

SPECIAL COUNCIL  
PUBLIC HEARING  
MINUTES

Halifax West School  
Gymnasium  
Halifax, Nova Scotia  
July 8, 1987  
7:30 p.m.

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

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

Present: His Worship Mayor Ron Wallace, Chairman; and Aldermen D. Grant, O'Malley, Meagher, Dewell, Walker, Leiper, Cromwell, Downey, Hamshaw, R. Grant, and Deputy Mayor Jeffrey.

Also Present: Mr. W.B. Campbell, Development and Planning, Mr. J. Heseltine, Development & Planning, Mr. E. A. Kerr, City Clerk, and other members of City staff.

ADDED ITEMS

The City Clerk advised of the following items which were referred to this meeting from the Committee of the Whole Council meeting held earlier this date:

Driveway - Yukon Street  
U.N.S.M. Resolution  
Tender 87-12 - New Sidewalk - Barrington Street -  
Doyle Street - Flamingo Drive  
Tender 87-14 - New Sidewalks  
Tender 87-15 - Sidewalk Renewals  
Tender 87-16 - Sidewalk Renewals  
Tender 87-20 - Sidewalk Renewals

Alderman Cromwell indicated that he could not support the proposal to add the item Driveway - Yukon Street.

It was agreed that the items be deferred and that the Yukon Street item be deferred to a subsequent meeting of City Council.

Amendments to the Municipal Development Plan and Land Use Bylaw, Northeast Corner of Kearney Lake Road and the Bicentennial Highway

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

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The Chairman advised that Council approved a resolution at its April 15, 1987 meeting to consider this application on this date.

Mr. J. Heseltine, Development and Planning Department, with the aid of a Map outlined the application.

Mr. Heseltine advised that the matter under consideration concerns the intersection of the Bicentennial Highway and Kearney Lake Road explaining that the issue has the three following parts: the land transaction, changes to the Municipal Planning Strategy, and changes to the land use by-law. Mr. Heseltine went on to explain that the land transaction is a transaction between the Developer and the City of Halifax for lands outlined on the Map. He pointed out on the maps the lands the Developer would like to obtain from the City advising that that land is a portion of the Hemlock Ravine Park. Mr. Heseltine further described the land the Developer is offering in exchange for the land and pointed out that the Developer has offered an additional five acres to the City without increasing his request of the City.

Mr. Heseltine stated that this transaction is preliminary to changes to the Municipal Planning Strategy and changes to the generalized future land use map. Those changes were pointed out on the Map by Mr. Heseltine noting that all these changes had been discussed previously at public meetings and a number of issues have been raised. Mr. Heseltine advised that the environmental effect on the Hemlock Ravine in particular with respect to run off from the shopping centre area into the Ravine was discussed and staff was satisfied that the impacts on the Park could be mitigated through the use of the contract development mechanism. In addition, Mr. Heseltine advised that there have been reports on the need for this type of development in the area noting that this has been provided through staff reports and from reports from the developer and advised that there were no reports with respect to traffic.

In conclusion, Mr. Heseltine advised that through this process the zoning on the land will change in both cases to areas under schedules. He described that the commercial land will be under Schedule L and the residential land will be under Schedule K. It was further pointed out by Mr. Heseltine that the actual development of the site will be subject to a further process of contract development which will involve further public meetings and public hearings.

The Chairman invited the Applicant or representatives of the Applicant to make a presentation.

Mr. Peter McDonough addressed Council on behalf of the Applicant, Rocca Enterprises Limited. Mr. McDonough began by stating that this application has received a lot of publicity

and is of considerable interest both to the area residents and to the residents of Mainland North. He described that the reason for this interest is firstly due to its proximity to the Hemlock Ravine which he stated is a relatively unknown asset to the City of Halifax. Mr. McDonough went on to explain that it is also of interest historically explaining that back in 1981 there was an application for these very lands involving a shopping center of some 600,000 sq feet in size noting that the Rocca Group's application contains only 135,000 sq feet.

Mr. McDonough went on to state that his client appreciated from the very beginning that he was dealing with an extremely sensitive piece of land in this application and because of that he advised that his client requested Mr. Lydon and himself to have an open line of communication with the residents involved. Mr. McDonough indicated that they tried to meet as often as they could with the executive and members of the Ward 12 Community Association. At those meetings, Mr. McDonough advised that they outlined generally what the proposal was. He explained that this process of involving the citizens helped to identify to his client what the specific concerns they had were and Mr. McDonough indicated that his client has gone to tremendous lengths to deal with the concerns of the public.

At this point, Mr. McDonough outlined each one of the concerns as they have identified them, including: environmental impact; traffic impact; pedestrian safety; residential density; and community recreation.

At 8:00 p.m. Alderman Flynn entered the meeting.

In closing, Mr. McDonough pointed out the positive financial aspects of of this application both to the City and to the Province. He quoted from the letter of June 25 from the DPA Consulting Firm which contained the financial aspects of the project. This letter was made available to Council, a copy of which is in the official file of this meeting. Mr. McDonough pointed out an error in the report advising that, where it says "507 person years of employment", it should read "349 person years of employment".

Mr. McDonough now introduced Mr. Peter Jacobs, B.A., M. ARCH., MLA, describing his credentials in the environmental field.

Mr. Jacobs addressed Council making reference to the air photograph to explain some of the points of view he brought forward. Mr. B. Lydon pointed out on the Map as Mr. Jacobs addressed various points of explanation.

Mr. Jacobs advised that he was asked to review this development proposal by the developer to determine whether or

not the development proposal as it existed would or would not have an impact on Hemlock Ravine. Mr. Jacobs made reference to the photograph indicating that Hemlock Ravine consists of a watershed which is reasonably large noting that the interior contains a climax forest consisting of hemlock. The Metropolitan Area Planning Commission (MAPC) study, Mr. Jacobs pointed out, identified the Hemlock Ravine as being a rare piece of environment in this area and was proposed as one of about seven parks for the metropolitan region. He went on to state that the park includes a large area which can serve as recreational buffer to the area which has a fair amount of ecological interest and can't support a large visitor traffic. Mr. Jacobs advised that there should be two small pieces of property that ought to be added to the Ravine from a security point of view noting the first one consists of a small internally drained water shed adjacent to the Hemlock Ravine watershed. In addition, Mr. Jacobs explained, to fully enjoy the experience of being in Hemlock Ravine, there ought to be a visual buffer zone from the Ravine out so that you don't see development from the Ravine when you are in it and in particular is the ridge line along the Ravine.

Mr. Jacobs advised that in the case of the land exchange that is being discussed, the quality of the land in question is equal noting that the quantity is slightly higher. He went on to state that the land that is being deeded to the public is that land through which this additional piece of property ought to be added pointing out that the location of the land that is being exchanged is very much to the benefit of the public good if you define the public good as being the best protection of Hemlock Ravine and the recreational resource and the ecological source that it represents.

At this point, Mr. Jacobs read the letter which was circulated to members of Council from the Nature Conservancy of Canada dated June 30, 1987, recommending approval of the application.

Mr. Jacobs explained that there are three possible impacts on the Kearney Lake watershed. The first one being that the water run off from the site can raise the water temperature of the Lake and he stated that this can be handled by a retaining pond on site. He went on to explain that the siltation load can be increased but advised that there is little or no silt left on the site. Mr. Jacobs concluded that the pollutant loads could be the most difficult with the gasoline coming off the parking lot but advised that this could be handled through a siphoning process from the retaining pond on site. He advised that the impact of the project on the Kearney Lake watershed cannot be said to be zero but the magnitude of the impact is excessively small.

Mr. W.P. Lydon, Lydon, Lynch Architects, addressed Council stating that the site in question proposed for

development is at the intersection of Kearney Lake Road and the Bicentennial Road noting the original land area to be approximately 28 acres. Mr. Lydon made reference to the map pointing out the location of Hemlock Ravine and the parkland that is proposed as part of the land exchange noting that that land extends into the quarry. He pointed out the critical area of watershed for Hemlock Ravine, the primary growth of Hemlock, and the secondary areas of critical land.

Mr. Lydon summarized what the land exchange is by stating that it is proposed to exchange 16 acres of private lands that immediately abut Hemlock Ravine and that encompass within those 16 acres, a portion of the watershed of the Ravine plus a small portion of climax growth trees as well as the significant area of view corridor from the Ravine. Mr. Lydon described the lands by using the photographs and maps available.

Mr. Lydon clarified that the proposed 16 acres of land to be exchanged encompasses the original 18.8 acres plus an additional 5 acres that their environmental consultants suggested they add so that they could provide an immense measure of safety and protection to the Hemlock Ravine.

Mr. James Gregg, President of the Ward 12 Community Association, addressed Council stating that the Developer has responded favorably in dealing with the concerns outlined by the Community i.e. density has been reduced, the Developer has agreed to allow a representation of the Ward to monitor the construction phase. However, he stated some critical concerns that remain outstanding and probably should be solved by the City. Mr. Gregg listed the following items as outstanding: the traffic safety, the signal lights and the speed reduction, the traffic volume, the need for active recreational lands, and overall planning in the Ward.

Ms. Jean Harding, 77 Saskatoon Drive, addressed Council stating that her main concern respecting this development is the siltation and storm run off into Kearney Lake. Ms. Harding also made reference to the existence of a pipe for storm run off from the Wedgewood area that is allowing their storm run off water to run directly into Kearney Lake. She suggested Council find a remedy for this situation immediately.

Ms. Anne MacMillan, a resident of the area for 17 years, addressed Council expressing concern on behalf of the Wedgewood Park Area Planning Committee and the Executive of the Ward 12 Residents' Association in relation to traffic problems related to their children and active recreational space for their children.

Ms. Lisa Fluck addressed Council discussing the moral obligation that City Council has to preserve this Park for her generation and future generations to come. Ms. Fluck indicated

her strong opposition towards this parkland being used for a shopping mall explaining that once the land goes into a shopping center it will never be parkland again.

The Honorable Joel Matheson, Minister of Mines and Energy, addressed Council by first congratulating the Rocca Group on what he feels is an obvious desire to address the concerns of the residents of this area. Mr. Matheson also commended Council on providing an opportunity to hear their views.

Mr. Matheson went on to state that there are some concerns that he still has. He urged that Council not lose sight of the fact that there is in the Hemlock Ravine 200 acres of land that is available for the residents of this area and of the City. Mr. Matheson expressed the concern that a precedence could be set to use lands that have been given to the City for parkland as some form of exchanges in order to have developments take place. In this instance, Mr. Matheson suggested that the exchange does do benefit to the Park but did express concern to a precedent occurring stating that each individual case must be considered on its own merits.

Mr. Matheson's second concern respected traffic flow and agreed that Council has the authority to place a traffic light in this area.

Mr. Matheson's final concern was with respect to the question of Kearney Lake noting that he has fought over the years to protect that lake and to ensure that the standards and quality of that lake are maintained. He stressed the importance of putting in place some methods by which the Lake can be protected from anymore infringements noting that the Lake is now very sensitive and reaching the endangered stage.

Mr. Paul Allen, a resident of this area for 26 years and a member of the Ward 12 Community Association, addressed Council. He made reference to Kearney Lake stating that there are four or five main areas of concern. His concerns respected the appearance of the water clearness in the Lake, accumulation of road salts both organic and inorganic, falling oxygen levels in the bottom layers of the Lake water, and an increase in water temperature. Mr. Allen advised that the Ward 12 Community Association would like for the Rocca Group to determine how much the development will add to the problem or enhance the problem in Kearney Lake and take steps to ensure that the effects of the development are neutralized and that no pollution is entering Kearney Lake and that the ecology is not being disturbed. With regard to the City, Mr. Allen suggested that the City request a study from the NS Dept. of the Environment on exactly what is going on in Kearney Lake at the present time and; secondly, to develop a comprehensive development plan for the Kearney Lake watershed area.

Mr. Jim Gowan addressed Council voicing his voice of support in opposition to a commercial enterprise in this area. Mr. Gowan stated that he enjoys the Park noting that it is extremely clean, very quiet, and unpolluted by noise or garbage. Mr. Gowan expressed his concern that a commercial development in this area could contaminate this beautiful part of the City.

Mr. Gowan stated that the issue is whether there should be a commercial development in this location and not whether or not the area will support a commercial development.

Mr. Gowan also expressed concern to the increase in traffic this development would cause, but suggested that this concern and the concern for a flashing light for pedestrians are side issues. He emphasized that the main issue is development in this area with the threat of damage to the environment of the Park.

Dr. McInnis, residing at 11 Princess Lodge, addressed Council and made comments which were part of a brief he submitted to Council. Dr. McInnis indicated his objection to the proposed project and the proposed developments to the Municipal Development Plan and Land Use By-law. He provided Council with background information on the Hemlock Ravine Park which is included in Staff reports. In conclusion, Dr. McInnis commented that the wide spread opposition of the public to the development and the rejection of the proposed development by the Planning Advisory Committee together with ethical and other reasons mentioned previously and other communications to the City, provides sufficient reason in his opinion for rejecting the proposed changes for his neighbourhood.

Mr. Jack Issard addressed Council indicating his opposition to the development. Mr. Issard felt that the Park is something that should be preserved and expressed concern with regard to a precedent occurring. Mr. Issard suggested that Council protect the environment by purchasing lands that would protect the Park area.

Dr. McInnis pointed out that the advertisement states that the extra five acres of land the Developer is requesting would remain Schedule K which would mean it could be developed. Mr. W.B. Campbell advised that the proposal came as a result of environmental studies and staff provided a report to Council which stated it supported that proposal noting that that report is on file. Mr. Lydon further explained that the advertisement goes out in advance of the hearings and the additional land exchange has emerged specifically as a result of previous meetings with area residents and directors of Ward 12 and on the recommendation of the environmentalists. Mr. Lydon went on to state that the developer brought forward the commitment at previous meetings that the additional 5 acres, not previously anticipated as part of the land exchange, was to be included as part of the final contract agreement and that the use of those lands be used strictly as parklands.

The Secretary of the Ward 12 Association addressed Council once again stating that it was there understanding that the extra 5 acres would be parkland.

Ms. Eileen McCormic, Bedford, addressed Council inquiring if there has been any input from the Department of Environment or the Department of Lands and Forests. Mr. W.B. Campbell advised that the information has been provided to them to explain that the proposal is put forward; but, advised that there has been no written submission from either department. Ms. McCormic felt that the departments should make available a report to the public for their information. Ms. McCormic also expressed concern with regard to the blasting which will occur as a result of this development noting that Mr. Lydon stated at a previous meeting that there would be no blasting. Mr. Lydon indicated his previous statement related to the actual buildings themselves advising that he would not anticipate a need for blasting. Mr. Lydon advised that it was pointed out that sewer lines would require blasting and suspected that would be the case.

Mr. Matheson responded to Ms. McCormic's concerns regarding the Department of Lands and Forests and the Department of the Environment. He explained that he had been in contact with Lands and Forests to determine whether or not there was a legal right of the City to effect this swap and it was confirmed to him that the City had that right to make the swap. He advised that he then approached the Department of the Environment and requested that they do a preliminary review on what was taking place to ensure that the Hemlock Ravine was in fact not going to become susceptible to environmental damage. Mr. Matheson advised that the response he received from the departments indicated that the land swap in providing the buffer would give greater protection to the Hemlock Ravine and they suggested that there would not be a negative impact on the environment in the Park.

Mr. Walley Turner addressed Council indicating his opposition to the proposal and expressed concern with regard to the blasting which will need to take place if this development is approved. He went on to suggest that the City should determine how they plan to develop the north end of the City. Mr. Turner also expressed his objection to the small housing development with a small shopping center "plopped" on the outer edge noting that it destroys their area for the people and does not do much for the businessman who has to pay the high rent in the small shopping centers.

Mr. Jacobs addressed Council once again stating that this system of having public input is a remarkable way of getting development to improve and felt that, as people expressed concern with respect to this particular project, the development proposal actually changed.

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There were no further persons wishing to speak.

It was moved by Alderman Hamshaw, seconded by Alderman O'Malley that this item be sent to Council without recommendation.

Motion passed.

The following correspondence regarding this matter has been received:

- Correspondence dated June 28, 1987, from A.W. McCulloch, 2231 Armcrescent West, Halifax, NS, B3L 3E4;
- Correspondence dated June 30, 1987, from The Rt. Rev'd. Arthur G. Peters, Bishop of NS, Anglican Diocesan Centre, 5732 College St, Halifax, NS, B3H 1X3;
- Correspondence dated June 30, 1987, from Mr. Gerry Glazier, Executive Director, The Nature Conservancy of Canada, 794A Broadview Avenue, Toronto, Ontario, M4X 2P7;
- Correspondence dated July 6, 1987, from Susan Hobucher;
- Correspondence dated July 8, 1987, from Dr. A.G. McInnes, member of the Ward 12 Community Association Development Committee;
- Correspondence dated July 8, 1987, from Jean Harding, 77 Saskatoon Drive, Kearney Lake, Halifax, NS;
- Correspondence dated July 8, 1987, from the Ward 12 Community Association.

The meeting adjourned at 9:45 p.m.

HIS WORSHIP MAYOR RON WALLACE  
CHAIRMAN

/mmd

CITY COUNCIL  
MINUTES

11.00.01  
Council Chamber  
City Hall  
Halifax, Nova Scotia  
July 16, 1987  
8:00 p.m.

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

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

Present: His Worship Mayor Ron Wallace, Chairman; Deputy Mayor T. Jeffrey; and Aldermen Deborah Grant, Cromwell, Downey, O'Malley, Richard Grant, Walker, Leiper, Flynn and Hamshaw.

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

His Worship welcomed Mr. John Hughes to Council this evening noting that City Council had presented Mr. Hughes with the Award of Merit this evening.

His Worship further noted that Council was very pleased to hear that Maizie Walker, Alderman Walker's wife, was progressing in her convalescence.

A moment of silence was observed for the recently deceased Superintendent Ed Wilson, a retired employee of the City.

MINUTES

Alderman O'Malley addressed Council referring to the July 8, 1987 Finance and Executive Committee minutes and in particular the agenda item dealing with a permit application for 1588 Barkington Street. Alderman O'Malley noted that the minutes indicated that the reason for deferral of this matter was due to the fact that it is presently the subject of a court action. Alderman O'Malley asked if, in fact, this statement was factual.

His Worship noted that at this time Council was not considering the Finance and Executive Committee minutes but rather the July 8, 1987 Special Council minutes. His Worship noted that Alderman O'Malley would have an opportunity to discuss this matter at the next meeting of the Committee of the Whole Council.

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Minutes of the regular meeting of City Council held on June 25, 1987 and of the Special meeting of City Council held on July 8, 1987 were approved on a motion by Alderman Hamshaw, seconded by Deputy Mayor Jeffrey.

APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS & DELETIONS

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

20.1 Discontinued Bus Routes - Alderman Downey

The City Clerk further advised that he had received a request from Deputy Mayor T. Jeffrey that item 5.9, Administrative Order - Executive Assistant to Halifax City Council - SECOND READING, be deleted from the agenda, to which Council agreed.

At the request of Alderman Walker Council agreed to add:

20.2 Refugee Immigrants

At the request of Alderman Downey Council agreed to add:

10.11 Police Negotiations - Conciliators Recommendations -  
Halifax Police Department

20.3 Waterfront Development Park

Alderman Cranwell referred to the proposed deletion of 5.9 and asked why it was proposed that this matter be deleted.

Deputy Mayor Jeffrey noted that it had been agreed that Council would meet with all members present to discuss this matter. Deputy Mayor Jeffrey noted that this had not yet been accomplished and noted that once this meeting has been held the matter will come back to Council.

Deputy Mayor Ryan noted that he would not be attending the next meeting of Council and indicated that he would not like this matter to be dealt with in his absence.

MOVED by Alderman Hamshaw, seconded by Alderman Leiper that the agenda, as amended, be approved.

DEFERRED ITEMS

Peninsula North Landmark Planning Strategy - Response to  
Public Hearing of May 20, 1987

This matter was last discussed at the City Council meeting held on May 26, 1987. Supplementary staff reports dated

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June 26, 1987 and July 14, 1987 were submitted. Also submitted were two pieces of correspondence from Stephen A. Johnston, Anderson Huestis Jones, dated July 14, 1987 and July 16, 1987.

His Worship indicated that this matter was to be deleted or deferred due to the absence of Alderman Meagher at this meeting.

MOVED by Alderman O'Malley, seconded by Alderman Flynn that this matter be deferred until after Council has had its vacation break.

Motion passed.

Amendments to the Municipal Development Plan and Land Use Bylaw, Northeast Corner of Kearney Lake Road and the Bicentennial Highway

A public hearing into the matter was held on July 8, 1987. A supplementary staff report dated July 15, 1987 was submitted. The following correspondence was also submitted:

1. Correspondence between John Jozsa, CMC, Senior Consultant, DPA Management Consulting and Mr. John Rocca, Vice President, Rocca Group dated June 25, 1987.
2. Correspondence dated July 12, 1987 from Mr. James Gregg, Chairman of Ward 12 Community Association and Mr. Bob Blom, Vice Chairman of the Wedgewood Park Planning Committee in relation to the proposed amendment.
3. Correspondence dated July 13, 1987 from Aileen McCormick in relation to the proposed amendment.

Alderman Hamshaw addressed the matter indicating he felt this matter should be deferred at this time in order that staff might have an opportunity to respond to the many questions posed at the public hearing in relation to traffic, recreation lands and pollution of the Kearney Lake Road. Alderman Hamshaw further noted that although he would like all members of Council to be present when a decision is made with regard to this matter, he would like this matter to be dealt with prior to Council's vacation break.

MOVED by Alderman Hamshaw, seconded by Alderman Leiper that this matter be deferred pending receipt of a staff report addressing the concerns expressed at the Public Hearing regarding traffic, recreation facilities and pollution of Kearney Lake and further that this matter be dealt with by Council at its next regular meeting.

Alderman Leiper addressed the matter requesting that two staff reports be made available to Council prior to the discussion on this matter. Alderman Leiper indicated that she

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would like a report with regard to the impact of the speed limit reduction on the Kearney Lake Road in terms of the proposed widening of Kearney Lake Road.

Alderman Hamshaw noted that the speed limit has been reduced on the Kearney Lake Road and that signs have been erected indicating the 52 kilometer speed limit.

Alderman Leiper further requested a report regarding the ownership of the quarry lands which are involved in this particular matter.

Alderman O'Malley addressed the matter expressing the concern that the motion indicated that this matter be dealt with prior to Council's vacation break. Alderman O'Malley noted that many of the Aldermen were to be away over the next few weeks and suggested that this matter should not be dealt with until such time as Council has returned to full strength.

Alderman D. Grant addressed the matter noting that a question with regard to the legal right of the City to make a decision in relation to the park had been posed at the public hearing. Alderman D. Grant requested that staff prepare a legal opinion with regard to this matter for consideration during the discussion of this matter.

Alderman Hamshaw addressed the matter noting that he would like this matter to be considered prior to the break, however, if this was not possible so be it. Alderman Hamshaw suggested that Council make a decision in this regard at the next meeting of Council.

The City Manager addressed the matter noting that the issue before Council this evening was a plan amendment. The City Manager went on to note that the details of runoff and the development would come back before Council in a public hearing at the time the contract development is considered. The City Manager stressed the point that this matter dealt entirely with a plan amendment and noted that he questioned whether the reasons given for deferral were not of a technical nature and would appropriately be dealt with at the contract development stage.

A short discussion ensued with Mr. W. B. Campbell, Planning Department, briefly outlining the issue before Council this evening. In response to a question from Alderman Leiper regarding some confusion with the land swap, Mr. Campbell noted that the staff report of July 15, 1987 addressed this matter. Mr. Campbell further noted that the matter of the land swap and any required amendments could be dealt with subsequent to Council making a decision on the matter before them.

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A further short questioning of staff ensued with the City Solicitor indicating that if, in Council's view, there were no other impediments to dealing with this matter this evening, there was no legal impediment to the exchange of lands in question.

Alderman Hamshaw, with the agreement of the seconder, withdrew his motion to defer.

MOVED by Alderman Hamshaw, seconded by Alderman O'Malley that City Council approve the amendments to the Municipal Planning Strategy and Land Use Bylaw in relation to the Northeast Corner of Kearney Lake Road and the Bicentennial Highway as outlined in the resolution contained in Appendix I of the July 15, 1987 staff report as follows:

1. Amend the Generalized Future Land Use Map (Municipal Development Plan Map 9) and Zoning Map ZM-16 as recommended in the staff report dated November 19, 1986; and
2. Amend Policies 2.7 and 3.6 of Part II, Section II (City-Wide Objectives and Policies) of the Municipal Planning Strategy;

AND FURTHER THAT:

Upon finalization of the above amendments and the completion of the land transaction, Council refer amendments to the Generalized Future Land Use Map (Municipal Development Plan Map 9) to change the designation of lands as generally shown on Map 1 of the report dated July 15, 1987 as "Additional 5 acres +/- Parkland" from "Residential Environments" to "Major Community Open Space" and the zoning of those same lands from Schedule "K" to P (Park and Institutional to the Planning Advisory Committee and further that due to the administrative nature of these changes, and the Public Meetings and Hearings to date, a further PAC public meeting should not be required and, therefore, Council approve of securing public comment through the Public Hearing process for these changes.

The City Manager noted that inherent in this motion was the assurance that all other issues would be dealt with later in the process.

A further discussion ensued with Alderman R. Grant noting that the issues raised at the public hearing brought home his concerns with regard to the need for the City to develop a zone to provide for park land separate from lands which could be used for institutional or government purposes. Alderman R. Grant requested that staff or the Planning Advisory Committee review once more the possibility of establishing a zone, possibly referred to as a Common Land Zone, under which all parkland in the City could fall. Alderman R. Grant noted that

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this would ensure that any parkland proposed to be used for other uses such as government or institutional would have to come to a public hearing. Alderman R. Grant requested that staff review this matter with a view to developing a new zoning designation to apply to parkland within the City.

Alderman D. Grant addressed the matter and noted that although the matter of traffic light signalization did not deal specifically with this matter, the residents of the area were quite concerned in this regard. Alderman D. Grant further indicated that this evening might not be the appropriate time to take action on this matter, however, she suggested that this was a matter to which Council must give serious consideration in the near future. Alderman D. Grant went on to note that the City Manager had indicated that all other matters would be addressed later in the process and asked if it was intended that this matter would be addressed at that time.

The City Manager indicated that certain of the issues would be addressed through staff reports while others would be addressed in the development agreement.

Alderman D. Grant went on to note that there appeared to be some staff opposition to the establishment of signalized traffic lights and asked what action would be required by Council to ensure these were installed for the safety of the residents in the area.

In response the Manager indicated once more that these matters would be addressed either in a staff report or the development agreement. The City Manager further noted that any decision in relation to signalized traffic lights would be made by the Traffic Authority and not by Council. The City Manager further advised that the Traffic Authority has indicated that signalized traffic lights are not warranted at this time.

Alderman D. Grant then referred to monies which are available for recreation lands in Ward 12 and noted that she was unclear as to how these monies were to be allocated and what action would be necessary to provide these recreational lands. Alderman D. Grant if any action was being carried out in this regard at this time or, if there was a staff report forthcoming on this matter.

Alderman Hamshaw indicated that he proposed to pose a question during the question period with regard to the possibility of obtaining land in the area for recreation purposes. Alderman Hamshaw noted that he felt the answer to this question would respond to Alderman D. Grant's question.

Alderman D. Grant then referred to the advantages of the land swap outlined at the public hearing in terms of protection of the park. Alderman D. Grant noted that discussion at the public hearing had identified another block of land which

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was available for purchase and would be beneficial to acquire in terms of the environmental health of the park. Alderman D. Grant asked if staff had reviewed that land and the possibility of purchasing of that land as it was important to the preservation of the park. Alderman D. Grant asked if this was being addressed or could it be addressed.

The City Manager indicated that to date no investigation of the matter had been undertaken.

Alderman D. Grant requested that this matter be addressed immediately and that a staff report be forthcoming.

A further short discussion ensued and the Motion was put and passed.

#### UNSM Resolution

This matter was deferred to this meeting from the Special meeting of City Council held on July 8, 1987.

MOVED by Alderman Leiper, seconded by Alderman Walker  
that Council approve the following resolution:

WHEREAS the grain elevators in the Port of Halifax represent a needed link in the Nova Scotian economy; and

WHEREAS the Canadian Wheat Board imposes an outdated \$2.88 per ton surcharge on grain shipped through Halifax; and

WHEREAS this surcharge has the effect of causing the elevators to operate at only 25 percent of their potential capacity,

BE IT RESOLVED THAT the Union of Nova Scotia Municipalities urge the Provincial Government to call upon the Canadian Wheat Board to eliminate its obsolete and discriminatory surcharge on grain through Halifax.

Motion passed.

Tender 87-12 - New Sidewalk - Barrington Street -  
Doyle Street - Flamingo Drive

This matter was deferred to this meeting from the Special meeting of City Council held on July 8, 1987.

MOVED by Alderman Downey, seconded by Alderman Hamshaw  
that:

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1. Item #1 of Tender #87-12 (New Sidewalk - Barrington Street (W) Cogswell Street North) be awarded to Armdale Construction for a bid price of \$6,450.00 and a total project cost of \$8,000.00;
2. Items #2 and #3 of Tender #87-12 (Item #2 - New Sidewalk - Doyle Street (S) Queen to Brunswick; and Item #3 - Flamingo Drive (W) Dipper to Existing be awarded to G. & R. Kelly for the respective bid prices of \$19,150.25 and \$46,687.75, and for total project costs of \$23,000.00 and \$56,000.00 respectively;
3. funding to be authorized from Account Numbers CA004, CA007 and CA008; and
4. funding transfers to be approved as follows:  
Transfer from CA007 to CA008 - \$16,000.00

Motion passed.

Tender 87-14 - New Sidewalks

This matter was deferred to this meeting from the Special meeting of Council held on July 8, 1987.

MOVED by Alderman Walker, seconded by Alderman Leiper  
that:

1. Item #1 of Tender #87-14 (New Sidewalk - Oxford Street) be awarded to Armdale Construction Ltd. for a bid price of \$9,255.00 and a total project cost of \$12,000.00;
2. Items #2 and #3 of Tender #87-14 (Item #2 - New Sidewalk - Adelaide Avenue, and Item #3 New Sidewalk - Ford Street) be awarded to G & R Kelly for the respective bid prices of \$15,075.00 and \$10,216.25, and for total projects costs of \$19,000.00 and \$13,000.00 respectively; and
3. funding to be authorized from Account Numbers CA015, CA003, and CA009.

Motion passed.

Tender 87-15 - Sidewalk Renewals

This matter was deferred to this meeting from the Special meeting of City Council held on July 8, 1987.

MOVED by Alderman Flynn, seconded by Alderman Leiper  
that:

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1. Tender #87-15 for sidewalk renewals, as follows, be awarded to Duron Atlantic Limited for a bid price of \$69,302.00, and a total project cost of \$84,000.00:
  - 1(a) Harbourview Drive (S) - Tower Road to Young Avenue
  - 1(b) Atlantic Street (S) - Bridges Street to Young Street; and
- 2) that the following sidewalk renewals be awarded to Duron Atlantic Limited for a bid price of \$123,644.00 and a total project cost of \$149,000:
  - 2(a) South Park Street (E) - Morris Street to South Street
  - 2(b) South Park Street (W) - Morris Street to South Street
  - 2(c) University Avenue (S) - Henry Street to Edward Street
  - 2(d) Henry Street (W) - University Avenue to South Street; and
2. funding to be authorized from Account Numbers: CB168, CB143, CB221, CB222, CB231, and CB169.

Motion passed.

Tender 87-16 - Sidewalk Renewals

This matter was deferred to this meeting from the Special Council meeting held on July 8, 1987.

MOVED by Alderman Crosswell, seconded by Alderman D. Grant that:

1. Item #1 of Tender #87-16 (Sidewalk Renewal - Sackville Street (S) - Granville - Barrington) be awarded to Duron Atlantic Ltd. for a bid price of \$7,548.00 and a total project cost of \$10,000;
2. Items #2 and #3 of Tender #87-16 (Item #2 - Sidewalk Renewal - Ahern Avenue (E) - Bell - Rainnie Drive; Sidewalk Renewal - Summer Street (W) - Jubilee - CBC Driveway; and Item #3 - Sidewalk Renewal - Bell Road (W) - Summer - Sea Cadet Building) be awarded to Armdale Construction Ltd. for the respective bid prices of \$100,042.00 and \$53,112.00, and for total project costs of \$121,000 and \$64,000, respectively; and

3. funding to be authorized from Account Numbers CB216, CB146, CB142, and CB229.

Motion passed.

Tender 87-20 - Sidewalk Renewals

This matter was deferred to this meeting from the Special Council meeting held on July 8, 1987.

MOVED by Alderman Flynn, seconded by Alderman Leiper  
that:

1. Tender #87-20, as follows, be awarded to G & R Kelly Ltd. for a bid price of \$188,944.00 and a total project cost of \$227,880.00:
    - 1(a) Oxford Street (W) - Almon to Berlin
    - (b) Oxford Street (E) - Berlin to Almon
    - (c) Liverpool Street (S) - Connolly to Connaught
  - 2(a) Leppert Street (S) - Mumford to Phillip
  - (b) Westmount Street (E) - Flynn to Chebucto
  - (c) Westmount Street (W) - Flynn to Chebucto
  - (d) MacDonald Street (E) - Churchill to Quinpool
2. funding to be authorized from Account Numbers CB191, CB193, CB182, CB181, CB238, CB239, and CB184

Alderman Flynn referred to the sidewalk tenders awarded this evening and requested that staff come forward with a report outlining when work will start on these projects and the estimated date of completion.

Motion passed.

Administrative Order - Executive Assistant to Halifax City  
Council - SECOND READING

This matter was deleted from the agenda during the setting of the agenda.

PETITIONS AND DELEGATIONS

Petition Alderman M. Leiper re: Residents of Briarwood Crescent  
Requesting Closure of Briarwood Crescent

Alderman Leiper presented a petition on behalf of the residents of Briarwood Crescent requesting the closure of Briarwood Crescent at one end. Alderman Leiper noted that Briarwood Crescent presently formed a connection between Lacewood and Bayview and, therefore, was a throughway between these two streets. Alderman Leiper indicated that the residents

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of Briarwood Crescent wished to have the street closed at one end, making the street a dead end street, in order that this through traffic would be eliminated. Alderman Leiper requested a report regarding the possible closure of Briarwood Crescent at one end.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee meeting held on July 8, 1987, as follows:

Presentation: Thorne, Ernst & Whinney Re: White Paper on Taxation Reform

This matter was forwarded to Council without recommendation.

The following is the recommendation of the Finance and Executive Committee:

- (1) The matter of the Thorne, Ernst & Whinney presentation on Taxation refer was forwarded with recommendation to City Council.
- (2) That the Transportation Committee be called together to immediately review the rates charged for the personal use of vehicles on City business.

MOVED by Alderman O'Malley, seconded by Alderman R. Grant that a letter go forward outlining Council's concern with regard to the implications of the new tax reform program on municipalities, most particularly in relation to the taxation of services and further that Council receive quantifiable and concrete information as soon as it is available in relation to taxation as it applies to the sale of the lands such as Industrial Park Lands and whether or not these will become taxable under the proposed reformation of the tax structure.

Motion passed.

Naming of New Lane - North News Housing Cooperative

MOVED by Alderman Downey, seconded by Alderman Walker that, as recommended by the Finance and Executive Committee, the lane (indicated on the sketch attached to the June 15, 1987 staff report) running eastwardly off Brunswick Street between North Street and Artz Street be named "Hamilton Lane" (Council's decision to name this lane in no way implies its acceptance as an official City street).

Alderman R. Grant addressed the matter indicating that although he had no objection to the naming of the street as Hamilton Lane, he felt that Council's action in naming the street implied some commitment in relation to the provision of

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MOVED by Alderman O'Malley, seconded by Alderman R. Grant that a letter go forward outlining Council's concern with regard to the implications of the new tax reform program on municipalities, most particularly in relation to the taxation of services and further that Council receive quantifiable and concrete information as soon as it is available in relation to taxation as it applies to the sale of the lands such as Industrial Park Lands and whether or not these will become taxable under the proposed reformation of the tax structure.

Motion passed.

Naming of New Lane - North Mews Housing Cooperative

MOVED by Alderman Downey, seconded by Alderman Walker that, as recommended by the Finance and Executive Committee, the lane (indicated on the sketch attached to the June 15, 1987 staff report) running eastwardly off Brunswick Street between North Street and Artz Street be named "Hamilton Lane" (Council's decision to name this lane in no way implies its acceptance as an official City street).

Alderman R. Grant addressed the matter indicating that although he had no objection to the naming of the street as Hamilton Lane, he felt that Council's action in naming the street implied some commitment in relation to the provision of

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services such as snow clearing, garbage, etc. Alderman R. Grant indicated that he had a great deal of difficulty with the policy the City had in naming streets but not accepting them as official City streets. Alderman R. Grant noted that once streets have been named they go on City street maps and then people assume they are official city streets. Alderman R. Grant noted that the individuals living on this street will believe they are living on a city street and ask why they are not entitled to the same privileges as other residents of the City in terms of service delivery.

A discussion ensued with Alderman Flynn noting that he agreed totally with Alderman R. Grant's comments and concerns. Alderman Flynn noted that perhaps the City's requirements for streets were too stringent for the land use involved in many of these cases. Alderman Flynn indicated that Council should be reviewing each situation of this type which comes before it and determining whether or not they are going to accept the street as a City street. Alderman Flynn noted that in cases where the street is not to be accepted and once it has been determined that the street name is not within use throughout the City, the developer should be permitted to name the street anything he wishes.

The City Manager addressed the matter suggesting that once a street has been named regardless of whether or not Council has approved the naming residents living on the street will assume that it is a city street. The City Manager noted that the present process allows for the recognition of these streets in terms of postal and fire service. The City Manager suggested that the crux of the matter was the existence of private streets within the City.

The City Solicitor advised that the policy of allowing private streets had only recently been established by a previous Council and noted that at one time no private streets were permitted in the City.

Alderman Walker requested a staff report relating to the proposition that the City revert to its previous policy of not permitting private streets which are not constructed to City standards.

Alderman Flynn addressed the matter once again suggesting that this matter be deferred at this time. Alderman Flynn noted that there was no urgency to name this street as the development would not be completed for some 6-8 months. Alderman Flynn suggested that staff should review this matter to determine whether or not the City's standards were too stringent in terms of development on these enclosed blocks of land. Alderman Flynn further noted that the review should address exactly what responsibility the City has to these private landowners as they are taxpayers. Alderman Flynn indicated that the City's policy with regard to the provision of services such as snow clearing, garbage, fire, etc. should also be determined.

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A further discussion ensued with Alderman Flynn pointing out that Central Mortgage and Housing was to some degree responsible for these situations. Alderman Flynn noted that CMHC encouraged more land occupancy rather than dedicating land to roadways and walkways. Alderman Flynn noted that Council should be sending a message to CMHC that their policies were causing the City difficulties.

His Worship noted that a response could be made to all these questions and that this matter need not be deferred pending this response.

Alderman O'Malley addressed the matter and asked whether Council had any right or obligation to name these streets. Alderman O'Malley went on to suggest that when requests of this nature come to the City, Council need never be involved. Alderman O'Malley noted that City staff could, after ascertaining that the proposed name is not in use, grant permission for the naming of the street and thereby provide the necessary recognition for fire and postal service. Alderman O'Malley suggested that the formal endorsement by Council signified some commitment on behalf of the City.

A further discussion and questioning of staff ensued and the Motion was put and passed.

Report - Lakes and Waterways Advisory Committee: Proposed  
Paving (Atlantic Winter Fair Site)

MOVED by Alderman R. Grant, seconded by Alderman Flynn that, as recommended by the Finance and Executive Committee, City Council approach the appropriate persons (including the Province of Nova Scotia, the County of Halifax, the management of the Atlantic Winter Fair, and any special groups which may be involved) expressing concern with regard to the impact of such an action on the watershed of Long Lake, and requesting that should this proposal be approved, the appropriate persons work with the City to ensure that the impact on the downstream systems is minimal; and further that the Provincial Departments of Environment, Lands and Forests and Transportation and the Member of the Legislative Assembly for the area be forwarded a copy of this recommendation.

Motion passed.

Appointment - New City Auditor General

MOVED by Alderman O'Malley, seconded by Alderman R. Grant that, as recommended by the Finance and Executive Committee, the Audit Committee be requested to engage a competent agent to conduct a search for candidates for the position of auditor general for the City of Halifax; and further, that a recommendation be subsequently be submitted to City Council containing a short list of five and a prime

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recommendation with second and third options included and the target date for submission of such a report being to the Committee of the Whole Council to be held on October 21, 1987.

Motion passed.

Purchase of Walkway and Easement: 62 Rockingstone Road

MOVED by Alderman R. Grant, seconded by Alderman Walker that, as recommended by the Finance and Executive Committee, Lot B-1A, Parcel C and an easement over a portion of Lot B-1B be purchased from the Estate of John A. Kidston for \$60,000, the lands of Lot B-1A to be used for passive recreation purposes and no other (except placement and maintenance of a sewer) for a period of 40 years; funds are available in the Recreation Reserve Account.

Motion passed.

Purchase - Parcel A: 712-756 Herring Cove Road

MOVED by Alderman R. Grant, seconded by Alderman Walker that, as recommended by the Finance and Executive Committee, the lands of MacIntosh Estates Limited Partnership, known as Parcel 'A', Plan P200/15874, be purchased for \$10,000, as settlement in full; funds are available in Account #CX019 (Sundry Land Acquisition).

Motion passed.

Torch on Cenotaph

A staff report dated July 14, 1987 was submitted.

Following is the recommendation of the Committee of the Whole Council:

Council suggest to the Library Board that it take steps to restore the two books of remembrance presently located in the City Archives (Halifax Memorial Library), one dated 1914-1918 from the First World War and the other dated 1939-1945 from the Second World War; and further, that a recommendation be made that appropriate funding be made available from the City's heritage reserve fund.

Alderman Walker addressed the matter referring to his request to have the torch on the cenotaph replaced and noted that he was surprised that the Heritage Advisory Committee had not seen fit to recommend that this torch be replaced. Alderman Walker noted that although he understood that this torch was merely a war bonds promotion, he felt this was a piece of the history of Halifax and was worthy of replacement. Alderman Walker further thanked city staff for the recent clean-up of the top of the cenotaph.

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Alderman Leiper referred to the July 14, 1987 staff report noting that the report indicates that the use of the Heritage Reserve Fund is not possible in this instance and it was MOVED by Alderman Walker, seconded by Alderman Leiper that the Library Board be asked to determine the cost of restoring the Books of Remembrance and if the cost cannot be borne from regular operating accounts, that a Special Item be included in the 1988 Current Budget.

Alderman Flynn addressed the matter asking if the intent of the motion was that the Library Board carry out a costing of the restoration and bring back a report to Council. Alderman Flynn noted that funds for this restoration were not included in the 1987 Library Budget and Council might wish to make the necessary appropriation in 1987 and approve an over expenditure for this purpose.

His Worship noted that if the Library Board finds difficulty in covering the restoration, it is to be brought back and included as a Special Item in the 1988 budget.

Alderman Walker addressed the matter requesting that staff come forward with a report regarding the possibility of erecting some sort of protection, either a fence or chaining off of the cenotaph, around the cenotaph.

A further discussion ensued and the motion was put and PASSED.

Permit Application 25270 - Demolition: 1588 Barrington Street

MOVED by Alderman Hanshaw, seconded by Alderman Leiper that, as recommended by the Finance and Executive Committee, further discussion on this item be deferred.

Motion passed.

Permit Application 25271: Demolition - 1588 Barrington Street

Following is the recommendation of the Finance and Executive Committee:

"That further discussion on this item be deferred."

Alderman O'Malley addressed the matter indicating that this was the matter he had referred to in relation to the Finance and Executive Committee minutes. Alderman O'Malley went on to note that the minutes indicated that this matter was deferred due to the fact that it was presently the subject of a court case. Alderman O'Malley asked if, in fact, whether or not this statement was factual and if this particular building had ever appeared in a court action.

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The City Solicitor indicated that this particular building has not appeared in a court action recently.

Alderman O'Malley asked if there was a judgement pending before the courts which would make it imperative that this matter be deferred at this time.

The City Solicitor indicated that a deferral would be desirable explaining that a building permit application had been made which inextricably linked 1588-1588 in the proposed development. The City Solicitor went on to note that the previous matter dealt with an application to demolish an historic building and by virtue of the building permit application these two buildings were involved. The City Solicitor indicated that he did not see how 1588 Barrington Street could be dealt with in a vacuum and noted that the demolition was inconsistent with the development proposal for 1588-1588, with 1588 being the subject of a court case.

Alderman O'Malley asked if the development permit had been withdrawn or whether in light of the application to demolish it was still a valid permit.

The City Solicitor indicated that this was a difficult legal question. He noted that an application for a building permit had been made and plans had been submitted. The City Solicitor went on to note that this application has not been withdrawn by the applicant. The City Solicitor went on to note that the demolition permit is inconsistent with the building permit application. The City Solicitor noted that upon questioning by staff regarding whether the demolition permit superseded the building permit, the applicant had indicated that he was merely acquiring as many rights as possible and taking advantage of all his options.

The City Solicitor further indicated that he was not prepared this evening to respond to whether or not the application for a demolition permit nullified the building permit application.

Alderman O'Malley went on to suggest that there would be no reason for Council to not deal with the matter if an application for withdrawal of the development permit was submitted and the demolition permit was allowed to stand. Alderman O'Malley asked whether Council could deal with it at that time noting that 1588 would no longer be inextricably linked to 1588 Barrington Street through a development proposal.

The City Solicitor indicated that he would like an opportunity to reflect on this matter, however, he felt that should such a situation occur he would still suggest that deferral of the matter was the better course to take.

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Alderman O'Malley addressed the matter indicating that in the interest of ensuring justice he would like a written report from the Legal Department as to whether this matter should be deferred on the basis that it is implicated by virtue of a building permit application with the preceding matter, 1588 Barrington Street. Alderman O'Malley requested that the matter remain on the agenda until such time as this report is forthcoming. Alderman O'Malley further noted that such a report would clarify the July 8, 1987 Finance and Executive Committee minutes to which he previously referred and suggested that this aspect of the matter could be dealt with at the next meeting of the Committee of the Whole Council.

The City Solicitor addressed the matter indicating that he would have no hesitation in advising that to deal with the matter of the demolition permit for 1588 Barrington Street would have implications to the case before the court regarding 1588 Barrington Street. The City Solicitor indicated that he would recommend that Council not deal with this matter at this time. The City Solicitor went on to note that Council not dealing with this matter at this time would in no way prejudice the applicant as the one year waiting period involved in the demolition of historic buildings began with the date of application rather than the date Council considers and decides upon the matter.

MOVED by Alderman O'Malley, seconded by Alderman Flynn  
that this matter be deferred pending receipt of a written report from the legal department outlining the entire scenario of this matter and further that this matter remain on the agenda until such time as this report is forthcoming.

Motion passed.

Construction of Four Units - 2020 Maynard Street: Housing  
Demonstration Project (Tender #87-92)

Following is the recommendation of the Finance and Executive Committee:

staff undertake negotiations with the lowest bidder to ascertain if he can meet the suggested project price of \$225,000.

A staff report dated July 13, 1987 was submitted.

MOVED by Alderman Downey, seconded by Alderman D. Grant  
that Council award the contract for construction of 4 units of housing at 2020 Maynard Street, under the Housing Demonstration Project, to Ecos Construction as the lowest responsible bid and that a construction budget of \$235,000 plus a 5% contingency be set for this project.

Motion passed.

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Police Negotiations - Conciliators Recommendations -  
Halifax Police Department

This matter was added to the agenda at the request of Alderman Downey.

MOVED by Alderman Flynn, seconded by Alderman Crowell that Halifax City Council accept the recommendations of the conciliators in relation to the Halifax Police Department negotiations as found in the confidential report dated July 18, 1987.

Motion passed.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on July 8, 1987, as follows:

Local Improvement Project - Cross Street

This matter was forwarded to Council without recommendation.

Deputy Mayor Jeffrey addressed the matter noting that he was aware that a petition had been submitted against this local improvement project. Deputy Mayor Jeffrey further noted that the majority of residents on this street were senior citizens. Deputy Mayor Jeffrey indicated that he would like this matter deferred to the next meeting of the Committee of the Whole Council in order that he might meet with the residents to discuss the possibility of having some asphalt street resurfacing done on the street.

MOVED by Deputy Mayor Jeffrey, seconded by Alderman Flynn that this matter be deferred to the next meeting of the Committee of the Whole Council in order that Deputy Mayor Jeffrey might meet with the residents to discuss the possibility of having some asphalt street resurfacing done on the street.

Motion passed.

Little Fox Lane Bridge Rehabilitation

MOVED by Alderman Harshaw, seconded by Alderman Flynn that, as recommended by the Finance and Executive Committee, Council approve the following:

1. Project Little Fox Lane Bridge Rehabilitation be included in the 1987 Capital Budget under Account Number CJ887; and
2. transfer \$48,888 from Capital Account Number CJ889 (Traffic Improvements - Old Sambro Road) to CJ887 (Little Fox Lane Bridge Improvements).

Motion passed.

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City Hall Renovations Committee

During the July 8 meeting of the Committee on Works, Alderman O'Malley, Council's representative on the City Hall Renovations Committee, indicated that he had recently attended a meeting of that Committee and hoped to have a written summary of that meeting's deliberations available for members of Council prior to their July 16 Council meeting.

Alderman O'Malley submitted a report dated July 16, 1987 and requested that this report be distributed to members of Council. Alderman O'Malley further requested that the matter be placed on the agenda of the upcoming Committee of the Whole Council for discussion.

Deputy Mayor Jeffrey addressed the matter noting that a report from the Acting City Auditor General would in all likelihood be distributed to Council within the next week.

Parking - Grand Parade

MOVED BY Alderman Crowell, seconded by Alderman Flynn that, as recommended by the Safety Committee, parking in the Grand Parade be prohibited between the hours of 11:00 a.m. to 2:00 p.m., Monday to Friday, during the months of July and August, 1987, providing an alternate location for parking is supplied.

Alderman R. Grant addressed the matter noting that a great deal of debate had been held with regard to this matter. Alderman R. Grant noted that he did not disagree with events being held in the Grand Parade, however, he did disagree with Council being asked to give up their parking after the fact. Alderman R. Grant noted that the submission to the Tax and Grants Committee in relation to events in the Grand Parade had been made some time ago and suggested that Council should have been approached at this time with regard to parking.

Alderman R. Grant noted that parking in the Grand Parade has caused a number of difficulties for both aldermen and citizens alike and noted that he did not feel that it was being properly utilized for events for residents and visitors to the City. Alderman R. Grant referred to his past request regarding the establishment of an Events Committee which would co-ordinate and oversee all events within the City. Alderman R. Grant noted that this would provide Council with the appropriate information before the fact.

Alderman R. Grant went on to indicate that he had read the Grand Parade parking regulations, however, he noted that he did not know when they were approved by Council and requested that this information be made available. Alderman R. Grant noted that he felt more events should be held in the Grand Parade and suggested a bandstand similar to the one found in the Public Gardens should be established in the Grand Parade to provide an appropriate staging for events.

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Alderman R. Grant went on to ask where the police vehicles parked at the time this building was in use as the police department. Alderman R. Grant further noted that the proposal was to eliminate parking between 11:00 a.m. and 2:00 p.m. in the Grand Parade and indicated that he had noticed that most entertainers did not begin to set up before 11:45 and were usually gone from the Grand Parade by 1:30 p.m. Alderman R. Grant suggested that it would be more reasonable to have a 2 hour parking ban rather than the 3 hour ban suggested.

Deputy Mayor Jeffrey addressed the matter indicating that he would not be supporting the motion. Deputy Mayor Jeffrey went on to note that he had received a number of calls as a result of last week's debate with regard to what residents in his area consider to be a poor use of city funds. Deputy Mayor Jeffrey noted that alternate parking at Scotia Square could become quite expensive and residents in his area felt the City could make better use of their tax dollars.

The motion was put and passed.

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on Wednesday, July 8, 1987, as follows:

Rezoning and Modification of Lot Frontage - Lot M,  
Vimy Avenue (SET DATE FOR PUBLIC HEARING)

MOVED by Alderman Leiper, seconded by Alderman Hamshaw  
that, as recommended by the City Planning Committee, a public hearing be scheduled to consider the rezoning of Lot "M," Vimy Avenue, from R-27 to R-100, and lot frontage modification, as shown on Plan Nos. P288/15865 and P288/15869-72 of Case No. 5323.

In making this motion, Alderman Leiper reiterated her request made during the July 8 meeting of the City Planning Committee via a YIA staff comment on the impact of the proposed rezoning on the Titus Smith Memorial Park.

The motion was put and passed.

The City Clerk advised that the requested public hearing would be scheduled for WEDNESDAY, SEPTEMBER 23, 1987 at 7:30 p.m. in the Gymnasium of the Joseph Howe School, 2557 Maynard Street, Halifax.

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Minor Variance - 2569 Oxford Street

This matter was forwarded without recommendation from the July 8 meeting of the City Planning Committee, pending receipt of a staff report.

Alderman R. Grant indicated that staff had advised that a report on this matter would be submitted shortly and, in Alderman Meagher's absence, MOVED, seconded by Alderman Walker that the matter be deferred to the next regular meeting of Halifax City Council scheduled for Thursday, July 30, 1987.

The motion to defer was put and passed.

Discharge of Contract - Development Agreement:  
5486-5494 Spring Garden Road

MOVED by Alderman Downey, seconded by Alderman D. Grant that, as recommended by the City Planning Committee, City Council discharge the contract development agreement (with regard to 5486-5494 Spring Garden Road) dated November 28, 1978 and registered at the Registry of Deeds in Book 3286 at Pages 188-184, and also discharge the amendment to that agreement executed August 14, 1979 and registered in the Registry of Deeds in Book 3348 at Pages 461-463.

Motion passed.

Gainsborough Place - Phase II (Prison Lands Project)

MOVED by Alderman O'Malley, seconded by Alderman R. Grant that, as recommended by the City Planning Committee, the Development Agreement between the City and Gainsborough Developments Limited not be amended, and that the request to allow the construction of two seven-storey apartment buildings, as shown on Attachment "A" of the June 5, 1987 staff report, be denied.

In making this motion, Alderman O'Malley referred to his comments made during the July 8 meeting of the City Planning Committee, indicating that, in his opinion, approval of the request for two seven-storey apartment buildings would be contrary to the wishes of area residents. He added, however, that he would encourage the Gainsborough Place developers to submit other requests for revisions to their development agreement with the City, providing those changes maintained the 60 foot (six-storey) maximum height previously approved by Council.

The motion was put and passed.

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Amendment to the Municipal Development Plan:  
Neighbourhood Shopping Facilities

A supplementary staff report, dated July 15, 1987, was submitted.

MOVED by Alderman Cromwell, seconded by Alderman Flynn that, as recommended by the City Planning Committee, a public hearing date be scheduled during the month of September, 1987 to consider the matter of an amendment to the Municipal Development Plan with regard to neighbourhood shopping facilities.

In making this motion, Alderman Cromwell referred to the supplementary staff report of July 15, 1987, clarifying that Option "B," as follows, is intended to be the subject of the proposed public hearing:

Amend the Plan to add a policy to enable control by development agreement for this particular lot (6247 Jubilee Road), or for all existing PC-1 pharmacies, to permit expansion to 1400 square feet, and waiver of the Land Use Bylaw lot requirements.

Alderman Cromwell noted that he would be meeting with staff concerning the preparation of the newspaper advertisement for this public hearing, and would ensure that the text of that advertisement is brought back to Council at its next regular meeting scheduled for Thursday, July 30, 1987 for ratification purposes.

Motion passed with Alderman D. Grant voting against.

The City Clerk advised that the requested public hearing would be scheduled for WEDNESDAY, SEPTEMBER 23, 1987 at 7:30 p.m. in the Gymnasium of the Joseph Howe School, 2557 Maynard Street, Halifax.

Rezoning Application - PSC Parcel 18-A: Rear of 134 St.  
Margaret's Bay Road from W (Watershed) to I-1 (Industrial)  
- SET DATE FOR PUBLIC HEARING

MOVED by Alderman Walker, seconded by Alderman R. Grant that, as recommended by the City Planning Committee, Council set the date for a public hearing to consider rezoning the property identified as Parcel PSC 18-A to Industrial (I-1), as shown on Plan No. 2200/18703 of Case No. 5284.

Motion passed.

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The City Clerk advised that the requested public hearing would be scheduled for WEDNESDAY, SEPTEMBER 23, 1987 at 7:30 p.m. in the Gymnasium of the Joseph Howe School, 2557 Maynard Street, Halifax.

Mainland North Traffic

MOVED by Alderman Leiper, seconded by Alderman Cromwell  
that:

- 1) a staff report be prepared (prior to the next regular meeting of Committee of the Whole Council if at all possible) regarding the feasibility of installing on Dunbrack Street signs advising "No Left Turn Between the Hours of 7-9 A.M." with no turns whatever being allowed at Lacewood Drive;
- 2) a redistribution of the staff report concerning the widening of Dutch Village Road to Howe Avenue for further discussion by Council;
- 3) a letter be written on behalf of Halifax City Council by His Worship the Mayor to the Provincial Minister of Transportation asking that a study be undertaken regarding the feasibility of closing the Kearney Lake Road exit from the Bicentennial Highway during the hours of 7:00-9:00 a.m.;
- 4) a staff report on the feasibility of installing a collector roadway between Lacewood Drive and the Bedford Highway; and
- 5) staff prepare a report on the status of the study to investigate the widening of the Bedford Highway for distribution to members of Council.
- 6) a letter be forwarded to the Province on behalf of Halifax City Council requesting that a meeting be scheduled with representatives of the Provincial Department of Transportation, the Provincial Traffic Authority, the various Halifax MLA's, Halifax City Council, and appropriate City staff to discuss the possibility of cost-sharing with regard to other major traffic improvements proposed for the City.

Alderman R. Grant made reference to a report pertaining to the Metropolitan Transportation Study published some two years ago by the Province, noting that while the report had been tabled by Council, its contents (in terms of its implications for the City of Halifax) had never been deliberated. The Alderman suggested that the report be recirculated and its contents discussed prior to the meeting with the Province proposed by Alderman Leiper.

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Alderman Leiper emphasized that she would prefer not to have the proposed meeting delayed by Council's deliberations of the Metropolitan Transportation Study, adding that she would appreciate meeting arrangements being made for the month of September.

Alderman O'Malley referred to his request made during the July 8 City Planning Committee meeting, asking that staff submit a report outlining the responsibilities of both the Provincial and City Traffic Authorities, with particular reference to the Dunbrack Street situation as a main artery.

The motion was put and passed.

#### MOTIONS

Motion Alderman Dewell Re: Amendment to Ordinance 116,  
the Taxi Ordinance (Insurance Requirements) - FIRST READING

A Notice of Motion regarding this matter was given during a regular meeting of Halifax City Council held on Thursday, June 25, 1987.

MOVED by Deputy Mayor Jeffrey, seconded by Alderman Flynn that the following amendment be made to Section 15 of Ordinance 116, the Taxi Ordinance:

15(1) The owner of a vehicle used as transportation for hire shall maintain insurance coverage for public liability, passenger hazard, and property damage in the amount of \$1,000,000.00 for use of the vehicle as a taxi without any limit on any particular claim regardless of the number of persons involved or the nature of the claim, a copy of which shall be deposited with the Chief of Police prior to the issuance of a license therefor.

15(2) The operator of a vehicle licensed hereunder shall, upon demand of a peace officer, produce proof that the vehicle is insured in the amount and as required by subsection (1).

The motion was put and passed.

Motion Alderman Cromwell Re: Amendment to Ordinance 180,  
the Streets Ordinance (Street Vendors) - FIRST READING

A Notice of Motion regarding this matter was given during a regular meeting of Halifax City Council held on Thursday, June 25, 1987.

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A staff report, dated July 18, 1987, was submitted from the City Solicitor.

MOVED by Alderman Crowwell, seconded by Alderman Flynn that Council give First Reading to the amendments proposed to Ordinance 188, the Streets Ordinance (with reference to street vendors), as included on Schedule "A" attached to the staff report dated July 18, 1987.

In making this motion, Alderman Crowwell drew Council's attention to two typographical errors on the covering page of the July 18 report, indicating that, with reference to sections (4) and (5), the hours indicated therein should be changed to read (in both instances) ". . . between the hours of 3:00 a.m. and 9:00 a.m."

Motion passed.

#### MISCELLANEOUS BUSINESS

##### Appointments

A report, dated July 16, 1987, was submitted from His Worship Mayor Wallace.

MOVED by Deputy Mayor Jeffrey, seconded by Alderman Walker that Mrs. Clara Cosper and Ms. Jenny Orlando be reappointed to the Board of Health for terms to expire on July 16, 1988.

Motion passed.

##### Lot C-2, Corner of Brunswick and Cornwallis Streets: Apex Development Limited - Assignment of Agreement

A staff report, dated July 18, 1987, was submitted from the City Solicitor.

MOVED by Alderman Downey, seconded by Alderman Leiper that the Mayor and City Clerk be authorized to sign an assignment of development agreement between Apex Development Limited, Akins Court Limited and the City of Halifax whereby any and all interest of Apex Development Limited in the development known as the Akins Cottage property at 2151 Cornwallis Street and Parcel C-2 in respect of low-rise residential development be permitted.

Motion passed.

9:58 p.m. - The meeting was adjourned for a brief recess.

10:00 p.m. - The meeting reconvened with the same members being present.

QUESTIONS

Question Alderman Hamshaw Re: Possible Land Acquisition -  
Kearney Lake Road

Alderman Hamshaw requested that staff of the City's Real Estate Division investigate the cost of acquiring the land on the southeast corner of the Kearney Lake Road and the Bicentennial Highway (behind the Petrofina Station) and submit a report which would also contain comments as to whether this land parcel could be used for recreational purposes.

Question Alderman Hamshaw Re: Pollution - Mount Saint  
Vincent University

Alderman Hamshaw brought to Council's attention a recent problem resulting from soot being expelled from stacks located on the Mount Saint Vincent University Campus. The Alderman noted that this had caused considerable concern among the residents of Melody Drive and the general Bridgeview area, and asked that staff be requested to discuss the matter with University representatives with a view to preventing further incidents of this nature.

Question Alderman Hamshaw Re: Truck Traffic  
- Knightsbridge Road

Alderman Hamshaw advised that he has received complaints from residents of Knightsbridge Road concerning trucks hauling fill (destined for the Tremont Plateau soccer field) on that road on Sundays. The Alderman questioned whether such truck traffic on Sundays is legal, and asked staff to investigate the matter.

Question Alderman Flynn Re: Truck Traffic - Weight Restrictions

Alderman Flynn inquired as to whether the City of Halifax imposes its own weight restrictions on trucks hauling goods and materials on City streets.

The City Manager advised that Provincial weight standards apply in most instances, but added that, owing to the complexity of the subject, he would prefer to submit a report in response to Alderman Flynn's question.

Question Alderman Leiper Re: Truck Traffic on  
Lacewood Drive

Alderman Leiper advised that she had recently received several complaints regarding trucks hauling fill from Dunbrack Street onto Lacewood Drive.

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The Alderman requested that the Police Department ascertain where these trucks are originating and why they are using Lacewood Drive (which is not authorized for truck traffic).

Question Alderman Leiper Re: Traffic Lights and Island  
- Bayview Road and Lacewood Avenue

Alderman Leiper requested a staff report concerning the traffic lights proposed for installation at the intersection of Bayview Road and Lacewood Drive, as well as detailed information pertaining to the traffic island to be installed at the end of Briarwood Crescent.

Question Alderman Leiper Re: Report - Private Roads

Referring to remarks made earlier in the meeting during discussion of Item 10.2 ("Naming of New Lane - North Mews Housing Cooperative"), Alderman Leiper requested that the report concerning the feasibility of Council's returning to its former stance on the matter of private roads be circulated to all members of City Council.

Question Deputy Mayor Jeffrey Re: 47 Coronation Avenue

Deputy Mayor referred to his remarks concerning this matter made during the July 8 meeting of the Finance and Executive Committee, noting that the addition to the structure in question is still in place and, in fact, the owners appear to be unloading additional building materials at the site during the late evening hours. The Deputy Mayor emphasized that although the courts have instructed that the addition be demolished and the City's Building Inspection Division have issued a warning regarding the unauthorized construction of any further additions, the situation remains unchanged.

Under the circumstances, Deputy Mayor Jeffrey asked for a staff report as to the avenues open to the City in this regard (e.g., does the City have the authority to undertake the demolition of this addition?).

Question Deputy Mayor Jeffrey Re: "Children Playing" Signs

The Deputy Mayor advised that "Children Playing" signs are being erected in various parts of the City, particularly in those heavily-residential areas where there is a large proportion of children, and asked for information as to whether staff has any objection to the installation of such signage.

Question Deputy Mayor Jeffrey Re: Bottle Exchange -  
Andrewa Street/3559 Dutch Village Road

Referring to remarks made on this subject during the July 8 meeting of the Safety Committee, Deputy Mayor Jeffrey

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advised that he has since met with the owner of the bottle exchange and has been successful in having the trailer truck removed from the premises. He noted that he has also satisfied himself that no health hazard exists from batteries being dismantled on the site.

The Deputy Mayor requested, however, that the City's Traffic Authority investigate the feasibility of installing "30 Minute Only" parking signs on that side of the street opposite to the bottle exchange.

Question Deputy Mayor Jeffrey: Request from Mrs. Gloria Malloy, 67 Frederick Avenue

Deputy Mayor Jeffrey referred to a request received from a Mrs. Gloria Malloy, 67 Frederick Avenue, the widow of a former employee of the City of Halifax, who is experiencing problems in obtaining monies from her husband's pension.

The Deputy Mayor submitted a letter to Mrs. Malloy, dated July 8, 1987, from the Secretary of the City's Retirement Committee, and asked that staff investigate this matter.

Question Alderman Walker Re: Truck Traffic - Regatta Point

Alderman Walker referred to complaints forwarded to him by various of his constituents advising that there are heavy trucks entering the Regatta Point development as early as 5:30 in the morning. The Alderman asked if staff could contact the developer in question to bring these complaints to his attention and request that the practice be stopped.

Question Alderman Walker Re: Dismantled Derelict Boat

Alderman Walker made reference to a boat which had been dismantled and left partially in the water and on the beach at Melville Cove. The Alderman emphasized that situations of this nature are very unsightly, and asked for information from staff as to whether there is anything the City can do to prevent similar occurrences of individuals dismantling boats and abandoning them on City beaches or in the water.

10:15 p.m. - His Worship Mayor Wallace retires from the meeting with Deputy Mayor Jeffrey assuming the Chair.

Question Alderman R. Grant Re: Ownership of Derelict Vehicles

Alderman R. Grant referred to a recent incident in which a tow truck had abandoned a derelict vehicle on the front lawn of a private residence. The Alderman noted that, at present, there would seem to be to be little recourse available

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to the victimized property owner, except to personally arrange and pay for towing services to remove the vehicle, and then to enter into a civil suit against the registered owner for damages.

Noting that vehicles are frequently abandoned both on public and private property, Alderman Grant requested information from the City Solicitor's Department as to whether there is anything the City can do in alleviating this situation.

Question Alderman R. Grant Re: Recommendations - Commission on City Government

Alderman R. Grant requested that the matter of the outstanding recommendations relating to the report from the Commission on City Government (particularly those relating to appointments to boards and commissions) be added to the agenda of the first regular meeting of the Committee of the Whole Council scheduled for September (September 9, 1987).

Question Alderman O'Malley Re: Zone Policing Project

Alderman O'Malley advised that as a result of the zone policing project recently introduced by the Halifax Police Department, he has received a number of complaints from his constituents (residing in "Charlie" Zone) to the effect that there has been a reduction in police presence on the Peninsula and that when the police are required to respond to calls in the downtown area, the remaining sectors of Charlie Zone are left unattended.

The Alderman noted that he had asked for and has received a personnel list of those police officers assigned to Charlie Zone. In this regard, he requested the following additional information:

- what percentage of Charlie Zone's personnel complement is on duty at any given time?
- are transfers made from other police zones to Charlie Zone, should (by virtue of calls to a particular area of Charlie Zone) other sectors of the Zone be left unattended?
- on what basis were the zones in this community based policing project delineated and by whom?

Alderman O'Malley noted that he has been advised of the current philosophy that "police presence is not always a deterrent," and asked for a report elaborating on that concept. He further asked to be informed as to who was originally responsible for adopting this philosophy (e.g., the City's Board of Police Commissioners).

Noting that he has been given to understand that crime (in terms of break and enters, car thefts, etc.) is on the

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increase on the Peninsula, Alderman O'Malley asked that this matter (together with the requested staff report) be added to a future meeting of the City's Safety Committee for consideration.

Question Alderman O'Malley Re: Authority - City Building Inspectors

Alderman O'Malley indicated that he had previously suggested that the City Solicitor's Department investigate the feasibility of authorizing personnel of the City's Building Inspection Division to issue citations for Building Code violations, and asked for an update on the matter.

The City Solicitor advised that a response on the matter had only recently been received from the Attorney General's Department, and that a report would be submitted from his own Department shortly.

Question Alderman Downey Re: Halifax Relief Fund

Alderman Downey referred to a letter recently received from Major General John P. Wolfe, Chairman of the Halifax Relief Fund, indicating that, as of July, 1987, there is a total amount of \$917,646.79 remaining in that Fund.

The Alderman stated that, in his opinion, the 40 remaining recipients of Fund monies would be better served if their pensions were increased, thus using up the remaining funds, and requested that His Worship Mayor Wallace write to Major General Wolfe in this regard.

Question Alderman Cromwell Re: Halifax Industrial Commission

Referring to a previous request, Alderman Cromwell asked for a report from the Halifax Industrial Commission regarding its marketing strategy.

On another matter, the Alderman asked for information as to when the next Chairman of the Halifax Industrial Commission will be appointed, as well as for information pertaining to the resignations of previous Chairmen (i.e., any non-confidential correspondence regarding these resignations).

13:35 p.m. - His Worship Mayor Wallace returns to the meeting, with Deputy Mayor Jeffrey assuming his usual seat on Council.

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Question Alderman R. Grant Re: Appointments to Boards  
and Commissions

Referring to a report from the City Solicitor's Department dated July 6, 1987, Alderman R. Grant asked for information as to whether Council can legally remove a three-year appointee to a board or commission before that individual's term has expired for the purpose, for instance, of adding additional members of Council to that particular board or commission.

The City Solicitor suggested that this was a question on which he would prefer to have a further discussion with Alderman Grant, noting that one of the factors having bearing on the issue was whether Council appointments of this nature should be made for terms of more than one year.

Question Alderman R. Grant Re: Halifax City Council -  
Long-Range Planning Session

Alderman R. Grant referred to a long-range planning session held at Thornvale by the current members of Halifax City Council shortly after their election in 1985, and suggested that a second meeting of this kind would be advantageous.

His Worship Mayor Wallace indicated that he would discuss the matter with all members of Council to ascertain whether there is a general consensus in this regard.

Question Alderman O'Malley Re: Aldermanic Expenses

Alderman O'Malley noted that he had previously requested a report from the Auditor General regarding Aldermanic expenses (particularly with regard to travel expenditures), and asked if a report would be forthcoming.

His Worship Mayor Wallace indicated that he would look into the matter.

ADDED ITEMS

Discontinued Bus Routes (Alderman Downey)

Alderman Downey referred to a discussion held during the July 8 meeting of the Finance and Executive Committee regarding the discontinuance of certain City bus routes, noting that Council had been advised at that time by Alderman Dewell (a member of the Metropolitan Authority) that a final decision had not been reached on the matter. He added that Alderman Dewell had also emphasized that the Authority was not

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authorized to cancel any bus route without the express permission of the municipality involved and that, in any event, every effort would be made to increase ridership by expanding the travelled route.

Under the circumstances, Alderman Downey expressed grave concern over recent media reports that various Halifax bus routes will definitely be discontinued by the Metropolitan Authority and indicated his regret that the public, particularly those who would be affected by these cuts, was being misled.

Alderman Hamshaw advised Council of concerns raised by the residents of the Bridgeview-Wedgewood area with regard to the proposed cancellation of the #16 bus after 7:00 p.m. in the evenings. The Alderman recommended that the matter of this and other route cancellations proposed by the Metropolitan Authority be discussed by the City's Transit Advisory Committee with Aldermen Downey, Flynn and Walker being invited to attend.

Alderman Flynn referred to a letter dated July 6, 1987 from Mr. Brian Smith of the Metropolitan Authority and asked for information as to the origin of the policy regarding a 40 percent return on the fare box. In his remarks, the Alderman indicated that while it was his understanding that the Authority was not authorized to institute such a policy without the consent of the concerned municipal unit, it was also his opinion that this principle had never been brought before Halifax City Council for ratification.

Alderman Flynn also drew Council's attention to the proposal for a new bus route to service the Timberlea area, emphasizing that approximately three-quarters of this route will lie within the City's boundaries and therefore be the responsibility of the City of Halifax to finance. He queried whether proposals were being made to discontinue the Springvale/Fairmount and seniors manors routes in order to redirect the cost-shared funds contributed by Halifax to this Timberlea route.

Alderman Flynn emphasized that it had always been his opinion that efficient transit service is an absolute necessity for the residents of the metropolitan area, and that, as such, should not be viewed as a profit-making venture. He expressed concern that City Council is not being advised by its representatives on the Metropolitan Authority on issues currently before the Authority, and, as a result, has little opportunity to provide input or direction.

Deputy Mayor Jeffrey reiterated a previous request for information from the Metropolitan Authority itemizing all the bus routes in the metropolitan area, their ridership, and the amount by which such routes are being subsidized by the City of Halifax. In addressing the matter of proposed route

cancellations, the Deputy Mayor expressed the view that perhaps the City should revert to a Halifax-owned and operated transit service.

Alderman Walker expressed concern regarding media reports to the effect that the #15 bus to Purcell's Cove is being proposed for elimination. The Alderman emphasized that many users of the current service are senior citizens and students who cannot afford alternate forms of transportation, should the bus service to their area be discontinued.

Responding to a question from Alderman O'Malley, His Worship Mayor Wallace indicated that copies of the minutes from the Metropolitan Authority meeting at which this matter was discussed would be distributed to members of Council for their information.

Mayor Wallace clarified that the Metropolitan Authority will be coming back to City Council with a very substantial request for additional funds. He noted that while the Authority has not discontinued any existing bus routes, it will offer to the City certain routes to be funded at the City's own expense with "true expenses" being assigned. He further stated that unless approval is granted by Halifax City Council, none of the existing bus routes will be terminated.

Addressing the comments made earlier by various members of Council, Mayor Wallace offered the opinion that it was obvious there has not been a clear communication between Council's representatives on the Metropolitan Authority and the rest of Council, nor has the Authority been issuing clear statements to the press or to the public. He added that steps will be taken immediately to ensure that all members of Council are advised of the present situation, as well as to ensure that adequate direction from Council as a whole on these issues is provided to the Council representatives appointed to the Authority.

#### Refugees (Alderman Walker)

This matter was added to the agenda at the request of Alderman Walker who made reference to a letter, dated July 16, 1987, forwarded by His Worship Mayor Wallace to the Right Honorable Brian Mulroney, Prime Minister of Canada, protesting the acceptance of illegal immigrants into the country.

MOVED by Alderman Walker, seconded by Alderman Cromwell that members of Halifax City Council endorse the stance on illegal immigrants expressed by His Worship Mayor Wallace in his letter to the Prime Minister of Canada dated July 16, 1987.

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Alderman O'Malley expressed reservations concerning Council's becoming involved in a matter under federal jurisdiction, and recommended the motion be deferred until further information is available.

His Worship Mayor Wallace, concurring with Alderman O'Malley's remarks, suggested that should individual members of Council wish to express their personal views on the matter to federal representatives, he would encourage them to do so.

Waterfront Development Corporation Park (Alderman Downey)

This matter was added to the agenda at the request of Alderman Downey who referred to the recent notices forwarded by the Waterfront Development Corporation to monthly parkers on the site of the proposed Waterfront Park, advising them to vacate the premises by the first of August. The Alderman expressed concern that neither these individuals nor City Council had been given greater advance notice, especially in view of the relative absence of alternate parking spaces for the displaced parkers.

Responding to Alderman Downey's comments, the City Manager noted that a report to Council would be forthcoming on the matter, but added that it was his understanding that while a total of 80 parking spaces will be eliminated by the Park, 35 new spaces will be created elsewhere by the WDC (leaving a total of 45 current parkers requiring alternate space).

Alderman Cromwell expressed concern that while City staff have been working with the Waterfront Development Corporation on the plans for this park, neither Council nor the public have had an opportunity for input. The Alderman suggested that all work on the park should be postponed until such input has been received, and requested that His Worship Mayor Wallace send a message to the Provincial Minister of Development and representatives of the Waterfront Development Corporation in this regard.

Halifax Shipyards (Alderman O'Malley)

Alderman O'Malley requested that the matter of the disastrous employment situation at the Halifax Shipyards be added to the agenda of the next regular meeting of Committee of the Whole Council (scheduled for Wednesday, July 22). He further asked for copies of any financial statements pertaining to the Shipyards to be distributed to Council prior to that time in order that the matter might be deliberated in detail.

There being no further business to be discussed, the meeting was adjourned at 11:20 p.m.

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SPECIAL COUNCIL  
PUBLIC HEARING  
MINUTES

Joseph Howe School  
Gymnasium  
Halifax, Nova Scotia  
July 22, 1987  
7:30 p.m.

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

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

Present: His Worship Mayor Ron Wallace, Chairman; and Aldermen Cromwell, Downey, D. Grant, Hamshaw, Leiper, Meagher, R. Grant, Walker, and Deputy Mayor Jeffrey.

Also Present: Mr. Simpson McLeod, Development and Planning; Mr. Stephen Feist, Development and Planning; Mr. Barry S. Allen, Solicitor; Mr. E.A. Kerr, City Clerk, and other members of City Staff.

ADDED ITEM

The City Clerk advised of the following item which was referred to this meeting from the Committee of the Whole Council meeting held earlier this date:

Public Hearing Dates - Cases 5284, 5384, and 5412

MOVED by Alderman Cromwell, seconded by Alderman Hamshaw that City Council, as recommended by the City Planning Committee,

- a) Set the date for a public hearing for a rezoning application of PSC Parcel 18-A, the rear of 134 St. Margaret's Bay Road from W (Watershed) to I-1 (Industrial):
- b) Cancel the Public Hearing set for September 23, 1987 for PSC parcel 18-A;
- c) Set the date for a Public Hearing to amend Section 14(b) of the Land Use Bylaw, Mainland area, to allow for the replacement of existing buildings in unserviced areas; and
- d) Set the date for a public hearing for a contract development at 2641-55 Clifton Street and Lot 36 King Street, to allow the development of an enlarged warehouse on the site.

Motion passed.

The City Clerk, in referring to the staff report, noted the hearing was August 19, 1987 at 5:00 p.m. in the Council Chamber.

Amendments to the Land Use Bylaw - \*R-2A Review

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

Mr. Stephen Feist, Development and Planning, with the aid of maps and diagrams, outlined the proposal as presented in the staff reports dated April 7, 1987 and May 14, 1987 plus the recommendations provided by the Planning Advisory Committee in their report of June 19, 1987 to Council on the proposed amendments to the R-2A and R-2AM sections of the Land Use Bylaw and responded to questions put forward from members of Council.

Mr. Charles Lienaux, Solicitor, residing at 5266 Green Street, addressed Council requesting that Council when it considers the down-zoning of the R-2A zone in the Halifax Peninsula South area, exempt the lands at 5266-5270 Green Street from this re-zoning.

Mr. Lienaux, in his opening remarks, stated that Smith's Field Manor Development Limited does not wish to be considered as opposing the down-zoning where it will serve to maintain the residential integrity of any given neighbourhood, however, he went on to explain that the down-zoning of the subject properties at 5266-5270 Green Street would not serve the objective sought to be accomplished by the rezoning being considered at this hearing, namely to preserve the residential integrity of Green Street or its environs because the rest of Green Street in its entirety is occupied by medium and high density apartment buildings and commercial buildings, as are the environs surrounding the site in question.

Mr. Lienaux advised that his reason for making the request for these properties to be exempted from the re-zoning is that the site at 5266-5270 Green Street has been slated for the development of a medium density retirement residence for senior citizens who do not require nursing care.

Mr. Lienaux made several general comments which were included in his submission dated July 22, 1987 circulated to His Worship Mayor Wallace and members of Council. The following documents were submitted by Mr. Lienaux for Council's review:

1. A letter dated November 4, 1985, in which City staff undertook to review development proposals for the subject site with a view to ensure that any development proposal submitted for this property conformed to the requirements of the R-2A Bylaw;

The City Clerk, in referring to the staff report, noted the hearing was August 19, 1987 at 5:00 p.m. in the Council Chamber.

Amendments to the Land Use Bylaw - R-2 Review

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

Mr. Stephen Feist, Development and Planning, with the aid of maps and diagrams, outlined the proposal as presented in the staff reports dated April 7, 1987 and May 14, 1987 plus the recommendations provided by the Planning Advisory Committee in their report of June 19, 1987 to Council on the proposed amendments to the R-2A and R-2AM sections of the Land Use Bylaw and responded to questions put forward from members of Council.

Mr. Charles Lienaux, Solicitor, residing at 5266 Green Street, addressed Council requesting that Council when it considers the down-zoning of the R-2A zone in the Halifax Peninsula South area, exempt the lands at 5266-5278 Green Street from this re-zoning.

Mr. Lienaux, in his opening remarks, stated that Saith's Field Manor Development Limited does not wish to be considered as opposing the down-zoning where it will serve to maintain the residential integrity of any given neighbourhood, however, he went on to explain that the down-zoning of the subject properties at 5266-5278 Green Street would not serve the objective sought to be accomplished by the rezoning being considered at this hearing, namely to preserve the residential integrity of Green Street or its environs because the rest of Green Street in its entirety is occupied by medium and high density apartment buildings and commercial buildings, as are the environs surrounding the site in question.

Mr. Lienaux advised that his reason for making the request for these properties to be exempted from the re-zoning is that the site at 5266-5278 Green Street has been slated for the development of a medium density retirement residence for senior citizens who do not require nursing care.

Mr. Lienaux made several general comments which were included in his submission dated July 22, 1987 circulated to His Worship Mayor Wallace and members of Council. The following documents were submitted by Mr. Lienaux for Council's review:

1. A letter dated November 4, 1985, in which City staff undertook to review development proposals for the subject site with a view to ensure that any development proposal submitted for this property conformed to the requirements of the R-2A Bylaw;

2. A letter dated May 12, 1986 sent to the City of Halifax Development Department requesting approval in principle of a senior citizens' retirement residence proposed for this site;
  3. A letter dated June 30, 1986 sent by the City of Halifax Development Department confirming that the property could be used to provide accommodation for senior citizens;
  4. A letter dated August 26, 1986 sent to the City of Halifax Development Department advising that it was intended that a senior citizen's retirement residence would be developed at the subject site;
  5. A letter dated September 19, 1986 sent by the City of Halifax Development Department acknowledging that a senior citizens' retirement residence development was to proceed at the subject site which would be reviewed by City staff as it progressed;
  6. A letter dated October 30, 1986 sent to the City of Halifax Development Department enclosing complete design drawings for the proposed senior citizens' retirement residence;
  7. A letter dated November 25, 1986 sent by the City of Halifax Development Department confirming that the proposed senior citizens' retirement residence development conformed to all of the requirements of the P-2A Bylaw;
  8. A letter dated March 12, 1987 sent by the City of Halifax Development Department advising the architects for the project that the details of the project which had been worked out with City staff were approved and that the contractor for the project could apply to the City of the building permit for the project;
  9. A receipt in the amount of \$8,287.50 paid for a building permit for the project;
  10. A letter dated June 9, 1987, sent by the City of Halifax Development Department advising the contractor that the permits for the project were refused because City Council will now consider rezoning the subject property;
  11. A blue booklet titled "Smith's Street Manor";
  12. Advertisements from an Ontario newspaper.
- Mr. Stephen J. Smith, President, South Side Smith Street Homeowners Association, residing at 5216 Smith Street, addressed Council expressing points of particular concern to Smith Street residents regarding P-2A development i.e. have witnessed P-2A development go up around them as of right, Smith Street is lower grade than Green and Victoria Streets and a

development that is 35' relates to 5 to 7 storeys for Smith Street. Mr. Smith also spoke against the practice of consolidating two R-2A lots so a larger development could be built and further suggested that access to developments should be from the Street.

Mr. Smith submitted his report dated July 22, 1987 (a copy of which is in the official file of this meeting).

Mr. Larry Steffen, residing at 5260 Green Street, addressed Council expressing concern with respect to Court Yard Green stating, if Mr. Lineaux's project goes ahead, it will totally over shadow the Court Yard Green project which is two storeys.

Mr. George Kartsaklis, residing at 5757 Inglis Street, addressed Council expressing concern respecting the architectural character of the City and commented that the proposal does not include an architectural criterion. Mr. Kartsaklis also expressed the concern that the proposal could restrict the economical development of the City. In conclusion, Mr. Kartsaklis commented that the proposal deals only with a density criterion and other considerations i.e. parking are not taken into consideration and advised that he was against the proposed Smith's Field Manor Development as the project was not protecting the area.

Mr. B.A. Hirsch, Stewart MacKeen & Covert Barristers and Solicitors, representing Elaine Leventhal who owns two properties designated R-2A under the City of Halifax Land Use Bylaw, addressed Council indicating the reasons Mrs. Leventhal opposes the proposed amendments to the R-2A. In summary, Mr. Hirsch submitted that the present provisions of the R-2A zone are appropriate for those properties designated R-2A in the south end of Halifax noting that the proposed amendments to the R-2A zone will result in a substantial diminution in property values for properties designated R-2A, many properties of which have already suffered a loss in value as a result of previous down zoning.

His Worship Mayor Wallace and members of Council received copies of a letter dated July 17, 1987, from Mr. Hirsch respecting the R-2 Review (a copy of which is in the official file of this meeting).

8:58 p.m. Alderman R. Grant departed.

Mr. Gary Morgan addressed Council stating that he does not object in principle to the review of the R-2A zone, but did feel that a number of issues raised have not been discussed fully, in particular, the Peninsula of Halifax's down zoning and the concerns of the residents on the south side of Smith Street. Mr. Morgan indicated that he had a property on which design drawing etc. were prepared but which was also affected by the proposed amendments to the R-2A zone

Ms. Anne West, representing the Ward One Residents Association, addressed Council outlining recommendations which the Association feels would protect the architectural integrity of the area and the privacy and light of existing residents. The Association's recommendations are included in their submission circulated to members of Council dated July 22, 1987.

Mr. Gaston & Pauline Chagnon, residing at 1165 Tower Rd., addressed Council as residents and owners of an old Victorian house in the South End and as developers. Mrs. Chagnon read their submission dated July 22, 1987, circulated to His Worship The Mayor and members of Council, making reference to exhibits which displayed photographs and also circulated to His Worship The Mayor and members of Council. Mrs. Chagnon urged that the Haligonian homes be maintained, preserved and restored in order to keep the uniqueness of the City.

Mr. Murray Doehler, 1124 Robie Street, addressed Council stating that, at the time of the Neighbourhood Improvement Program, one of the biggest concerns expressed respected conflicting developments happening in the South end i.e. developers wanting high rise development and those wanting low rise development and the type of unique style present. Mr. Doehler went on to state that a regulation for an R-2A was heralded as an answer to the problem. Mr. Doehler felt that the R-2A was a good solution. He agreed that the R-2A should be a use developers can work with for a creative type of development and at the same time protect the area.

Mr. Blair McMullin, 5254 Green Street, addressed Council and read and submitted a brief dated July 22, 1987 (a copy of which is in the official file of this meeting). Mr. McMullin's report included his concerns regarding amendments to the Land Use Bylaw R-2A and R-2AM, in particular, the character of the neighbourhood and the homes within it suggesting that these buildings/homes can become lost through lot consolidation and subsequent massive renovation. Mr. McMullin explained that he is not against development, but is against development that is uncontrolled as it relates to its compatibility to the surrounding neighbourhood.

Mr. Sam Kadray addressed Council stating that the concerns on Smith Street are not going to be resolved by this R-2A amendment explaining that the essence of this R-2A amendment is not to encourage infill housing, but is basically reducing R-2A to an R-2 zone. Mr. Kadray went on to state that the best use must be made of the scarce existing land noting that there are people that are affected but could not sympathize with those people because those people moved into an R-3 area and felt they should have moved out if they had concerns about privacy and sunlight. It was Mr. Kadray's opinion that proper consideration has not been given in the

report to people with large lots and people who want to develop their lot. Mr. Kadray expressed concern with regard to non-conforming buildings and explained, if you have a vacant lot, R-2A allows for townhouses stating that there is no mention in the report on how town house development on an R-2A would be affected. Mr. Kadray suggested that the whole detailed area plan be reviewed.

Mr. Paul Reynolds, 5763 Inglis Street, addressed Council stating that he is aware of the provision made for an anomalous circumstance as identified by the proposed changes. Mr. Reynolds commented that there may also be anomalous circumstances in neighbouring properties suggesting that there needs to be a provision with respect to the possibility of anomalous circumstances which neighbouring property owners may wish to appeal. Mr. Reynolds supported the notion of development being allowed to extend to 40% coverage of the lot only if the increase does not exceed 20% or 25% of the area of the existing building. He also supported the establishment of a rear street line, beyond which developments may not go, or that an extension not be allowed to reach further back than the average setback of the two adjacent properties as suggested in the Ward One Residents Association's submission.

Mr. Reynolds inquired if the rear limitation has ever been considered and, secondly, if there is any possibility of appeal or any consideration of an identification of an anomalous circumstance in a neighbouring property to a development.

Mr. Fred Matthews, 1234 Tower Terrace, addressed Council suggesting there had to be a sense of architecture and harmony or the street would be destroyed. He advised that it could be maintained if the City thought more carefully about the harmony of the community and the area that is being disturbed rather than building sizes and area coverage.

There were no further persons present wishing to speak.

Mr. Lienaux addressed Council once again requesting the opportunity to address several comments made by previous speakers. The Chairman suggested to Mr. Lienaux, and he agreed, to make a written submission to Council.

MOVED BY Alderman D. Grant, seconded by Alderman Cromwell that the item be forwarded to the next regular meeting of City Council without recommendation

Notice passed.

Heritage Hearing re: 2323-27 Princes Place

Mr. A.W. Churchill advised that the Heritage Advisory Committee has evaluated the buildings at 2323, 2325, 2327,

2329, 2333, 2335, 2336 and 2337 Princess Place and recommends their inclusion in the Halifax Registry of Heritage Property.

MOVED by Alderman Meagher, seconded by Alderman Walker  
that this item be forwarded to the next regular meeting of City Council without recommendation.

Motion passed.

9:45 p.m. The meeting adjourned.

HEADLINES

Added Item - Public Hearing Dates -	
Cases 5284, 5384, and 5412 .....	1
Public Hearing re: Amendments to the Land Use Bylaw -	
*R-2A Review .....	2
Heritage Hearing re: 2323-37 Princess Place .....	6

HIS WORSHIP MAYOR RON WALLACE  
CHAIRMAN

/amd

2329, 2333, 2335, 2336 and 2337 Princess Place and recommends their inclusion in the Halifax Registry of Heritage Property.

MOVED by Alderman Meagher, seconded by Alderman Walker that this item be forwarded to the next regular meeting of City Council without recommendation.

Motion passed.

9:45 p.m. The meeting adjourned.

HEADLINES

Added Item - Public Hearing Dates -	1
Cases 5284, 5384, and 5412 .....	
Public Hearing re: Amendments to the Land Use Bylaw -	2
R-2 Review .....	6
Heritage Hearing re: 2323-37 Princess Place .....	

HIS WORSHIP MAYOR RON WALLACE  
CHAIRMAN

/mmd

SPECIAL COUNCIL  
PUBLIC HEARING  
M I N U T E S

Joseph Howe School  
Gymnasium  
Halifax, Nova Scotia  
July 27, 1987  
7:30 p.m.

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

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

Present: His Worship Mayor Ron Wallace, Chairman; and Aldermen D. Grant, Cromwell, Downey, Dewell, Walker, and Hamshaw.

Also Present: Mr. M. Hanusiak, Development and Planning; Mr. G. Gougeaux, Legal Dept., Mr. E. A. Kerr, City Clerk, and other members of City Staff.

The meeting began at 8:40 p.m. The Chairman apologized for the delay due to the lack of a quorum.

Public Hearing Re: Proposed Development Agreement Spring Garden Place, Phase 11

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

His Worship The Mayor and members of Council received copies of report from the Chairman of the Planning Advisory Committee dated July 22, 1987, and also a report from the City Manager dated July 16, 1987, respecting the amendment to the Land Use Bylaw, Peninsula Area - Spring Garden Road Contract Development (copies of which are in the official file of this meeting).

Mr. Mike Hanusiak, Development and Planning, with the aid of a scale model of the proposal, outlined the application for a contract development to permit the expansion to "Spring Garden Place", 5640 Spring Garden Road. Mr. Hanusiak indicated that the proposed expansion, to be known as "Spring Garden Place, Phase 11", consists of expanded retail and office facilities, a residential tower, and residential/commercial components of a low-rise nature along Dresden Row, Clyde Street and Brenton Street.

Mr. Hanusiak described the project and concluded that the proposed development is in keeping with the overall intent of the Spring Garden Road Commercial Area Plan indicating that it is an appropriate use of land as anticipated by the Plan, wherein it incorporates a proper mixture of residential, retail and office uses, all of which are supported by an adequate amount of public and private parking.

Mr. Hanusiak pointed out that the development exceeds the Bylaw's 150 ft. height limit by 20 ft. due to the decorative parapets which surround the elevator and mechanical penthouses. He went on to explain, under normal circumstances, Section 71 of the Bylaw would exclude such features in determining the permitted height of a building, however, due to the precise wording of Section 16AD(1)(d), staff cannot exclude these features in the subject development. Mr. Hanusiak advised that this particular section of the Bylaw is discriminatory and places undue hardships on the proposed development. Mr. Hanusiak indicated that staff recommends that Section 16AD(1)(d) be amended to allow the proposed development to take advantage of the exemptions afforded to other development under Section 71 of the Land Use Bylaw.

The Chairman invited the Developer or his representative to speak.

Mr. Ted Wickwire, the lawyer acting on behalf of the Applicant which is Chartwell Development Limited Partnership, addressed Council stating that the general partner is a Chartwell Company noting that this is an investment of not shareholders but limited partners. Mr. Wickwire pointed out that he recently came to represent the Applicant for the purpose of this public hearing noting that he has observed the way in which this development project has been formulated and how it evolved and concluded that the negotiation process has advanced to a great extent. Mr. Wickwire also pointed out that this is a very highly tailored development proposal tailored by the new plan and bylaw amendments.

Mr. Wickwire introduced Mr. Jeffrey Creswell, a senior partner in the firm of Murray, Marshall, and Creswell Architects and Planning Consultants which has existed in Toronto for 30 years and have been involved in a wide range of mixed use developments.

Mr. Jeffrey Creswell gave a slide presentation outlining the general arrangement of the uses on the site and some of the internal arrangement. Mr. Creswell also described some of the design intent issues for the exterior of the building and briefly outlined the construction schedule. The slide presentation consisted of slides of the scale model of the site which was present for viewing during the meeting. In terms of the construction schedule, Mr. Creswell stated that it

is hoped that work on the site would be started this year and after the Christmas period the parking structure would be started and hoped to be completed within nine months.

Mr. Wickwire addressed some of the concerns that have been addressed stating that he had had a telephone conversation with a spokesman for the Retail Merchants' Association of Spring Garden Road. Mr. Wickwire advised that the Association verified that the developers had addressed their concerns which were largely with respect to parking. Mr. Wickwire indicated that they wanted a ticket validation system of a type that would not give preferential treatment to any of the retail outlets in Spring Garden Place, but which was universal throughout the Spring Garden Road and Commercial area. Mr. Wickwire advised that that assurance has been given to them by Chartwell and they were also assured by Chartwell that their other concerns respecting build up of snow in parking lots, parking signs, etc. would be looked after.

Mr. Wickwire advised that he received the letter from Mr. & Mrs. Peter Klynstra dated July 24, 1987 respecting the proposed development agreement. His Worship Mayor Wallace and members of Council also received copies of this letter from Mr. & Mrs. Peter Klynstra (a copy of which is in the official file of this meeting). Mr. Wickwire pointed out that Mr. & Mrs. Klynstra reside in the only existing residential structure which will remain in the Spring Garden Place block following the construction of this proposed project. Mr. Robinson's colleague, Mr. Greg Jones, joined Mr. Wickwire in addressing the three vital concerns which were expressed in Mr. & Mrs. Klynstra's letter. Mr. Wickwire pointed out that Mr. Klynstra has indicated that the project has much to recommend it despite his vital concerns.

Mr. Jones, with regard to Mr. Klynstra's concern respecting openings in the parking and housing structures facing 1447 Brenton and openings in the West wall of the Housing structure behind 1445 Brenton, assured that there will be no openings in these walls. With respect to Mr. Klynstra's concern respecting the roof of the building, Mr. Jones indicated that no parking or general public use will be permitted on this roof. Mr. Jones also addressed Mr. Klynstra's concern respecting maintenance of the walls advising that the structure is brick, therefore, is self maintained.

Mr. Wickwire addressed the concern resulting from the poster that appeared on lamp posts in the area titled "Stop Destruction of Brenton Street" (a copy of which is in the official file of this meeting). Mr. Wickwire pointed out that the poster states that the development would mean the destruction of all residential units on the East Side of Brenton St. Mr. Wickwire advised that this is not the case noting, while some are being taken down, some are being replaced with the terraced faced wooden structures.

Mr. Wickwire made reference to a letter dated July 7, 1987, from the Heritage Program Assistant confirming that the properties in question are not subject to the provisions of the Heritage Property Act.

Alderman Neagher joined the meeting, 9:18 p.m.

Mr. Wickwire made reference to the letter which was circulated to His Worship the Mayor and members of Council dated July 23, 1987 (a copy of which is in the official file of this meeting) from Mr. Robinson of Chastwell Management Limited. Mr. Wickwire stated that Mr. Hanusiak acknowledged on behalf of the City that the points raised in this letter are of no difficulty to City staff.

Mr. Wickwire made reference to the letter dated July 27, 1987, from Touche Ross & Co. with an enclosed projection of the economic impact to the City as a result of the Spring Garden Place development. His Worship the Mayor and members of Council received copies of this letter (a copy of which is included in the official file of this meeting). Mr. Wickwire pointed out, as stated in the letter, that these projections include only the direct municipal taxes and do not include other indirect benefits to the City such as increased employment and further development spin-offs.

Alderman Crowwell inquired as to the number of parking spaces on the site now. Mr. Hanusiak advised that the site has approximately, at any given time, 90 spaces pointing out that this development has 316 spaces.

Mr. James Tupper, a resident of Agricola Street, addressed Council on behalf of a group of residents of Halifax who are concerned with this type of development. He advised that they are of the opinion that this particular development will disturb the type of atmosphere that is on the existing streets and change the reasons why the people living in this area now have chosen to live there. Mr. Tupper went on to state that they are concerned with the residential units on the east side of Brenton Street stating that they are a valuable distinct property of Halifax and should be reviewed as heritage property pointing out that they weren't reviewed as heritage properties.

Mr. Tupper also expressed concern with the increase of traffic flow which would occur as a result of this development and suggested that the development would not address the living needs of the people in the neighbourhood already because they would not be able to afford the condominiums proposed. Mr. Tupper went on to state that many of the residents in the area were not properly notified of the public hearing. The Chairman pointed out that the hearing was publicly advertised. Mr. Tupper expressed concern with regard

to the downtown moving South and that many of the business areas on Gottingen Street and in the North end are being torn down or unoccupied.

Mr. Tupper read and submitted a petition, a copy of which is included in the official file of this meeting, which included 99 signatures in opposition to the proposed development agreement of Spring Garden Place Phase Two.

Mr. Peter Andrews, an owner of properties on the east side of Dresden Row, addressed Council in support of the applicant's proposed contract development suggesting that the proposal is a first class proposal.

Mr. Peter Klynstra, 1445 Brenton Street, addressed Council expressing his three concerns that are outlined in his letter of July 24, 1987. In addition, Mr. Klynstra requested that a wind study be carried out and also expressed concern with regard to the loss of 1451/1453 Brenton Street noting that their property at 1445 Brenton Street is orphaned without that structure.

Mr. Andy Gillis, 2466 Robie Street, addressed Council expressing concern with regard to the direction development has taken in Halifax over the last 15 years noting that a great deal of older buildings have been destroyed over the last two decades to make way for new developments. He indicated that he is not opposed to development, but is of the opinion that this particular development does not reflect the atmosphere of this particular neighbourhood.

Mr. Hugh MacKenzie, 1200 Tower Road, Apt. 708, addressed Council suggesting that this particular site, the rear of Spring Garden Place, would be an ideal location for a senior citizens complex. Mr. MacKenzie indicated his support for a development in this location. He advised that there are a number of parking lots in the south end of the City and supported the need for one of these parking lots to be used as a site for an affordable seniors complex.

A senior citizen addressed Council in support of the comments made by the previous speaker, Mr. MacKenzie. It was her opinion that they, the seniors, are a neglected people.

Mr. J. B. Ross, a resident of Inglis Street, addressed Council stating that he is concerned that the City preserve its heritage and went on to state that he is impressed with the way the City has developed over the years. Mr. Ross advised that he was concerned about this development but indicated that, after hearing the presentations by Staff and by the developers, he is immensely impressed with it and noted that it is nearly impossible to create entirely the atmosphere of a generation 100 years ago.

Ms. Christa Tupper addressed Council suggesting that the City should be developed by its own developers and not developers in Toronto and outside the Halifax region.

Mr. David Iley, a resident of Dartmouth, addressed Council stating that he has lived in a variety of places and has been suitably impressed in the way in which Halifax has been developed in the last ten years and suggested that this project fits in with its surrounding territory.

Mr. Wickwire in response to a concern raised by Mr. Andy Gillis stated that there have been full discussions between Staff, citizens groups, and the developers over the past two to three years respecting the proposed development.

Mr. Andy Gillis addressed Council requesting the opportunity to speak again, but the Chairman suggested and he agreed to make a written submission to Council.

There were no further persons present wishing to speak.

MOVED by Alderman Downer, seconded by Alderman Cromwell that the item be forwarded to the next regular meeting of City Council without recommendation.

Motion passed.

HEADLINES

Proposed Development Agreement -	
Spring Garden Place, Phase 11 .....	1

HIS WORSHIP MAYOR WALLACE  
CHAIRMAN

E.A. KERR  
CITY CLERK

/mmd

CITY COUNCIL  
MINUTES

Council Chamber  
City Hall  
Halifax, Nova Scotia  
July 30, 1987  
8:00 p.m.

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

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

Present: His Worship Mayor Ron Wallace, Chairman; Deputy Mayor T. Jeffrey; and Aldermen Deborah Grant, Cromwell, Downey, Meagher, Dewell, Richard Grant, Walker, Leiper, and Hamshaw.

Also Present: City Manager, Mr. W. Anstey, Q.C., Acting City Solicitor, City Clerk and other members of city staff.

Presentations: Long Service Awards

His Worship noted that prior to the commencement of the regular agenda a recognition ceremony for four long term, retiring employees of the City was to be held. His Worship went on to note that five long service awards had been scheduled for this evening, however, Mr. Doug Findlay of the Fire Department had been unable to make it this evening. His Worship noted that the presentation to Mr. Findlay would be rescheduled to a future Council meeting.

His Worship then advised that all four persons being recognized this evening had been dedicated members of staff for a substantial number of years. His Worship went on to indicate that it was a pleasure, on behalf of the City and Council, to wish these retiring employees well.

His Worship then made the following long service award presentations:

Betty Garrison - Finance Department

His Worship presented Betty Garrison, City Collector's Office, with a long service award in recognition of 26 years with the City. His Worship indicated that this award was presented to Mrs. Garrison with the appreciation of City Council, the City Manager and all City staff.

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Firefighter Raymond Buckland - Fire Department

His Worship presented Raymond Buckland, Fire Department, with a long service award in recognition of his 30 years with the Fire Department. His Worship noted that the City and Council appreciated Mr. Buckland's dedicated service.

Lieutenant George Kennedy - Fire Department

His Worship presented George Kennedy, Fire Department, with a long service award in recognition of his 30 years with the Fire Department. His Worship indicated that it was a pleasure to present this award on behalf of the City and members of Council.

Constable William Beamish - Police Department

His Worship presented William Beamish, Police Department, with a long service award in recognition of his 32 years with the Police Department. His Worship expressed the appreciation of the City and Council for Mr. Beamish's dedicated service to the City.

Alderman M. Leiper and Alderman D. Grant then presented Mrs. Buckland, Mrs. Kennedy, and Mrs. Beamish with a corsage in recognition of the importance of the spouse both at home and in the workplace. Alderman Leiper noted that no flowers had been arranged for Mr. Garrison and thanked him for contribution in supporting his wife throughout the years.

His Worship indicated that a small reception for the retirees and their spouses had been arranged in Halifax Hall.

Presentation to Halifax Natal Day Festival - Doug Mitchell

Mr. Doug Mitchell, Chairman, Halifax Natal Day Committee, addressed Council indicating that he appreciated the opportunity to address Council and present a preview of the activities which would be carried out over the next four days. Mr. Mitchell went on to note that this year's program was by far the largest and most comprehensive in the history of the celebration of the festival. Mr. Mitchell went on to note that the six members of his Committee and numerous volunteers had worked diligently over the past number of months to make this festival a reality. Mr. Mitchell indicated that this festival would make all residents of the City proud to be a Haligonian and create an atmosphere not seen since the Parade of Sail.

Mr. Mitchell then went on to describe some of the events happening over the next four days noting that some new events, including a Street Dance to be held on Friday night, a Beach Party to be held at Point Pleasant Park on Saturday and a Tea Party to be held at the Public Gardens, had been organized for this year's festivities. Mr. Mitchell proceeded to outline

the events and noted that the fireworks display scheduled for Monday night had been described as being the largest pyrotechnics display ever in Nova Scotia.

In conclusion, Mr. Mitchell noted that the festivities planned over the next four days would not have been possible without the strong corporate support provided by businesses throughout the City. Mr. Mitchell thanked the corporate sponsors for their involvement and support.

Mr. Mitchell then responded to questions from members of Council regarding the upcoming festivities.

His Worship thanked Mr. Mitchell and his committee for their work in organizing the Natal Day Festivities noting that all residents of the City would benefit from their work. His Worship further thanked the many corporate sponsors and noted that he felt a great celebration had been organized for a great city.

#### MINUTES

Minutes of the regular meeting of City Council held on July 16, 1987 and of the Special meeting of City Council held on July 22, 1987 were approved on a motion by Alderman Hamshaw, seconded by Deputy Mayor Jeffrey.

#### APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS & DELETIONS

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

- 20.1 Award of Tender #87-128 - Mainland North Fire Station Training Tower and Storage Shed
- 20.2. Peninsula North Secondary Planning Strategy - Alderman Meagher
- 20.3 Award of Tender #87-117 - Police Museum Cabinets
- 20.4 Request for Fly Past - Canadian Forces Base Shearwater - September 19 & 20, 1987
- 20.5 Underground Wiring - Granville Street (Duke Street to Prince Street and Hollis Street (George Street to Prince Street) - Tender Award
- 20.6 Union of Nova Scotia Municipalities, 82nd Annual Conference - September 16-18, Voting Delegates

At the request of Alderman Walker Council agreed to add:

- 20.7 Post Office Sub-Stations - Alderman Walker

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The City Clerk further advised that 15.3 should be deleted from the agenda as it had been placed on the agenda inadvertently and, in fact, has already been dealt with by Council, to which Council agreed.

Alderman Meagher referred to the absence of Alderman O'Malley and indicated that there were a number of items in which Alderman O'Malley was intrinsically involved. Alderman Meagher suggested that these items should be deleted from the agenda.

His Worship suggested that the most appropriate way to deal with these items would be to defer them as they are dealt with throughout the meeting, to which Council agreed.

MOVED by Alderman Hanzhaw, seconded by Alderman Walker  
that the agenda, as amended, be accepted.

Motion passed.

#### DEFERRED ITEMS

#### Amendments to the Land Use Bylaw - R-2A Review

A public hearing into the above matter was held on July 22, 1987.

A supplementary staff report dated July 24, 1987 was submitted.

Alderman Cromwell addressed the matter indicating that he would like to defer this matter. Alderman Cromwell noted that he had received a fair amount of correspondence and would like to investigate certain aspects of the proposed amendment. Alderman Cromwell indicated that he felt Council should have additional time to deliberate on this matter prior to a decision being made.

MOVED by Alderman Cromwell, seconded by Alderman Leiper  
that this matter be deferred to the next regular meeting of City Council to be held on August 27, 1987 to provide Council with a further opportunity to deliberate on this matter prior to a decision being made.

Motion passed.

#### Contract Development - Case No. 5275 - 5648 Spring Garden Place Phase II

A public hearing into the above matter was held on Monday, July 27, 1987. A supplementary staff report dated July 29, 1987 was submitted. The following correspondence in relation to this matter has also been submitted:

1. Correspondence dated July 28, 1987 from L. Stewart, President, Heritage Trust of Nova Scotia.
2. Correspondence dated July 30, 1987 from Darren G. Munro, James H. Tupper, and Andrew P. Gillis.

MOVED by Alderman Downey, seconded by Alderman D. Grant  
that City Council approve the following:

1. Pursuant to Section 16AD of the Land Use Bylaw (Peninsula), City Council approve the proposed residential/commercial complex, to be known as Spring Garden Place - Phase II, provided that it be built in substantial conformity with Plans No. P288/15755-66 inclusive, of Case No. 5275; and
2. That the proposed development agreement be amended by:

(a) increasing the number of residential units in the "condominium tower" to a maximum of 85 (Section 4(a));

(b) increasing the time for completion of the development from three years to five years (Section 6);

(c) revising the provision respecting public parking on a "continuous 24 hour basis" (Section 4(b)), to the hours between 8:00 a.m. and 6:00 p.m. on Monday, Tuesday, Wednesday, and Saturday and between 8:00 a.m. and 9:00 p.m. on Thursdays and Fridays;

(d) including a provision that requires all walls of the development abutting the properties at 1445 and 1447 Brenton Street to be fully enclosed, with no ventilation or window openings.

(e) including a provision restricting the use of the roof of the parking garage to a running track with landscaped open space;

(f) that the exterior finish of all walls of the development abutting the properties at 1445 and 1447 Brenton Street be as shown on Plan No. P288/15755-66 of Case No. 5275.

A discussion and questioning of staff ensued and the Motion was put and passed with Deputy Mayor Jeffrey and Aldermen R. Grant and Leiper abstaining due to non-attendance at the public hearing.

MOVED by Alderman Downey, seconded by Alderman Hamshaw  
that City Council set a date for a Public Hearing to consider amending Section 16AD(1)(d) of the Land Use Bylaw (Peninsula), specifically the removal of the words "portions of any" as contained therein.

Motion passed with Deputy Mayor Jeffrey and Aldermen R. Grant and Leiper abstaining due to non-attendance at the public hearing.

The City Clerk advised that the date set for the public hearing was Wednesday, September 9, 1987 beginning at 7:30 p.m. at the Halifax West High School Gymnasium.

It was agreed that the following item be dealt with at this time.

Agreement of Purchase and Sale - 1461-71 Brenton Street and Lands  
- Dresden Row

MOVED by Alderman Downey, seconded by Alderman Cromwell  
that, as recommended by the Finance and Executive Committee:

1. the Mayor and City Clerk be authorized to execute an agreement of purchase and sale, substantially similar to that attached as Schedule "B" to the July 9, 1987 confidential staff report, for the lands of 1467 and 1471 Brenton Street and lands at the northwest corner of Dresden Row and Clyde Street, to Chartwell Management Limited;

2. the lands described to be sold be expropriated by the City of Halifax for the purpose of ensuring clear title on the part of the City prior to execution of the agreement.

Motion passed.

Amendment to the Municipal Development Plan: Neighbourhood  
- Shopping Facilities

This matter was last discussed at the July 16, 1987 meeting of City Council at which time a date was set for a public hearing to consider this matter. Alderman Cromwell indicated at that time that the public hearing advertisement would come back to this meeting for ratification.

A supplementary staff report dated July 30, 1987 was submitted.

MOVED by Alderman Cromwell, seconded by Alderman R. Grant that the public hearing advertisement attached as Appendix "C" to the July 30, 1987 staff report and Appendix "B" of that same report be approved as being the basis of matters to be considered at the public hearing to be held in this regard.

Motion passed.

Heritage Hearing - rei 2323-37 Princess Place

A heritage hearing into the above matter was held on July 22, 1987.

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Motion passed with Deputy Mayor Jeffrey and Aldermen R. Grant and Leiper abstaining due to non-attendance at the public hearing.

The City Clerk advised that the date set for the public hearing was Wednesday, September 9, 1987 beginning at 7:30 p.m. at the Halifax West High School Gymnasium.

It was agreed that the following item be dealt with at this time.

Agreement of Purchase and Sale - 1467-71 Brenton Street and Lands  
- Dresden Row

MOVED by Alderman Downey, seconded by Alderman Cromwell  
that, as recommended by the Finance and Executive Committee:

1. the Mayor and City Clerk be authorized to execute an agreement of purchase and sale, substantially similar to that attached as Schedule "B" to the July 9, 1987 confidential staff report, for the lands of 1467 and 1471 Brenton Street and lands at the northwest corner of Dresden Row and Clyde Street, to Chartwell Management Limited;
2. the lands described to be sold be expropriated by the City of Halifax for the purpose of ensuring clear title on the part of the City prior to execution of the agreement.

Motion passed.

Amendment to the Municipal Development Plan: Neighbourhood  
Shopping Facilities

This matter was last discussed at the July 16, 1987 meeting of City Council at which time a date was set for a public hearing to consider this matter. Alderman Cromwell indicated at that time that the public hearing advertisement would come back to this meeting for ratification.

A supplementary staff report dated July 30, 1987 was submitted.

MOVED by Alderman Cromwell, seconded by Alderman R. Grant that the public hearing advertisement attached as Appendix "B" to the July 30, 1987 staff report be approved as being the basis of matters to be considered at the public hearing to be held in this regard.

Motion passed.

Heritage Hearing - 151-1323-37 Princess Place

A heritage hearing into the above matter was held on July 22, 1987.

MOVED BY Alderman Weaver, seconded by Alderman Hamshaw  
that 2323, 2325, 2327, 2329, 2333, 2335, 2336 and 2337 Princess  
Place be designated Heritage Properties and registered in the  
City of Halifax Registry of Heritage Properties.

Motion passed with Deputy Mayor Jeffrey and Alderman R.  
Grant and Leiper abstaining due to non-attendance at the  
heritage hearing.

PUBLIC HEARINGS, HEARINGS, ETC.

Appeal of Variance Refusal at 2569 Oxford Street

A staff report dated July 27, 1987 was submitted.

Mr. W. D. Campbell, Development Office, addressed  
Council outlining the application for a minor variance to permit  
an addition to the rear of the existing single family dwelling  
at 2569 Oxford Street as found in the July 27, 1987 staff  
report. Mr. Campbell went on to note that the Development  
Officer had refused this variance on the basis that it did not  
comply with Section 79(3)(c) of the Planning Act.

Mr. Patrick Kenton, the applicant, addressed Council  
indicating that he did not understand how the error in  
measurement of the lot had occurred and noted that upon being  
advised of the error he had immediately stopped work on the rear  
addition. Mr. Kenton went on to note that 9 of the 13  
residents advised of the rear variance had written letters  
indicating they were not opposed to the rear addition. Mr.  
Tennant indicated that since the variance was only one foot he  
felt it was very small.

There were no other persons present wishing to  
address Council with respect to this matter.

MOVED BY Alderman Weaver, seconded by Alderman R. Grant  
that the Development Officer in relation  
to the minor variance report at 2569 Oxford Street be  
reprimanded and the appeal approved.

Alderman Weaver advised that he had the nine  
letters from abutting residents and Mr. Tennant's  
presentation and they were filed in the official file of  
this meeting.

The motion was lost and carried.

PETITIONS AND DELEGATIONS

Petition Alderman Weaver re: ... Development  
Alliance ...

Alderman ...  
signatures ...

MOVED by Alderman Meagher, seconded by Alderman Hamshaw  
that 2323, 2325, 2327, 2329, 2333, 2335, 2336 and 2337 Princess  
Place be designated Heritage Properties and registered in the  
City of Halifax Registry of Heritage Properties.

Motion passed with Deputy Mayor Jeffrey and Alderman R.  
Grant and Leiper.

PUBLIC HEARINGS, HEARINGS, ETC.

Appeal of Variance Refusal - 2569 Oxford Street

A staff report dated July 27, 1987 was submitted.

Mr. W. D. Campbell, Development Officer, addressed  
Council outlining the application for a minor variance to permit  
an addition to the rear of the existing single family dwelling  
at 2569 Oxford Street as found in the July 27, 1987 staff  
report. Mr. Campbell went on to note that the Development  
Officer had refused this variance on the basis that it did not  
comply with Section 79(3)(c) of the Planning Act.

Mr. Patrick Connors, the applicant, addressed Council  
indicating that he did not understand how the error in  
measurement of the lot had occurred and noted that upon being  
advised of the error he had immediately stopped work on the rear  
addition. Mr. Connors went on to note that 9 of the 13  
residents advised of the minor variance had written letters  
indicating they were not opposed to the rear addition. Mr.  
Connors indicated that since the variance was only one foot he  
felt it was very minor.

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

MOVED by Alderman Meagher, seconded by Alderman R.  
Grant that the decision of the Development Officer in relation  
to the minor variance request at 2549 Oxford Street be  
overturned and the appeal be upheld.

Alderman Meagher submitted to the City Clerk the nine  
letters from abutting residents referred to in Mr. Connors  
presentation and they now form a part of the official file of  
this meeting.

The motion was put and passed.

PETITIONS AND DELEGATIONS

Petition Alderman Downey re: Opposition of Proposed Development  
Agreement - Spring Garden Road Place

Alderman Downey submitted a petition containing some 99  
signatures in opposition to the proposed development agreement

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regarding Spring Garden Place, Phase II. Alderman Downey noted that this petition had been submitted at the public hearing in relation to this matter held on Monday, July 27, 1987.

Letter Alderman Dewell re: Proposal for Outdoor Patio -  
Jenny's Place (Tavern) - Lady Hammond Road

Alderman Dewell submitted a letter from Joanne Lefebvre, 3676 Basinview Drive in opposition to the proposal to erect an outdoor patio at Jenny's Place on Lady Hammond Road. Alderman Dewell noted that a petition regarding this matter was being circulated in his area and Mrs. Lefebvre feared that she would be unable to sign the petition as she was planning to be out of the City in the near future. Alderman Dewell indicated that Mrs. Lefebvre would like this letter attached to the petition when and if it is submitted to Council.

### REPORT FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on July 27, 1987 as follows:

Stormwater Management Study - Phase III: Preparation of Storm  
Master Plans - Mainland North Area

MOVED by Alderman Marchand, seconded by Alderman Leaper  
that, as recommended by the Finance and Executive Committee:

- a) Council approve the appointment of Acres International Ltd. for the Preparation of Storm Drainage Master Plans for Mainland North Area of the City;
- b) that compensation to the consultant firm be made in accordance with the guidelines as recommended by the Association of Professional Engineers of Nova Scotia but not to exceed \$9,772,222.00;
- c) the payment to the consultant be made from funds available in Account No. DAD53.

Motion passed.

Agreement of Purchase and Sale - 1467-71 Brenton Street and Lands  
Dicaden Row

This matter was dealt with previously in the meeting.

Permit Application 25271 - Resolution - 1583 Barrington Street

Following is the recommendation of the Finance and Executive Committee:

"That an in-camera meeting be held on the subject.

MOVED by Alderman Meagher, seconded by Alderman R. Grant that this matter be deferred.

Motion passed.

Halifax Shipyards

An information report dated July 23, 1987 was submitted.

Following is the recommendation of the Finance and Executive Committee:

\*That letters be forwarded to both Mr. McInnes and to the Prime Minister outlining the concerns of Council in relation to the employment situation at the Halifax Shipyards.

MOVED by Alderman Meagher, seconded by Alderman Dewell that due to the non-attendance of Alderman O'Malley at this meeting, this matter be deferred to the next regular meeting of the Committee of the Whole Council scheduled for August 19, 1987.

Motion passed.

City Hall Restoration and Renovations Committee

MOVED by Alderman D. Grant, seconded by Alderman Hamshaw that, as recommended by the Finance and Executive Committee, Council approve the expenditure of the \$705,000.00 from the Sale of Land Account to complete the project, subject to the approval of the Minister of Municipal Affairs.

A questioning of staff ensued with Alderman R. Grant indicating that he felt Council should carry out a review in relation to City Hall Renovation in order that a similar situation does not arise in the future.

A further short discussion ensued with Deputy Mayor Jeffrey referring to the electrical and plumbing work which was being carried out in the building. Deputy Mayor Jeffrey asked if the City had plans or sketches showing what work was being carried out and noted that these plans would be necessary in the future should some problem occur.

The City Manager indicated that he presumed there were plans, however, he would have to check into the matter. The City Manager further noted that perhaps additional plans would be required from the contractor carrying out the electrical work.

The motion was put and passed.

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The City Manager outlined the schedule of events to take place in relation to the City Hall Renovation noting that the present Council Chamber would be dismantled beginning tomorrow and that after the Council break meetings would be held in the new Chamber. The City Manager noted that the new Chamber would lack only new Aldermanic Chairs and audio and video facilities.

The City Manager went on to note that the present Aldermanic Chairs would be used for the time being and that a temporary recording system would be installed in the new Chamber. The City Manager further noted that the audio and video system would be in place within two to three meetings after Council has returned from its break. The City Manager noted that the purpose of this move was to ensure that work continued not only on the third floor but, throughout the building.

Bloomfield School Disposal Committee - Alderman O'Malley

This matter was forwarded to Council without recommendation.

MOVED by Alderman Meagher, seconded by Alderman Downey that, due to the non-attendance of Alderman O'Malley at this meeting, this matter be deferred to the next regular meeting of the Committee of the Whole Council scheduled for August 19, 1987.

Motion passed.

Alderman Meagher noted that a meeting including the Alderman involved with this School was to be held to discuss this matter.

Alderman Dewell addressed the matter and indicated that he merely wished to report to Council that at a recent meeting of the School Board the Dalhousie School had been declared surplus and the Board had confirmed their resolution regarding the Bloomfield School not being declared surplus until June of 1988. Alderman Dewell noted that this motion provided for the programs which, at the request of the Aldermen involved, were being continued at the Bloomfield School until alternate facilities can be found.

Alderman Cromwell addressed the matter indicating that he had great difficulty with this matter and noted that he could not understand why the School Board had not let the school remain open until June of 1988 if they were not planning to declare it surplus until then. Alderman Cromwell went on to indicate that he agreed with the continuance of the programs at Bloomfield School, however, he noted that the School Board must still bear the costs of heating, lighting, etc. Alderman Cromwell requested a report from the School Board explaining why they had taken this action.

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Alderman Walker addressed the matter requesting a report from the School Board with regard to how the children of Purcell's Cove were to be transported to the Towerview School.

Dogs - Alderman Walker

This matter was forwarded to Council without recommendation.

Alderman Walker addressed the matter indicating that he had brought this matter to Council in the form of a question in May of this year. Alderman Walker went on to note that the City does have a bylaw requiring persons to clean up after their animals. Alderman Walker noted, however, that these individuals were allowed to walk their dogs in playgrounds and parks. Alderman Walker indicated that mothers of small children were hesitant to let their children play in the grass in the areas due to the presence of dog waste.

Alderman Walker went on to note that he had received a report in relation to this matter which indicated that the City could, if Council wished, provide signs upon request prohibiting dogs in playgrounds and parks. Alderman Walker indicated that he would like to see this action taken by the City and MOVED, seconded by Alderman Leiper that signs be provided upon request prohibiting dogs in playgrounds and parks.

Alderman Leiper addressed the matter indicating that she had received some calls with similar concerns. Alderman Leiper noted that it had been suggested to her that, in light of the difficulty in enforcing the 'pooper-scooper law', Council should attempt to aid in enforcing this law through a public appeal to citizens to clean up after their dogs.

Alderman R. Grant addressed the matter requesting that this matter be referred to the Board of Health for a review. Alderman R. Grant suggested that the Board should look into various regulations and Ordinances which are in effect in other centers across the country and address the matter in relation to the Health Act.

Alderman Cromwell addressed the matter noting that the 'pooper-scooper law' in other centres was a law which was considered to be very serious. Alderman Cromwell noted that this was not the case in Halifax and suggested that this law should be reviewed.

Motion passed.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on July 22, 1987 as follows:

Award of Tender #87-108 - Roach's Pond - Trunk Sewer Extension

MOVED by Alderman R. Grant, seconded by Alderman Walker  
that, as recommended by the Committee on Works:

- 1) Council approve the award of Tender #87-108 to D. A. Lanthier Construction Company Limited for the materials and services at the quoted unit prices (and a bid price of \$198,960.00);
- 2) Council approve the appointment of Beasy Nicholl Engineering Limited to provide site supervision and inspection during the construction of the project; and
- 3) Council authorize funds from Account No. DD017 for a total project cost of \$275,000.00.

Motion passed.

Award of Tender #87-35 - Paving Renewals

MOVED by Alderman Crowell, seconded by Alderman D. Grant that, as recommended by the Committee on Works, Tender #87-35 regarding paving renewals for (1) Alderwood Drive (St. Margaret's Bay Road to Dead End); and (2) Cherry Street (Vernon Street to Robie Street) be awarded to Standard Paving Maritime Limited for unit prices of \$57,590.00 and \$161,143.00 respectively and for total project costs of \$69,100.00 and \$193,371.60 respectively (funds to be authorized from Account Numbers CE004 and CE007).

Motion passed.

Local Improvement Project - Cross Street

This matter was forwarded to Council without recommendation.

Deputy Mayor Jeffrey addressed the matter indicating that he had spent the last two evenings discussing this matter with the residents involved. Deputy Mayor Jeffrey noted that the residents involved were seniors who were striving to pay their taxes and remain in their homes. Deputy Mayor Jeffrey indicated that the proposal was to pave and install curb and gutter on Cross Street and the residents were being asked to pay between \$1,700 - \$2,300 for this renewal. Deputy Mayor Jeffrey noted that this was due to the fact that the residents were not paying frontage but, rather the length of their properties.

Deputy Mayor Jeffrey went on to note that in discussions with the Engineering and Works Department he had ascertained that the policy in this regard had not been reviewed in quite some time. Deputy Mayor Jeffrey noted that the present policy was causing problems for residents throughout

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the City and MOVED, seconded by Alderman Walker that the report regarding Cross Street be tabled pending a staff review of the present policy and a staff report coming back to Council for discussion.

Deputy Mayor Jeffrey indicated that he would like staff to review what could be done to cut down on the amount charged for projects such as these and indicated that this was particularly important in the Cross Street situation. Deputy Mayor Jeffrey indicated that he would like this report as soon as possible.

Motion passed.

MAPC Report on Pollution Control for Halifax Harbour

MOVED by Alderman Cromwell, seconded by Alderman R. Grant that, as recommended by the Committee on Works,

- 1) Council endorse the MAPC Report on the Pollution Control Program for the Region, particularly that no raw sewage enter the Halifax Inlet (including industrial waste), subject to:
  - (a) confirmation from all regional municipalities on the regional approach; and
  - (b) confirmation from all regional municipalities of regional cooperation in the resolution of identified pollution abatement requirements;
- 2) Council request MAPC to obtain from higher levels of government direction on the Water Quality Standards required for the Harbour;
- 3) Council direct staff, in consultation with the other regional municipalities, to immediately prepare a draft bylaw to control the discharge of industrial waste to the Harbour; and
- 4) Council request MAPC to determine and confirm the level of funding available from higher levels of government to the Region to implement the treatment requirements defined by Water Quality Standards required for the Harbour and implementation of a "one-plant" Pollution Control Strategy.

Motion passed.

Alderman Cromwell addressed the matter suggesting that a meeting with the other municipalities should be arranged as soon as possible. Alderman Cromwell noted that Council should be prepared to make provision in the 1988 Capital Budget for work in the area of pollution control and should, therefore, arrange a meeting as quickly as possible. Alderman Cromwell requested that the Mayor should make the necessary arrangements.

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A short discussion and questioning of staff ensued and the Motion was put and passed.

REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS & COMMISSIONS

Amendment to Ordinance Number 116, the Taxi Ordinance  
(Insurance Requirements) - SECOND READING

This matter was given First Reading at a regular meeting of Halifax City Council held on July 16, 1987.

MOVED by Deputy Mayor Jeffrey, seconded by Alderman R. Grant that, as recommended by the Finance and Executive Committee, the following amendment to Section 15 of Ordinance 116, the Taxi Ordinance, be given SECOND READING:

15(1) The owner of a vehicle used as transportation for hire shall maintain insurance coverage for public liability, passenger hazard, and property damage in the amount of \$1,000,000.00 for use of the vehicle as a taxi without any limit on any particular claim regardless of the number of persons involved or the nature of the claim, a copy of which shall be deposited with the Chief of Police prior to the issuance of a license therefor.

15(2) The operator of a vehicle licensed hereunder shall, upon demand of a peace officer, produce proof that the vehicle is insured in the amount and as required by subsection (1).

Motion passed.

Amendment to Ordinance Number 180, the Streets Ordinance  
(Street Vendors) - SECOND READING

This matter was given First Reading at a regular meeting of Halifax City Council held on July 16, 1987.

MOVED by Alderman Cromwell, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, the following amendments to Ordinance Ordinance 180, the Streets Ordinance, be given SECOND READING:

1. (1) Subsection (2) of Section 48 is amended by
  - (i) deleting the period at the end of clause (g) and substituting therefor a semi-colon and adding the word "and"; and
  - (ii) adding immediately after clause (g), the following clause:

- "(h) payment of proper license fee as prescribed by Section 50."
- (2) Subsection 10 of Section 48 is repealed and the following substituted therefor:
- "(10) A license may be revoked by the License Inspector,
- (i) for violation of the terms of this Ordinance;
  - (ii) where the License Inspector is informed by an official responsible for the administration of another Ordinance that there has been a conviction for a violation of that other Ordinance of the City; or
  - (iii) where there has been a conviction for a violation of the provisions of the Motor Vehicle Act or any regulations made thereunder with respect to the operation of a mobile canteen.
2. (1) Subsection (1) of Section 53 of said Ordinance 180 is amended by deleting the words "A vendor shall not" from the first line thereof and by substituting therefor the words "No person shall".
- (2) Said subsection (1) is further amended by adding immediately after the clause (d) thereof the following clause:
- (da) vend on any street between the hours of 3:00 o'clock and 9:00 o'clock in the forenoon;
- (3) Clause (f) of said subsection (1) is repealed and the following substituted therefor:
- (f) store, park, leave or have any stand on any street or sidewalk between the hours of 3:00 o'clock and 9:00 o'clock in the forenoon, or park any motor vehicle other than in a lawful parking place, in conformance with City and Provincial parking regulations.
- (4) Clause (h) of said Subsection (1) is amended by deleting the word "vendor" from the fourth line thereof and by substituting therefor the word "person".
- (5) Clause (b) of Subsection (2) of said Section 53 is amended by deleting the words "the entrance to" in the second and fifth lines thereof and by substituting therefor the words "any doorway of".

- (6) Clause (c) of said Subsection (2) is amended by deleting the words "an entranceway to" and by substituting therefor the words "any doorway of".
- (7) Clause (a) of Subsection (3) of said Section 53 is amended by deleting the words "the entrance to" in the first line thereof and by substituting therefor the words "any doorway of".

Motion passed.

Recommendations - Rules of Order Committee

A report, dated July 24, 1987, was submitted by the Rules of Order Committee.

MOVED by Deputy Mayor Jeffrey, seconded by Alderman Hamshaw that this matter be placed on the agenda of the next regular meeting of Committee of the Whole Council (scheduled for Wednesday, August 19, 1987) to allow members of Council an opportunity for debate.

The motion to defer was put and passed.

Recommendations - Tax Concessions and Grants Committee

A report, dated July 29, 1987, was submitted from Alderman N. Meagher, Chairman of the Tax Concessions and Grants Committee.

MOVED by Alderman Meagher, seconded by Alderman D. Grant that, as recommended by the Tax Concessions and Grants Committee, the following grants be awarded:

Centennial Arena Commission	- \$10,000.00
International Bridge, Tunnel, and Turnpike Association	- \$ 500.00
Captain William Spry Centre	- \$ 1,859.13
Spryfield Lions Club	- \$ 2,644.69

The motion was put and passed.

REPORT - CITY PLANNING COMMITTEE

Council considered the report submitted by the City Planning Committee from its meeting held on Wednesday, July 22, 1987 as follows:

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6399 North Street (Ardmore Hall)

This matter was raised by Alderman Meagher during a meeting of the City Planning Committee held on July 22, 1987, at which time a staff report had been requested.

An Information Report, dated July 30, 1987, was submitted.

Alderman Meagher advised that residents of the Oxford/North Street area have expressed their concern regarding an application recently received by the City to convert a student residence (located at 6399 North Street) into a 22-unit apartment building. To alleviate those concerns, the Alderman advised that a public meeting has been scheduled for Tuesday, August 4, 1987 at 7:30 p.m. in the Aldermen's Lounge (City Hall), at which time the developer in question will be on hand to respond to questions.

Alderman Meagher then submitted a petition (containing approximately 77 signatures from area residents) in opposition to the conversion of Ardmore Hall at 6399 North Street.

Mainland North Traffic

The above-mentioned matter had been forwarded to Council without recommendation.

With reference to the Information Report, dated July 15, 1987 (previously submitted), it was moved by Alderman Leiper, seconded by Alderman D. Grant that City Council recommend that for a two-month trial period (beginning September 1, 1987), signs advising "No Left Turns Between the Hours of 7-9 A.M." be installed on Dunbrack Street, with no turns whatever being allowed at Laceywood Drive.

Responding to a question from Deputy Mayor Jeffrey, the City Manager noted that, in this instance, Council is empowered only to make recommendation on the matter to the appropriate Traffic Authority.

While supporting Alderman Leiper's motion in principle, Alderman Dewell expressed concern that by changing the existing traffic patterns in Mainland North, increased pressure would be brought to bear on such Peninsula Streets as Connaught Avenue and Connolly Street which, he advised, are already overburdened in terms of traffic flows.

After some further discussion, the motion was put and passed with Alderman Dewell voting in opposition.