development, Lodge Drive,
Lot Consolidation, Lodge Crescent, Street Closure , Lodge
Crescent 240

Case No. 3828, Contract Development - Purcell's
Cove Road (Jolly Park) 243

Zoning Review - Soft Area 6. 246

DEPUTY MAYOR RONALD HANSON
CHAIRMAN

E.A. KERR
ACTING CITY CLERK

/wc

TO: Planning Advisory Committee
FROM: Planning Information Officer
DATE: May 29, 1980
FROM: Meeting of the Planning Advisory Committee

The next meeting of the Planning Advisory Committee will be held on Thursday, June 5, 1980 from 1:00 p.m. to 2:30 p.m. in the Planning Information Office, City Hall.

A G E N D A

1. Approval of the Order of Business, Additions and Deletions
2. Minutes of May 22, 1980
3. Regional Plan Review: Presentation by Department of Municipal Affairs
- to familiarize the Committee with the structure and nature of the review now getting under way
4. Conflict of Interest
The Committee should convene in executive session to receive an opinion on this matter from the City Solicitor's staff; this item is to provide an opportunity for discussion if any is needed.
5. South End Detailed Area Plan
The Committee should begin discussion of the South End Plan and ask staff for any responses desired as a result of letters, briefs, questions, of members, or from the Public Meeting of May 26
6. Adjournment

PLANNING ADVISORY COMMITTEE
MINUTES

Planning Information Office
City Hall
Halifax, Nova Scotia
May 22, 1980

PRESENT: Chairman M. A. MacAulay; Aldermen Maley, Moore,
Shannon, Wooden; Mr. J. Chamard, Mrs. J. Thompson

STAFF: P. Calda, City Manager; D. Russell, Senior Planner;
S. McLeod, Senior Planner; R. Robertson, Planner;
D. Boyd and B. McLaughlin, Planning Information
Office

ALSO PRESENT: Mr. G. Murray, Chairman of the Downtown Committee

The meeting was called to order by Chairman MacAulay
at 1:20 P.M.

1. Approval of the Order of Business, Additions and Deletions

It was agreed to add: Scheduling of Meeting on the
Regional Plan Review Process

2. Minutes of May 22, 1980

Moved by Alderman Moore, seconded by Mrs. J. Thompson,
that the minutes of the meeting of the Planning Advisory
Committee held on May 1, 1980 be accepted as circulated.

Passed unanimously

3. The Downtown Committee

Chairman MacAulay introduced Mr. G. Murray, Chairman
of the Downtown Committee. Copies of the "Organization,
Structure and Functioning and Terms of Reference of the
Halifax Downtown Committee" were circulated.

Mr. Murray commented that while the Downtown Committee
functioned much like a Detailed Area Planning Committee,
there were differences. Its interests were city wide, and
not confined to the geographical area of the downtown core;
it was empowered to hold its own public meetings, and it
reported directly to City Council. With the formation of
the Planning Advisory Committee, some definition of the
future role of the Downtown Committee was needed. Mr.
Murray indicated that the members feel that there is a
continuing need for this kind of representative group to
be intimately involved with the ongoing planning process
in the downtown area. He pointed out that the membership
had changed somewhat over the years as some groups were
added while others chose to discontinue active participation.

that the Planning Advisory Committee meet with officials from the Department concerning review of the Halifax-Dartmouth Regional Development Plan.

It was agreed that this would be the first item on the agenda at the next regular meeting of the Planning Advisory Committee on June 5, 1980

The meeting adjourned at 2:25 P.M.

CITY COUNCIL
M I N U T E S

Council Chamber,
City Hall,
Halifax, N. S.
May 29, 1980
8:10 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 Acting City Clerk, joined in reciting the Lord's Prayer.

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

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

OATH OF OFFICE - MAYOR RONALD J. HANSON

Madame Justice Constance R. Glube, Supreme Court of Nova Scotia, administered the Oath of Office to Mayor Ronald J. Hanson.

APPOINTMENT OF DEPUTY MAYOR

MOVED by Alderman Meagher, seconded by Alderman Clarke that Alderman Terrence S. Sullivan be appointed Deputy Mayor. Motion passed unanimously.

PRESENTATION OF SCROLL (LONG SERVICE) - EDWARD JOYCE

Mayor Hanson, on behalf of City Council, expressed appreciation to Edward Joyce on his thirty-one years service to the City of Halifax as a Police Patrolman.

Deputy Mayor Sullivan, on behalf of City Council, presented Mr. Joyce with a Scroll commemorating his long service with the City.

Council,
May 29, 1980

MINUTES

MOVED by Alderman Meagher, seconded by Alderman Shannon that City Council minutes of May 15, 1980, page 224, item 'Parking Meters - Quinpool Road', be amended to read: " . . . that \$15,000.00 be deleted from Account No. DS097 and that parking meters for Quinpool Road not be installed." Motion passed.

Minutes of City Council meeting of May 15, 1980, as amended, and May 21, 1980, were approved on Motion of Alderman Maley, seconded by Deputy Mayor Sullivan.

DEFERRED ITEMS

Irving Arch - Water Street

This matter was referred from a regular meeting of City Council held on May 15, 1980.

A letter with attachments, undated, was received from A. Ruffman, on behalf of the Urban Committee, Ecology Action Centre, and circulated to members of City Council.

A letter dated May 27, 1980, was received from Douglas R. Price, President, Heritage Trust of Nova Scotia, and circulated to members of City Council.

MOVED by Alderman Maley, seconded by Alderman Shannon that the building known as Irving Arch be retained and be listed as a heritage resource.

Alderman Maley circulated pictures and photographs, quoted from former staff reports and the Municipal Development Plan, in support of her motion.

The City Solicitor, in response to a question, advised that the Waterfront Development Corporation has the right to remove the buildings and the arch and the foregoing motion has no bearing on their rights and has no legal significance.

Alderman Maley explained that her motion was for purposes of discussion and she wished to amend the wording. She amended the motion to read: "that City Council urge the Waterfront Development Corporation in the strongest possible way that the building known as the Irving Arch be retained". The seconder agreed to the amendment.

Council,
May 29, 1980

Alderman Maley requested that, by the same motion, City Council list the Irving Arch as a heritage resource. His Worship advised that the request would not be in order.

The City Solicitor advised that there is a procedure set out in the Municipal Development Plan for the adoption and evaluation of heritage resources in recommendation to City Council and he suggested that the proper action would be to follow the procedure set down.

The motion was put and passed, five voting for the same and four voting against as follows:

FOR: Aldermen Maley, Shannon, Downey, Meagher and Deputy Mayor Sullivan

AGAINST: Aldermen Clarke, Wooden, Moore and Hamshaw

Petition Against Installation of Paving, Curb & Gutter,
Sod and Trees - Circle Drive

This matter was deferred from a regular meeting of City Council held on May 15, 1980.

Alderman Wooden stated it has come to her attention that the cost of the installation to a small number of residents with very large, extraordinary lots, will be prohibitive.

Alderman Wooden requested that staff bring to City Council a review of the policies on street paving to try to deal with the extraordinary cases which prevent the City from improving an area. She stated most of the residents are willing to pay their share but do not wish to see a certain few be assessed prohibitive amounts for improvements. She asked that staff review in particular corner lots and oversized lots that cannot be subdivided and have large frontages.

It was agreed that the matter be deferred pending a staff report as requested.

Council,
May 29, 1980

Case No. 3808 - Contract Development - 1585 Oxford Street

A public hearing re the above matter was held on May 21, 1980.

MOVED by Alderman Shannon, seconded by Deputy Mayor Sullivan that the application for contract development to occupy an apartment unit as offices for Parkdale Realities Limited and its affiliated companies at Civic No. 1585 Oxford Street, as shown on Plan No. P200/9359 of Case No. 3808, be refused by City Council.

The Acting City Clerk advised that Aldermen Maley and Moore were not present at the public hearing.

The motion was put and passed with Aldermen Clarke and Hamshaw voting against, Aldermen Maley and Moore abstaining.

Amendment to the Municipal Development Plan - Adult Entertainment Uses

A public hearing re the above matter was held on May 21, 1980.

MOVED by Alderman Wooden, seconded by Alderman Moore that the matter be deferred to the next regular meeting of Committee of the Whole Council. Motion passed.

Amendment to the Zoning Bylaw - Adult Entertainment Uses

A public hearing re the above matter was held on May 21, 1980.

MOVED by Alderman Wooden, seconded by Alderman Moore that the matter be deferred to the next regular meeting of Committee of the Whole Council. Motion passed.

Case No. 3819 - Contract Development - Lodge Drive
- Lot Consolidation - Lodge Crescent
- Street Closure - Lodge Crescent

A public hearing re the above matter was held on May 21, 1980.

Alderman Hamshaw referred to a letter dated May 22, 1980, from Mr. Hogan, the applicant, and suggested the contents of the letter comply with the requests of the residents in the area. The City Manager stated the

Council,
May 29, 1980

conditions set out in the applicant's letter dated May 22, 1980, could be incorporated in a contract.

Discussion ensued re the elements of the staff recommendation to be included in a contract during which Alderman Shannon suggested other properties should not be included in Schedule E and asked how staff could accomplish such a request. The City Manager stated if Council indicates it does not want the change in Schedule E to affect other property owners, staff could move the Schedule in such a way as the line would affect only the subject property.

In response to a question re the roadway, the City Manager stated it is his understanding the house cannot be built unless some exchange of land takes place; retention of the road in its present location would bisect the land and make it virtually impossible.

Deputy Mayor Sullivan stated he understood the residents did not want the other exchange of land and the roadway the applicant was proposing but wanted access through to Hemlock Ravine. Alderman Shannon suggested an alternative would be for the City to maintain ownership and give the applicant a right-of-way across its property. The City Manager stated if Council wishes to maintain wider than an eight-foot right-of-way, staff will consider the matter. Alderman Shannon stated she felt the people wanted a pathway.

Alderman Shannon suggested this contract, as well as future contracts which create residential lots without servicing, include a clause that the owner agrees to pay the full cost of servicing at such time that servicing is brought into the area by the City. She asked that Council adopt the provision as a policy. His Worship advised that the matter will be an item for discussion at the next regular meeting of Committee of the Whole Council.

In response to a question, Alderman Hamshaw agreed his motion will include staff recommendations 1, 2 modified to consider remarks made by Alderman Shannon, 3 and 4, as set out in the staff report dated April 14, 1980.

Deputy Mayor Sullivan suggested the proposed elements of a contract, as discussed, be brought together by staff in consultation with Alderman Hamshaw.

MOVED by Alderman Hamshaw, seconded by Deputy Mayor Sullivan that the matter be deferred to the next regular meeting of Committee of the Whole Council. Motion passed.

Council,
May 29, 1980

Case No. 3828 - Contract Development, Purcell's Cove Road,
Jolly Park

A public hearing re the above matter was held on
May 21, 1980.

Alderman Wooden stated she was willing to support
the application for lot consolidation and contract develop-
ment until she became aware of the water problems being
experienced in the area.

MOVED by Alderman Wooden, seconded by Deputy Mayor
Sullivan that the application to

- 1) consolidate Lots 1, 2 and 3 to form Lot WM-1 Purcell's
Cove Road; and
- 2) approve a contract development (under Section 66 of the
Zoning Bylaw, Mainland area) to permit construction of
a single-family dwelling on a lot without municipal
services

be refused by City Council.

In response to a question, Mr. Algee, Development
Officer, advised that in 1979 a contract was approved for
a single family dwelling within approximately 800 yards of
the property under discussion. He stated the staff report
did not mention any problems with water.

Alderman Wooden suggested that a study be undertaken
in the area regarding the water table and related problems.
The City Manager suggested that such an undertaking might
prove to be very expensive and asked that Council authorize
staff to consider the possibility of undertaking a study.
Alderman Wooden asked that staff comment on the matter.

Alderman Hamshaw requested that a postcard
questionnaire be mailed to every homeowner in the area
asking if they want sewer and water or if they are satisfied
with their present services. The City Manager indicated
that such a survey would be undertaken.

The Acting City Clerk advised that Aldermen Maley
and Moore were not present at the public hearing.

The motion was put and lost, three voting for the
same and four voting against as follows:

FOR: Aldermen Wooden, Meagher and Deputy Mayor Sullivan

AGAINST: Aldermen Shannon, Downey, Clarke and Hamshaw

Council,
May 29, 1980

Aldermen Maley and Moore abstained.

MOVED by Alderman Clarke, seconded by Alderman Shannon that City Council approve a contract development (under Section 66 of the Zoning Bylaw, Mainland area) to permit construction of a single-family dwelling on a lot without municipal services.

The City Manager advised that the request for lot consolidation would be considered at the next regular meeting of the City Planning Committee.

The motion was put and passed with Aldermen Maley and Moore abstaining.

Zoning Review - Soft Area 6

A public hearing re the above matter was held on April 23, 1980 and adjourned, at that time, until May 21, 1980.

MOVED by Alderman Shannon, seconded by Deputy Mayor Sullivan that City Council rezone the property identified as Lot I, on Plan No. P200/9435, from R-3, Multiple Residential, to R-2, General Residential.

The Acting City Clerk advised that Aldermen Maley and Moore were not present at the public hearing held on May 21, 1980.

The motion was put and passed with Aldermen Maley and Moore abstaining.

Council
May 29, 1980

REPORT - FINANCE & EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on May 21, 1980 as follows:

Acquisition of Lands for Street Purposes : Lot W, Rockingham Drive and Dickson Avenue, Rockingham

This matter was referred to City Council without recommendation pending receipt of a staff report.

A supplementary staff report dated May 29, 1980, was submitted. Alderman Wooden requested that staff report on the general implications of establishing a policy on how and under what conditions the City should accept, acquire and take over the streets both in the mainland and peninsula areas of the City.

MOVED by Alderman Hamshaw, seconded by Alderman Wooden that, the two properties belonging to Waldan Developments Limited, and required for street and services construction for the Ross-Rockhaven Connector and an extension to Dickson Avenue, be acquired by the City for \$14,301.70; funds from Account Number 227418 Z0500 EH014 (Land for Municipal Purposes).

Motion passed.

Possible Expropriation Settlement: Lands of Rockingham Ridge Ltd., Donaldson Avenue and Lands of Rockingham Ridge Ltd., Lawrence Street

MOVED by Alderman Hamshaw, seconded by Alderman Moore that, as recommended by the Finance and Executive Committee, the expropriation of the easement rights over lands of Rockingham Ridge Limited, as per Plans TT-25-23135 and TT-26-25340, be settled for \$6,365.00 plus simple interest of 6% on \$5,240.00, from January 31, 1979, to respective dates of payment. Funds being available from Account No. 227418 Z0500 EH014 (Land for Municipal Purposes). Motion passed.

Possible Expropriation Settlement - 3850-58 (424-26) and Portion of 3844 (416) Dutch Village Road

MOVED by Alderman Moore, seconded by Alderman Hamshaw that, as recommended by the Finance and Executive Committee, expropriation of the property of Larry and Carmen Navarro, known as Civic No. 3860-68 (424-26) Dutch Village Road and Parcel F-11, Plan TT-27-25792 (Portion of 3844 Dutch Village Road), be settled for the sum of \$93,265 plus 6% simple interest on \$32,250 from April 29, 1980 to date of settlement; funds being available from Account No. 227418 Z0500 CJ009 (Fairview Overpass).

Motion passed.

Fairview Overpass Project - C.N.R. Pipe Crossing License

MOVED by Alderman Hamshaw, seconded by Alderman Moore that, as recommended by the Finance and Executive Committee, City Council approve the agreement in the form attached to the staff report dated May 13, 1980 and His Worship the Mayor and the City Clerk be authorized to execute same on behalf of the City.

Motion passed.

Possible Acquisition - Portion of 322 Herring Cove Road

MOVED by Alderman Wooden, seconded by Alderman Moore that, as recommended by the Finance and Executive Committee, the land shown as parcel H-27 on Plan TT-28-26093 be purchased from the Rector, Warden and Vestry of Emmanuel Church for \$2,900 as settlement in full; funds being available from Account Number 226311 Z0500 CJ012 (Herring Cove Road Widening).

Motion passed.

Possible Acquisition - Portion of 320 Herring Cove Road

MOVED by Alderman Wooden, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, the land shown as parcel H-26 on Plan TT-28-26092 be purchased from A & W Realty Limited for \$7,675, as settlement in full; funds being available from Account Number 226311 Z0500 CJ012 (Herring Cove Road Widening).

Motion passed.

Possible Acquisition - Portion of 307-311 Herring Cove Road

MOVED by Alderman Wooden, seconded by Alderman Moore that, as recommended by the Finance and Executive Committee, the land shown as Parcel H-17 on Plan TT-28-26084 be purchased from Butler Brothers Limited for the sum of \$11,000.00 as settlement in full; funds being available from Account Number 226311 Z0500 CJ012 (Herring Cove Road Widening).

Motion passed.

Street Lines - Lower Water Street

This item was deferred until after a meeting was held with the Waterfront Development Corporation.

Alderman Shannon addressed Council on the matter of the street lines and also truck routes in this area.

Council
May 29, 1980

Alderman Shannon referred to the six-part motion passed by Council on July 14, 1977, referring to the recommendations of the Downtown Transportation Study and as a result staff were directed to examine truck routes on a peninsula-wide basis and recommend a strategy to accommodate all truck movements and also to examine in detail the necessary phasing as recommended in that study.

Alderman Shannon referred to an information report dated March 25, 1980, and requested a more adequate report on the study, the objections raised, involvement with the trucking industry and the public as referred to by staff in their report.

Alderman Maley referred to the matter of resurfacing in that area and to Alderman Shannon's remarks and read in part from correspondence received from Volvo Canada, dated April 5, 1977, which stated that the Hollis Street detour could be retained permanently after the Waterfront work was finished. Alderman Maley also referred to the Municipal Development Plan and quoted from Section III-Central Business District, policies 3.5.2 and 3.5.2.1; which refers to traffic and street widths in the Lower and Upper Water Street area.

MOVED by Alderman Shannon, seconded by Alderman Downey that this item be referred to the next regular meeting of the Committee of the Whole Council. Motion passed.

Possible Acquisition - Parcel WK-1 Lower Water Street - A. Keith and Sons Limited

This item was deferred until after a meeting was held with the Waterfront Development Corporation.

MOVED by Alderman Shannon, seconded by Alderman Downey that the matter be deferred to the next regular meeting of the Committee of the Whole Council. Motion passed.

Proposed Bond Issue

MOVED by Alderman Maley, seconded by Alderman Shannon that, as recommended by the Finance and Executive Committee, staff be authorized to call tenders when appropriate and at a coupon rate deemed prudent, City Council to be kept informed of the timing of the tender call and the whole matter to be brought back to Council when tenders have been received.

Motion passed.

Records Retention

MOVED by Deputy Mayor Sullivan, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, in accordance with Article 587 of the City Charter, staff be authorized to arrange on an ongoing basis for the disposition of records according to the Record Retention Schedules. Motion passed.

Council
May 29, 1980

Tender 80-45 - Disposal of one Surplus 1970 International
Vacall Catchpit Cleaner - EGl79

MOVED by Alderman Hamshaw, seconded by Deputy Mayor
Sullivan that, as recommended by the Finance and Executive
Committee the offer of \$7,000 from Eclair Plomberie et Chauffage
be accepted with dispatch.

Motion passed.

Possible Expropriations - Herring Cove Road

This matter was referred without recommendation.

A confidential staff report dated May 29, 1980, was
submitted.

Following a brief discussion on this matter, it was
MOVED by Alderman Wooden, seconded by Alderman Shannon that,
as recommended in the confidential staff report dated May 29, 1980,
Council authorize the the expropriation of Parcels H-22 and
H-24 as shown on the Schedule C attached to the May 29, 1980
staff report.

Motion passed.

Council
May 29, 1980

Councillor Marion Uniacke and Mr. Uniacke - Borough of Guildford,
Surrey, England

His Worship advised that he was pleased to introduce Councillor Marion Guildford and Mr. Guildford from the Borough of Guildford, Surrey, England, as guests in the Council Chamber this evening. His Worship advised that Mr. Uniacke is a direct descendant of the Uniackes of Uniacke House in Mount Uniacke, Nova Scotia and that a presentation of Uniacke China was made to the Public Archives today.

Councillor Uniacke addressed Council and expressed appreciation for being invited to attend this evening's meeting of Council and related to members of Council the composition of the Council of the Borough of Guildford as compared to Halifax.

Councillor Uniacke and Mr. Uniacke, on behalf of the Borough of Guildford, presented tokens of civic friendship in the form of the Civic Seal, Plaque, and a description of the Coat of Arms of the Borough of Guildford which were accepted by His Worship and Alderman Shannon on behalf of City Council.

His Worship expressed appreciation to Councillor Uniacke and Mr. Uniacke for taking time from their visit to Halifax to visit City Council.

Capital Funding - Elizabeth Sutherland and
Central Spryfield Schools

The following is the recommendation from the Finance and Executive Committee meeting:

"That the matter be referred to City Council without recommendation, the requested report be recirculated to members of City Council, and Council be advised of the reasons why the Board of School Commissioners made their decision."

A report dated December 3, 1979, from the Board of School Commissioners was recirculated to members of Council.

MOVED by Alderman Wooden, seconded by Alderman Hamshaw
that:

1. The Capital fund authorized for Central Spryfield School alterations and an addition be changed to \$1,500,000;
2. The Elizabeth Sutherland School alterations and addition be changed to \$2,410,000 keeping the total amount the same in the amount of \$3,910,000.

Alderman Moore referred to a moratorium on the Berton Ettinger and the John W. MacLeod schools which the Board requested be removed, and questioned what the present status of the matter was. His Worship advised that the requested information could be secured from the Board.

Following a further short discussion, the Motion was
put and passed.

Council
May 29, 1980

Alderman Wooden requested that the Board of School Commissioners be asked if it would initiate a procedure for the G. K. Butler School similar to what has been used in other schools that have been phased out of operation. Alderman Wooden said she would like the parents to have input as to what will be happening with their children and suggested that such a procedure should be instituted in the coming months.

His Worship suggested that such a procedure is in place but advised the request would be forwarded to the Director of Education.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on May 21, 1980, as follows:

Award of Tender No. 80-05 - Fleming Heights Sidewalk and Storm Sewer (Systems A & B) Construction

MOVED by Alderman Wooden, seconded by Alderman Moore that, as recommended by the Committee on Works, Tender No. 80-05, Fleming Heights Sidewalk and Storm Sewer (Systems A & B) Construction be awarded to G. A. Smith Limited for the unit price quoted; project funds be authorized from Accounts DB016 and CA032.

Motion passed.

Award of Tender No. 80-21 - Upgrading/Resurfacing of Streets

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

1. Authority be granted to award Tender #80-21 to Standard Paving Maritime Limited for the unit prices quoted for a total project cost of \$520,000.00;

2. Staff be granted authority, under Section 201(1) of the City Charter to make additional expenditures for Public Service Commission work which will be offset by an equal amount of revenue from the Public Service Commission.

Motion passed.

Tender No. 80-57 - One 1980 Model 4-door Station Wagon - Halifax Police Department

MOVED by Deputy Mayor Sullivan, seconded by Alderman Clarke that, as recommended by the Committee on Works:

1. Authority be granted to award Tender 80-57(R) for one 1980 Model 4-door station wagon to Chebucto Ford Sales Limited, 219 Main Street, Dartmouth, Nova Scotia for the tendered amount of \$7,513.00;

2. Authority also be granted to dispose of the vehicle being replaced when the new unit is received and placed into service.

Motion passed with Alderman Hamshaw and Meagher against.