

SPECIAL COUNCIL
PUBLIC HEARING
MINUTES

Council Chamber
City Hall
Halifax, Nova Scotia
April 20, 1988
5:00 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 joined in reciting the Lord's Prayer.

Present: His Worship Mayor Wallace, Chairman; Deputy Mayor Walker; and Aldermen Downey, Meagher, Dewell, R. Grant, Leiper, Flynn, and Hamshaw.

Also Present: Mr. C. Reddy, Development and Planning Department; Mr. P. Calda, City Manager; Mr. B.S. Allen, representing the City Solicitor; Mr. E.A. Kerr, City Clerk; and other members of City staff.

ADDED ITEMS

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

1. Rugby and Horseshoe Club(s) - Proposal: Graves-Oakley Memorial Park;
2. Clayton Park West - Amendment to Schedule K Contract.

Rugby and Horseshoe Club(s) - Proposal: Graves-Oakley Memorial Pk

MOVED by Alderman R. Grant, seconded by Deputy Mayor Walker that, as recommended by the City Planning Committee, staff be authorized to negotiate a formal lease, which can be recommended to Council, based on the proposal of the Metro Rugby Union to lease land at \$1.00 per year for the purpose of constructing and maintaining a rugby park.

Motion passed.

Clayton Park West - Amendment to Schedule K Contract

MOVED by Alderman Hamshaw, seconded by Alderman Flynn that, as recommended by the City Planning Committee, City Council confirm the approval given on October 15, 1987, as follows:

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- a) Grant Stage I approval to the lands of Clayton Developments (owned and under option) as shown on Plan No. P200/15810 and grant Stage II approval to Phase I of Clayton Park West, a 92 acre parcel as shown on Plan No. P200/16589;
- b) Consider the use of landscaped "islands" at the ends of the cul-de-sac streets provided they are of low maintenance design;
- c) Approve the cost sharing formula for the construction of Street K;
- d) Require that the height of the two proposed high rise buildings be reduced to a maximum of 13 storeys;
- e) Require that the number of single family homes in this project be increased from 18 to a minimum of 36, and;
- f) Require that the local streets between Langbrae Gardens and Clayton Park West be connected.

Motion passed.

Case No. ~~5487~~⁵⁴⁷⁸ - Rezoning from R-2 to C-2B: 386 Bedford Highway and
Rezoning from C-2B to R-2: 51/2 Dakin Drive

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

Mr. C. Reddy of the Development and Planning Department, with the use of diagrams, outlined the application to rezone a small portion of the property located at Civic No. 386 Bedford Highway from R-2, Two Family Dwelling Zone to C-2B, Highway Commercial Zone (as illustrated in the staff report dated February 25, 1988).

Alderman Hamshaw questioned why this item was before Council because, to his knowledge, the land in question has always been commercial. He indicated that he would support staff's recommendation that the proposed rezoning be approved. Alderman Hamshaw noted that he had not received any correspondence or telephone calls either for or against this proposal.

Mrs. Irene Hilchie, residing at 27 Dakin Drive, addressed Council and expressed concern with respect to the proposed application. Referring to diagrams displayed on the monitor, Mrs. Hilchie explained where she lived and the area affected by the proposed rezoning. In her presentation, Mrs. Hilchie noted that she has lived in the area for almost 40 years

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and suggested that Dakin Street is the prettiest street in Halifax. It was her opinion that the proposed rezoning would alter the whole character of the area which she referred to as her "tight little island". Mrs. Hilchie went on to indicate that it was her understanding even after the area became part of the City that all of Dakin Drive was zoned R-2. She went on to comment that she still considers Lot 21B as zoned R-2 as well as Lot 20 noting that it is assessed as part of Dakin Drive. Mrs. Hilchie further commented that the staff report indicates that the applicant subdivided Lots 20 and 21B to form Lots 20A and 21D and Parcel A. She questioned how part of Lot 21B became commercially zoned noting that there was never a hearing or notice advertised to rezone any part of Lot 21B.

Mrs. Hilchie expressed the concern that this application will be the first wedge of an encroachment into their residential area. She went on to advise that the applicant does not own Lot 20A except for the part that he purchased as Lot 21C. Therefore, she suggested that there is an error in Staff's submission and asked that the rezoning application be refused on the basis that the applicant does not own 5 Dakin Drive nor 7 Dakin Drive according to the City's assessment records. Referring to the staff report where it states that the dwelling on the adjacent lot is located approximately 80 ft. away from the proposed zoning line, Mrs. Hilchie suggested that it is no more than two car lengths from his back foundation to the footings that have already been installed noting there is a minimum 20 feet from each boundary. Mrs. Hilchie questioned whether or not the church property is actually zoned C-2B suggesting that it was not.

Referring to Section 17 of the City's Land Use Bylaw, Mrs. Hilchie advised that it was her understanding that any property with a boundary that has been generally designated a certain zone but where the exact dimensions or back boundary line has not been indicated, 200 feet will be taken back from the street to establish the zoning line of that property. She suggested that 5 1/2 Dakin Drive was not 200 feet back from Dakin Drive as it originally was. Therefore, she suggested that she has every right under Section 17 to demand that the application be reviewed and a further hearing held.

Responding to a question from Alderman Dewell, Mr. Reddy clarified that assessment is not an issue in this application. He explained that approval of the rezoning would clearly define the boundaries in question.

The applicant, Mr. Kevin Gildart, addressed Council advising that he operates a commercial establishment to trade automobiles on the Bedford Highway listed currently as property site 243. Referring to Mr. Reddy's maps, Mr. Gildart described the area in question noting that the whole area in question, with

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perhaps the exception of a small strip, is zoned C-2B. He also drew reference to the islands in question, noting that immediately across the street from his property, a large Irving Filling Station exists. Mr. Gildart suggested that he is somewhat of a conscientious business person. He advised that Reverend Cluett, of St. Peter's Church, and all members of Parish Council had been consulted with respect to the use of the property (design of the buildings, etc.). He further advised that he had spent a lot of time and money contacting these people and having architects drawings prepared to show them exactly his plans with respect to the property. Mr. Gildart indicated that strong support with respect to the proposed development was received from all persons contacted. He went on to explain that the property purchased has an invisible line that runs down one side of it. Mr. Gildart explained that the invisible line allows him to do certain things with respect to parking of vehicles and so on. He advised that he is requesting that the invisible line be removed and lined up with the property that was purchased.

Mr. Gildart noted that the residents of 5 Dakin Drive have been promised that a privacy screen would be erected of substantial form to basically protect Dakin Drive from commercial exposure. In concluding, Mr. Gildart advised that the building proposed is in keeping with the flavour of the area and would be a significant enhancement against the property as it currently exists or existed up until this day.

There were no further person wishing to address Council.

MOVED by Alderman Hamshaw, seconded by Alderman Dewell
that this matter be forwarded to Council without recommendation.

Motion passed.

Case No. 5333 - Development Agreement - Charles Place, Phase II
2502-18 Gottingen Street and 2535 Creighton Street

This matter was deferred from the City Council meeting held on Thursday, April 14, 1988 pending receipt of a staff report regarding traffic studies being undertaken in the Gottingen/Brunswick Streets area and the proposed Gottingen Street exit.

An information report dated April 19, 1988 was submitted.

Responding to a question from Alderman Downey, Mr. Reddy advised that a request had been received from Mr. Ross asking for copies of all staff reports with respect to the application which had been forwarded to him.

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Responding to a further question from Alderman Downey, the City Clerk advised that no correspondence had been received either in favour of or in opposition to the proposed development agreement since the public hearing held on this matter on April 6, 1988.

MOVED by Alderman Downey, seconded by Alderman Flynn
that Council approve the following:

1) The application pursuant to Schedule "C", Section 83(c) of the Peninsula portion of the Land Use Bylaw to permit construction of a 59-unit apartment building and parking structure at Civic Nos. 2502-18 Gottingen Street together with an existing 23-unit apartment building at 2535 Creighton Street, as shown on Plans No. P200/16304-308 of Case No. 5333 ;

2) The contract (as per the amended agreement attached to the April 7, 1988 supplementary report) shall be signed within 120 days or any extension thereof by Council on request of the applicant from the date of final approval by Halifax City Council and any other bodies as necessary, whichever approval is later, including any applicable appeal periods; otherwise, this contract approval will be void and obligations arising hereunder shall be at an end.

Motion passed with Alderman Hamshaw abstaining due to non-attendance at the Public Hearing.

6:00 p.m. The meeting adjourned.

HIS WORSHIP MAYOR WALLACE
CHAIRMAN

/mmd

HEADLINES FOR CITY COUNCIL MINUTES
of 04/20/88

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CITY COUNCIL
MINUTES

Council Chamber
City Hall
Halifax, Nova Scotia
April 28, 1988
8:00 P. M.

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

The meeting was called to order with His Worship noting that Council was pleased to have the Reverend Mr. Rod MacAuley of the Brunswick Street United Church present this evening to lead Council in the Lord's Prayer.

Reverend Mr. Rod MacAuley then led Council in the recitation of the Lord's Prayer.

His Worship referred to the recent deaths of General Plow, former Lieutenant Governor and Mr. Eddie Martin, a long time employee of Transit. Council then observed a moment of silence in memory of these two gentlemen.

His Worship welcomed the Political Science class of J. L. Ilsley School noting that their teacher, Ms. Verna McLeod, was accompanying her class this evening.

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

ALSO PRESENT: City Manager; City Solicitor; City Clerk; and other members of City staff.

MINUTES

Minutes of the regular meeting of City Council held on April 14, 1988 and of the special meeting of City Council held on April 20, 1988 were approved on a motion by Alderman Hamshaw, seconded by Alderman Jeffrey.

PRESENTATIONS

R.C.A.F. Association - No. 111 Mic Mac Wing - Certificate of Appreciation

His Worship advised that Mr. Oakley, Chairman of the Awards Committee and Mr. Stewart Logan, President, of the R.C.A.F. Association, No. 111 Mic Mac Wing, were present this evening to

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present Council and the City with a Certificate of Appreciation. His Worship asked that Mr. Oakley and Mr. Logan come forward to make the presentation.

Mr. Oakley addressed Council expressing thanks for allowing the 111 Mic Mac Wing of the R.C.A.F. to make this presentation this evening. Mr. Oakley indicated that the 111 Mic Mac Wing had existed for the past 11 years and the prime purpose of the organization was to sponsor Air Cadet Squadrons. Mr. Oakley indicated that the association also attempted to keep alive the memory of those who died in the R.C.A.F. fighting with the Allies. Mr. Oakley went on to note that the Association sponsored the Battle of Britain Parade each year to this end.

Mr. Oakley went on to thank Council and the City for their support over the years and noted that His Worship had attended the Battle of Britain Parade on a number of occasions. Mr. Oakley also referred to the cooperation received from City staff in relation to tag days. Mr. Oakley indicated that in recognition of the City's cooperation and encouragement, the No. 111 Mic Mac Wing, R.C.A.F. Association would like to present a plaque in appreciation.

His Worship, accepting the plaque on behalf of Council, thanked Mr. Oakley and his association for the good work they have done over the years and the presentation to Council.

Marketing Committee - Halifax Industrial Commission

An information report dated April 15, 1988 from George Cooper, Chairman, Halifax Industrial Commission, was submitted.

In response to a question from Alderman O'Malley as to whether or not the members of the Marketing Committee had been requested to attend this meeting of Council, the City Clerk indicated that an extract of the minutes of the meeting at which this matter was discussed had been forwarded to the Industrial Commission.

Alderman O'Malley addressed the matter indicating that he did not believe the members of the Marketing Committee had received an invitation to attend this meeting of Council. Alderman O'Malley went on to note, however, that this matter had been discussed at a recent meeting of the Industrial Commission and it had been ascertained at that time that many of the members of the Marketing Committee would be unable to attend this meeting of Council. Alderman O'Malley indicated that the members of the Marketing Committee had requested that this matter be deferred to the next regular meeting of Halifax City Council.

Alderman O'Malley reiterated comments he made previously with regard to the Hong Kong trade mission being discussed in a

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public forum and noted that the Marketing Committee was eager to fully discuss the matter with Council publicly. Alderman O'Malley requested that this matter be deferred to the next regular meeting of Halifax City Council to be held on Thursday, May 12, 1988, at which time the Marketing Committee of the Industrial Committee will be present to discuss the arrangements for the Hong Kong trade mission with members of Council.

Members of Council agreed that the matter be deferred to the next regular meeting of City Council.

Alderman O'Malley requested that the City Clerk request, in writing, the members of the Marketing Committee to attend the next meeting of Council.

APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS AND DELETIONS

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

14.3 Report - Board of Police Commission re: Award of Tender
87-189 - Personal Service of Summonses

20.1 Grand Parade

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

Motion passed.

DEFERRED ITEMS

Case No. 5478 - Rezoning from R-2 to C-2B: 386 Bedford Highway
and Rezoning from C-2B to R-2: 5 1/2 Dakin Drive

A public hearing into the above matter was held on April 20, 1988. Correspondence dated April 25, 1988 from Irene M. Hilchie, 27 Dakin Drive, was submitted.

Alderman Hamshaw addressed the matter referring to the correspondence from Ms. Hilchie noting that this was the only objection received. Alderman Hamshaw noted that the property had enjoyed a number of uses over the years and MOVED, seconded by Alderman Flynn that City Council:

1. Approve the proposed rezoning of the small portion of Lot 21C at 386 Bedford Highway from R-2, Two Family Dwelling Zone, to C-2B, Highway Commercial Zone; and

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2. Approve the proposed rezoning of the small portion of Lot 21D at 5 1/2 Dakin Drive from C-2B, Highway Commercial Zone, to R-2, Two Family Dwelling Zone.

Motion passed with Aldermen D. Grant, Cromwell, O'Malley and Jeffrey abstaining due to non-attendance at the public hearing.

PETITIONS AND DELEGATIONS

Petition Deputy Mayor Walker re: Bus Shelter - Cowie Hill

Deputy Mayor Walker submitted a petition signed by approximately 40 residents of the Cowie Hill Lodge requesting that a bus shelter be installed for use by tenants of the Cowie Hill Lodge.

Petition Alderman Jeffrey re: Widening of Dutch Village Road

Alderman Jeffrey submitted a petition signed by approximately 200 residents of the Dutch Village Road area in opposition to the widening of the Dutch Village Road.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on April 20, 1988, as follows:

Mainland North Branch Library

This matter was forwarded to Council without recommendation.

A staff report dated April 20, 1988 was submitted.

MOVED by Alderman Hamshaw, seconded by Alderman Leiper that the Halifax City Regional Library Board sign a ten year lease beginning December 1, 1988 with the Clayton Professional Centre Ltd. for 10,200 square feet of ground floor space in the professional building to be constructed on the northeast corner of the intersection of Dunbrack Street and Lacewood Drive at a guaranteed base rental amount of \$16.95 per square foot.

Motion passed.

B.F.I. Strike

MOVED by Alderman Leiper, seconded by Alderman Flynn that, as recommended by the Finance and Executive Committee, Council be informed of negotiations to date which have gone on

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between BFI and their employees and that staff determine what this city can do to assist in bringing this dispute to a conclusion which is acceptable to both BFI and their employees.

Motion passed.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on April 20, 1988, as follows:

Canadian Port Corporation - Salt Storage, Pier #9

It was recommended that staff bring forward a report in relation to this matter to this meeting of City Council. Correspondence dated April 26, 1988 from Thomas G. Faulkner, Agent of Mines Seleine Inc., Montreal, Quebec, was submitted.

Alderman O'Malley addressed the matter indicating that he had brought this matter to the attention of Council at the April 20, 1988 Finance and Executive Committee meeting. Alderman O'Malley indicated that at that meeting he had requested signed reports addressing his concerns from the Provincial Department of Environment, the Atlantic Health Unit and the City's Board of Health.

Alderman O'Malley then referred to the letter received from Mr. Thomas G. Faulkner and quoting from the letter indicated that the sensitivity mentioned in the letter must arise from the expression of concern in relation to the storage of salt at Pier #9. Alderman O'Malley further noted that the letter stated that the Federal Department of Environment had advised, in November of 1987, that a permit was not required. Alderman O'Malley indicated that he had no report from the Federal or Provincial Departments of the Environment, nor any other health agency, that this salt storage was a safe use given the proximity to a residential area.

Alderman O'Malley indicated that he would like reports as quickly as possible noting that rising temperatures and the increasing dust were of concern to him. Alderman O'Malley noted that he had observed unsuccessful attempts to cover the salt piles with plastic over the last week. Alderman O'Malley indicated that these attempts only enforced his opinion that plastic coverings would not be satisfactory.

Alderman O'Malley went on to note that he did not know who was responsible for the lack of information, however, he had read an article in the press regarding the matter. Alderman O'Malley again requested that Council receive written reports, signed by someone in authority, regarding whether or not there would be any impact, health or otherwise, as a result of the

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storage of salt on the site. In closing, Alderman O'Malley asked if any contact had been made with the appropriate officials.

His Worship noted that a letter had been forwarded on April 22, 1988 to the Deputy Minister of the Environment regarding this matter, however, no response has been received to date.

A further questioning of staff determined that no contact had been made with the Atlantic Health Unit in this regard.

Alderman O'Malley, referring to his comments made at the Committee of the Whole regarding the possible health hazard to those persons having high blood pressure and heart trouble, indicated that he would like some comment from representatives of the Health Profession regarding his concerns.

His Worship indicated that Council was awaiting a reply from the Provincial Department of the Environment and that an inquiry would go forward to the Atlantic Health Unit in this regard.

REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS AND COMMISSIONS

Amendment to Ordinance No. 172 - (No Smoking Sections in Restaurants) - SECOND READING

This matter was last discussed at the April 20, 1988 Finance and Executive Committee at which time a recommendation for Second Reading was approved.

A report from Donald F. Murphy, City Solicitor, dated April 25, 1988 was submitted. Correspondence dated April 27, 1988 from D. M. Murray, President, Atlantic Energetech Ltd., was also submitted.

MOVED by Alderman Leiper, seconded by Alderman Flynn that the amendments proposed to Ordinance 172, the Smoking Ordinance, as contained in Schedule "A" of the April 25, 1988 report from the City Solicitor be given SECOND READING and, further that the Ordinance be brought back for review within one year of approval by the Minister of Municipal Affairs.

Referring to the letter received from Mr. D. M. Murray, Atlantic Energetech Ltd., Alderman Leiper proposed that, during the year prior to the review of the Ordinance, Council investigate what acceptable air levels are and how the systems described in the April 27, 1988 letter from Mr. Murray could assist the smaller

restaurants that will be affected by the amendments to the Ordinance.

Alderman O'Malley addressed the matter referring to the April 27, 1988 letter from Mr. Murray and noting that the letter made two points with which he agreed. Alderman O'Malley noted firstly, that the letter points out the lack of public participation in relation to these amendments. Alderman O'Malley further noted that the letter also described certain air cleansing apparatus and indicated that this apparatus was not a new phenomena. Alderman O'Malley noted that this equipment had been installed in many of the shops contained within his institution.

Alderman O'Malley went on to note that he felt Council was remiss in approving amendments which could adversely affect an industry without giving an adequate opportunity for a public hearing. Alderman O'Malley indicated that input should be received from individuals involved in the restaurant industry, the medical profession and the engineering association. Alderman O'Malley indicated that Council should be seeking input from all these groups. Alderman O'Malley noted that he supported the goal of the Ordinance, however, he felt a better Ordinance could be achieved by receiving additional input.

Alderman O'Malley went on to note that, in his experience, the installation of air cleansing equipment was not as expensive as has been projected. Alderman O'Malley indicated that Council should hear from the experts in relation to air cleansing equipment. Alderman O'Malley further noted that the letter stated that a number of restaurants throughout the City have installed this air cleansing equipment. Alderman O'Malley noted that, notwithstanding the existence of air cleansing systems within certain restaurants, Council will be requiring that the owner divide their restaurants into No Smoking and Smoking sections. Alderman O'Malley suggested that without the public input he has described, Council does not have adequate information upon which to make a solid judgement.

Alderman O'Malley indicated that by allowing for additional public input Council could arrive at a much better Ordinance. Alderman O'Malley indicated that such an Ordinance would be enforceable. Alderman O'Malley noted that the Ordinance could require that electrostatic air cleansing devices be installed in restaurants and their installation could be confirmed during health inspections. Alderman O'Malley indicated that such devices could result in clean air in all public buildings. Alderman O'Malley went on to suggest that the division of a restaurant into No Smoking and Smoking was inadequate. Alderman O'Malley indicated that Council should hold a public meeting with regard to this matter and allow all those who wish to do so, to speak on the matter.

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Alderman Jeffrey addressed the matter indicating that he agreed with Alderman O'Malley's comments and noting that he could not support the motion in its present form. Alderman Jeffrey noted that he did not oppose the No Smoking Ordinance, however, he felt that Council should seek input from the public regarding this matter.

Referring to the letter from Mr. Murray, Alderman Jeffrey suggested that representatives of this company were experts in their field and would be willing to come before Council to advise Council in relation to air cleansing equipment. Alderman Jeffrey indicated that the amendments as proposed would have a serious impact on the small restaurant owners within the City. Alderman Jeffrey went on to note that the institution of No Smoking and Smoking sections within the smaller restaurants would be of little benefit without proper ventilation. Alderman Jeffrey went on to note that the number or percentage of no-smoking/smoking seats within a restaurant should be left to the owner. Alderman Jeffrey noted that customer demand would determine how many seats were no smoking/smoking.

Alderman R. Grant addressed the matter agreeing with the comments made by the previous two speakers. Alderman R. Grant referred to the process undertaken in relation to the regulation of amusement machines noting that this matter had required many meetings with the industry and other interested residents. Alderman R. Grant indicated that the process in relation to amusement machine regulation had taken approximately two years. Alderman R. Grant went on to note that as a result the City achieved regulations that were acceptable and enforceable.

Alderman R. Grant then referred to conversations he had regarding the proposed amendments with members of the restaurant industry and noted that many of them wished no smoking areas in their restaurants. Alderman R. Grant noted that the members of the industry merely wanted an opportunity to address Council in relation to their concerns.

Alderman R. Grant went on to suggest that this matter should be deferred to a public meeting. Alderman R. Grant indicated that members of the restaurant industry and those individuals having technical expertise should be given an opportunity to express their views and concerns. Alderman R. Grant indicated that, through input, Council would be assured of enacting a worthwhile and viable Ordinance. Alderman R. Grant noted that enforcement of the proposed amendments to the Ordinance would be extremely difficult and suggested that cooperation would not be forthcoming from the restaurant owners if Council forced this Ordinance upon them. Alderman R. Grant indicated that members of the restaurant industry had realistic questions and problems and deserved the opportunity to have input into the Ordinance.

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MOVED by Alderman R. Grant, seconded by Alderman Jeffrey that this matter be deferred to a public meeting providing an opportunity for all interested persons to have input into the Ordinance and express their views to Council.

The motion to defer to a public meeting was put and passed.

His Worship indicated that a public meeting would be arranged and that Council would be advised accordingly.

Amendment to Ordinance Number 181 - the Spring Garden Road Business Improvement District Commission Ordinance -

SECOND READING

This matter was given First Reading at the City Council meeting held on April 14, 1988.

MOVED by Alderman Downey, seconded by Alderman Cromwell that, as recommended by the Finance and Executive Committee, City Council give SECOND READING to the amendments to Ordinance #181, the Spring Garden Road Business Improvement District Commission Ordinance, as follows, and refer the said amendments to the next regular meeting of Committee of the Whole Council for consideration and report:

- (1) Subsection (3) of Section 9 of Ordinance 181 is amended by deleting the word "three" from the first line thereof, and by substituting therefor the word "four."
- (2) Said Subsection (3) is renumbered Subsection (2).
- (3) Subsection (3) of Section 10 of said Ordinance 181 is renumbered Subsection (2).

The motion was put and passed.

Report - Halifax Board of Police Commissioners Re:
Award of Tender #87-189 - Personal Service of Summonses

This matter was last discussed during a regular meeting of Halifax City Council on March 30, 1988, at which time it was referred to the Halifax Board of Police Commissioners for review and recommendation.

A report, dated April 27, 1988, was submitted from Mr. Kenneth C. Rowe, Chairman, Halifax Board of Police Commissioners.

MOVED by Alderman Cromwell, seconded by Alderman Downey
that:

- 1) authority be granted to award Tender #87-189 for personal service of summonses to Pinkerton Investigation and Security at a cost of \$5.50 per summons properly executed in accordance with the tender criteria and other governing legislation; and
- 2) approval be granted for supplemental funding to cover the cost of this service (this funding to be offset by additional ticket receipts).

Addressing this matter, Alderman Flynn expressed his concern that, in approving this recommendation, Council would be giving approval to what he termed "an open-ended expenditure" by the Board of Police Commissioners without sufficient information being presented to Council as to the specifics of cost and revenues.

Responding to Alderman Flynn's concerns, the City Manager advised that the tender in question is intended to pertain to a twelve-month trial period so that the City can attempt to clear up its large backlog of outstanding tickets which at the present time cannot be collected owing to other priorities in the Police Department. He emphasized that, in addition to securing revenues for the City which would otherwise be lost, this service will lend itself to freeing up police manpower for matters of greater urgency. Mr. Calda further advised that it is difficult at this time to specifically identify the increased revenues anticipated as a result of this service, particularly because the total amount depends on the outcome of the judicial process.

Referring to remarks made by the City Manager, Alderman Flynn asked whether a comparison had been made between the cost of hiring an outside service such as Pinkerton's and that of hiring additional staff members for the City Collector's Office to carry out these responsibilities.

He further asked for information as to projections of what the costs of this service are going to be, how much it will add to the budget, and the amount of anticipated revenues. In addition, Alderman Flynn asked for an estimate of how much the City lost during 1987 because summonses were not being served, how much was actually collected, and how much it cost to obtain that revenue.

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It was subsequently moved by Alderman Flynn, seconded by Alderman Meagher that the matter be deferred, pending receipt of the additional information.

The motion to defer was put and lost.

A discussion ensued, with Alderman Flynn clarifying that while he was not opposed to the principle of hiring outside forces to undertake this responsibility, he felt that the information presented to Council regarding revenues and expenditures was inadequate.

After some further comments, the original motion was put and passed with Alderman Flynn voting in opposition.

The Chairman noted that staff would be asked to provide Alderman Flynn with the information requested by him earlier in the discussion.

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on Wednesday, April 20, 1988, as follows:

Case No. 5589 - Amendment to the Land Use Bylaw:
Lot Consolidations - SET DATE FOR PUBLIC HEARING

MOVED by Alderman Hamshaw, seconded by Alderman Flynn that, as recommended by the City Planning Committee, a public hearing be scheduled to consider the amendment of Section 10(1) of the Peninsula portion of the Land Use Bylaw and Section 7(1) of the Mainland portion of the Land Use Bylaw to require consolidation of lots where one building is to be erected on more than one lot; and further, that the matter be referred to the Planning Advisory Committee for review and recommendation.

The motion was put and passed.

The City Clerk advised that the requested public hearing would be scheduled for **WEDNESDAY, MAY 18, 1988 at 7:30 p.m.** in the Council Chamber, Halifax City Hall.

Case No. 5517: Schedule "K," Langbrae Gardens, Phase 2B
(Turnberry Lane)

A supplementary report, dated April 27, 1988, was submitted.

MOVED by Alderman Hamshaw, seconded by Alderman Flynn that, as recommended by the City Planning Committee:

1. the application by Ailsa Construction Limited under Schedule "K", Section 68 of the Land Use Bylaw, Mainland area, for Stage II approval of the Langbrae Gardens - Phase Two-B development, Turnberry Lane, be approved by Council; and
2. Council require that the contract shall be signed within 120 days, or any extension thereof granted by Council on request of the applicant, from the date of final approval by Halifax City Council; otherwise, the Stage II approval will be void and obligations arising hereunder shall be at an end.

The motion was put and passed.

Case No. 5512 - Rezoning and Modification:
2669 Dublin Street

This matter had been forwarded without recommendation from the April 20 meeting of the City Planning Committee

MOVED by Alderman Meagher, seconded by Alderman Cromwell that the application to rezone Civic No. 2669 Dublin Street from R-2 (General Residential) Zone to RC-1 (Neighbourhood Commercial) Zone be refused.

In putting forward this motion, Alderman Meagher referred to discussions held with neighborhood residents. He emphasized that there was no opposition to the convenience store in question remaining at 2669 Dublin as a non-conforming use in an R-2 Zone, particularly as the store has been at this location for many years and is much appreciated by those living in the area. However, the Alderman advised that the majority of those contacted expressed concern that a rezoning of this site to RC-1 would lead to problems in the future, especially since most of the surrounding neighbourhood is currently zoned R-2. In this context, Alderman Meagher made specific reference to the types of uses which would be permitted under the RC-1 zoning, underscoring the fact that residents wished the residential character of their area to be maintained.

Alderman Meagher also referred to the requirements of the RC-1 Zone, emphasizing that the property at 2669 Dublin Street is deficient in terms of lot frontage, lot area and side yard requirements.

The motion was put and passed.

MOTIONS

Motion Alderman Flynn Re: Amendments to Ordinance
Number 156, the Pollution Control Charge Ordinance
- FIRST READING

Alderman Flynn gave Notice of Motion regarding this matter during a regular meeting of Halifax City Council held on April 14, 1988.

MOVED by Alderman Flynn, seconded by Deputy Mayor Walker that Council give First Reading to the amendments to Ordinance 156 attached as Appendix "A" to the staff report, dated February 8, 1988 and as follows; and further, that these amendments be forwarded to the next regular meeting of Committee of the Whole Council (scheduled for Wednesday, May 4, 1988) for consideration and report.

1. Clause (c) of Section 2 of said Ordinance 156 is amended by deleting the words "Halifax Public Service Commission of Halifax" from the first line thereof and by substituting therefor the words "Halifax Water Commission."
2. Schedule "A" to the said Ordinance 156 is amended by adding immediately following clause (i) thereof the following clauses:
 - (j) Northwest Interceptor System (Bedford Highway to the Interchange of Highway 103 and the Bicentennial Highway);
 - (k) Bayers Lake Pumping Station including force main;
 - (l) Trunk Sewer from Bayers Lake Pumping Station to Ragged Lake Industrial Park;
 - (m) Ragged Lake Pumping Station including force main.

The motion was put and passed.

MISCELLANEOUS BUSINESS

Staff Establishment - Halifax Police Department
(Alderman O'Malley)

Alderman O'Malley advised that he had asked to have this matter placed on this evening's agenda subsequent to remarks made by the Chief of Police during the April 20 meeting of the Safety Committee.

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Alderman O'Malley stated that it was his understanding that the Chief's initial recommendation with regard to additional manpower had not been submitted to Council because the Police Commission had removed the necessary funding from the Police Department's proposed 1988 budget.

His Worship Mayor Wallace advised that the Police Commission (contrary to Alderman O'Malley's understanding of the matter) had simply agreed to take no action on the Chief's proposal, a decision which was unrelated to funding considerations.

In order to clarify this matter, Alderman O'Malley requested a taped verbatim of the April 20 Safety Committee meeting pertaining to his conversation with Chief Jackson.

In his subsequent remarks, Alderman O'Malley noted that the Chief of Police has for some time made mention of his need for increased police personnel. In addition, he stated that over the last two years he, as an Alderman, has asked for information as to whether City Council has, at any time, reduced the Police Department's budget to a level that, in the Chief's opinion, reduced the Department's level of service to the City of Halifax below that which he (Chief Jackson) considered acceptable. Alderman O'Malley emphasized that on all occasions he has been advised that, owing to the implementation of the Police Department's Five Year Plan, an increased efficiency has been effected.

The Alderman referred to his long-term concerns with regard to the expenditures relating to the Five-Year Plan and, in particular, the considerable amounts of money which have been and are being spent on the Department's computerization process. Referring to a recent newspaper article regarding the current shortages in police manpower, Alderman O'Malley stated that it had been his understanding that the Five-Year Plan had been designed to anticipate and avoid such problems, and expressed concern regarding the reported proposal of a shortened training program directed at moving police manpower up to full strength.

Alderman O'Malley expressed his concern that the local police force is getting further and further away from City Council. In this regard, he noted that he had researched information pertaining to the status of the Safety Committee vis a vis the Police Commission. Referring to the appropriate City Ordinance, he noted that the Safety Committee is responsible for the "management and supervision of the Police Force . . ." and emphasized that he, as an Alderman and a resident of the City, has felt very much removed from the "management" of the Police Department in recent years, particularly at a time when the incidence of crime appears to be increasing.

In this context, Alderman O'Malley recommended that a report be submitted to Council by the City Solicitor's Department in conjunction with the Chief of Police pertaining to the legal implications of disbanding the current Police Commission and reestablishing this body in City Council; and identifying the steps that would be necessary to bring this about, if indeed it can be brought about. The Alderman also urged that an in camera meeting be convened as quickly as possible between the Safety Committee, the Chief of Police and his executive staff, and the Board of Police Commissioners to examine the reports of shortages in police personnel.

Guarantee of Borrowing - Metropolitan Authority

A staff report, dated April 20, 1988, was submitted.

Alderman Flynn requested information regarding the current schedule of payments by the participating municipalities (i.e., whether they be monthly, quarterly, or yearly) with regard to the Metropolitan Authority. He indicated that it had been his understanding that the Authority's total budget was to be divided into incremental payments on each municipal unit to be paid at a certain time to Metropolitan Transit. The Alderman emphasized that every time the Metropolitan Authority borrows, the interest is charged back to each municipal unit. In this context, he referred to the Minutes from a meeting of the Metropolitan Authority held on March 22 in which the auditors' representative "expressed concern at the projected increase in the Authority's debt servicing costs. He predicted that by the year 1991 interest costs on current and future borrowing will be greater than the debt servicing (principle plus interest) cost of 1987."

Alderman Flynn expressed grave concern pertaining to this increased debt. He made reference to the fact that Halifax is the only municipal unit as a partner in the Metropolitan Authority who has a "pay-as-you-go" policy, noting that, in his opinion, the Authority will be reluctant to embrace such a policy since its other three participating units are not using it and appear to have no interest in adopting it at this particular time. The Alderman emphasized that Halifax, the largest participant in the Authority, is now burdened with an additional interest charge of close to \$5 million, adding that the City will, in the end, pay up to about 57% of the interest on that amount.

Alderman Flynn expressed strong concern that the Metropolitan Authority (and the other three participating units) are being allowed to increase these debts to the detriment of Halifax taxpayers.

It was subsequently moved by Alderman Flynn, seconded by Alderman O'Malley that this matter be deferred to the next regular meeting of the Committee of the Whole Council (scheduled for Wednesday, May 4, 1988), pending receipt of a complete update as to the exact amount of money borrowed (i.e., that the Metropolitan Authority is in debt today); what the interest payments are; and how much of those interest payments the City of Halifax is contributing to as a municipal unit.

In making this motion, Alderman Flynn expressed reservations concerning the fact that the City of Halifax has very little control over the Authority's expenditures.

After some further discussion, the motion to defer was put and passed.

QUESTIONS

Question Deputy Mayor Walker Re: Reduction in Veterans' Pension Cheques

Deputy Mayor Walker referred to the several calls he has received regarding the unexpected reductions in the pension cheques recently mailed to veterans. The Deputy Mayor emphasized that while these reductions are intended to reimburse the Government for overpayments made in 1987, they come as an unexpected and unpleasant surprise to many individuals receiving such pensions.

The Deputy Mayor asked for information from staff (in particular, the Social Planning Department) as to whether there is anything the City can do to help these individuals in the interim while they are adjusting to this loss in income.

Question Deputy Mayor Walker Re: Liquor Store (Clyde Street)

Deputy Mayor Walker noted that he has frequently observed a large truck parked in front of the Clyde Street Liquor Store taking up two metered parking spaces. He emphasized that this situation occurs on weekdays as well as on Saturdays, but that he understands that the vehicle's owners do not use the parking meters.

The Deputy Mayor asked for further information on this matter.

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9:55 p.m. - His Worship Mayor Wallace retires from the meeting, with Deputy Mayor Walker assuming the Chair.

Question Alderman Jeffrey Re: Convoy Avenue

Alderman Jeffrey noted that residents of Convoy Avenue have recently been advised by the Canada Post Corporation that, owing to the construction now underway on that street, postal delivery is no longer possible and that, in the interim, mail will be made available at the Almon Street post office.

The Alderman emphasized that there are a large number of senior citizens residing on Convoy Avenue who will find making the trip to Almon Street a considerable inconvenience. In this regard, he recommended that a letter be forwarded to Canada Post, expressing Council's concerns in the matter and asking them to reconsider the situation.

Question Alderman Jeffrey Re: Gesner Street/Rosedale Avenue

Alderman Jeffrey noted that he had recently requested the City's Traffic Authority to investigate his concerns regarding traffic problems at the corner of Gesner Street and Rosedale Avenue. Referring to the report received from the Authority, the Alderman emphasized that contrary to the figures quoted in that submission, there have been two accidents at this intersection within the last six weeks.

Alderman Jeffrey emphasized that, based on information received from area residents, it would appear that many of the accidents which occur at the intersection in question are not reported. He also referred to the concentration of schools and churches in the immediate area, and called upon the Traffic Authority to reconsider his request that a four-way stop sign be installed at this intersection as quickly as possible.

Question Alderman Jeffrey Re: Halifax District School Board

Alderman Jeffrey referred to the fact that, over the last two years, Council has been attempting to assess the services delivered by the Halifax District School Board based on the premise that the Board's structure may not be appropriate for the City. The Alderman referred to the fact that the City Manager's office has already developed a very extensive report dealing with structure options, but indicated that it was his understanding that a supplementary report had been requested by Council pertaining to the performance of elected school boards across the country.

Alderman Jeffrey noted that this report had not yet been received, and asked for information from the City Manager as to

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when it might be available and when a further meeting with members of the School Board could be scheduled to discuss this matter further.

The City Manager indicated that he had been unaware that a report of this nature was pending, but emphasized that if this is indeed the case, he would ensure that its delivery is expedited.

Question Alderman Cromwell Re: Mobile Street Vendors

Alderman Cromwell referred to his concerns raised during the April 14 meeting of City Council regarding the current tendering policy for mobile street vendors. The Alderman emphasized that this matter was causing some difficulty for the vendors, and requested a report on the matter from the Streets Committee prior to the next regular meeting of Committee of the Whole Council scheduled for Wednesday, May 4.

Question Alderman Hamshaw Re: Rockingham Post Office

Alderman Hamshaw expressed concern regarding the apparent removal of the Rockingham Post Office and his recent difficulty in obtaining stamps. He emphasized that he would like a postal outlet to be reinstated in one of the drug stores in Rockingham in Ward 12, and, to this end, requested that a letter be forwarded to Canada Post asking for information as to their plans in this regard.

Question Alderman Richard Grant Re: Bottle Exchange Regulations

Alderman Richard Grant requested information from the City Solicitor as to whether it would be possible to include bottle exchange businesses in the junk yard regulations, either as an amendment or as an actual part of those provisions.

Question Alderman Richard Grant Re: Public Hearing Process

Alderman Richard Grant requested information as to the status of the recommendations submitted by Judge Coffin's committee regarding the public hearing process, noting that Council had previously asked that these suggestions be brought back for adoption as policies.

Question Alderman Richard Grant Re: City Hall Anniversary

Alderman Richard Grant reiterated a previous request for information made during the budget review process as to why the City Hall anniversary celebrations cannot be held in conjunction with the Natal Day festivities.

The Alderman also emphasized that while the budget for the Natal Day (weekend) celebrations has been set at \$35,000, the budget allocation for the one-day City Hall Anniversary commemoration is \$25,000. In this context, Alderman Grant requested information as to the projected benefits of the Anniversary celebration, as well as the rationale for developing its budget.

He indicated that he would appreciate receiving this information as quickly as possible, adding that, in his opinion, the funds in question should be frozen until Council has been given an opportunity to review the matter in greater detail.

Question Alderman Meagher Re: Bus Stop - Charles Street

Alderman Meagher made reference to a bus stop located across the street from Civic Number 6119 Charles Street, adding that buses are diverted from North Street down Charles to Agricola Street between the hours of 3:00 - 6:00 p.m.

The Alderman noted that despite the fact that the bus stop in question is in use for three hours only, residents are denied on-street parking at this location during the entire day. He therefore asked that staff of the Traffic Division be asked to investigate the possible removal of this bus stop from this location.

Question Alderman Meagher Re: Four-Way Stop Signs

Alderman Meagher referred to the high volume of vehicular traffic on Oak Street, particularly during the afternoon rush hours. He emphasized that this situation is particularly hazardous, owing to the increased number of small children now living in the Oak Street neighbourhood.

Alderman Meagher therefore requested that the City's Traffic Division investigate the feasibility of installing four-way stop signs at the following intersections: Oak/Harvard/Allan Streets (adjacent to the former fire station facility); Kline/Oak Streets; and at the corner of Beech and Oak Streets.

10:15 p.m. - His Worship Mayor Wallace returns to the meeting, with Deputy Mayor Walker assuming his usual seat on Council.

Question Alderman O'Malley Re: Homes for Special Care

Alderman O'Malley referred to a question raised by him during the April 14 regular meeting of City Council, noting that he has yet to receive information as to whether the \$3 million included in revenue for Homes for Special Care will be fully covered by Provincial funds in the current budget year.

His Worship clarified that the amount (not cost-shared) due from the Province of Nova Scotia is, in fact, \$1.2 million, not \$3 million as originally reported.

The City Manager indicated that he would submit a written report in response to the Alderman's inquiry.

Question Alderman O'Malley Re: Recommendations -
Public Hearing Process

Alderman O'Malley asked for information as to whether the recommendations contained in the Coffin Report on the public hearing process are in the process of being added to Ordinance 103, Respecting the Rules of Order of Council.

The Chairman indicated that he would have a report brought back on the matter.

Question Alderman O'Malley Re: 1988 Sidewalk Renewals

Responding to a question from Alderman O'Malley, the City Manager advised that, barring unforeseen circumstances, the City hopes to complete all unfinished 1987 sidewalk renewal projects as well as those identified for in the current budget year during the 1988 construction season.

NOTICES OF MOTION

Notice of Motion Alderman Jeffrey Re: Amendment to
Ordinance Number 126, the Train Whistles Ordinance

Alderman Jeffrey gave Notice of Motion that, at the next regular meeting of Halifax City Council scheduled for Thursday, May 12, 1988, he intends to introduce First Reading of an amendment to Ordinance 126, the Train Whistles Ordinance.

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Alderman Jeffrey advised that the purpose of this amendment is to reflect the present conditions in the City by changing the list of railway crossings at which the sounding of train whistles is prohibited.

Notice of Motion Alderman Dewell Re: New Ordinance
Number 116, the Taxi Ordinance

Alderman Dewell gave Notice of Motion that, at the next regular meeting of Halifax City Council scheduled for Thursday, May 12, 1988, he intends to introduce First Reading of a new taxi ordinance being Ordinance Number 116.

Alderman Dewell indicated that the purpose of this new ordinance is to improve the format of the existing bylaw, as well as to expand the type of vehicles available for use by the taxi industry.

ADDED ITEMS

Grand Parade

A public meeting on this matter was held on Tuesday, April 26, 1988.

A report, dated April 27, 1988, was submitted from His Worship Mayor Ron Wallace.

After some discussion, it was moved by Alderman Leiper, seconded by Alderman Richard Grant that:

- 1) staff be authorized to prepare an adjunct to the contract for the Open Space Design Study for the Lower George Street/Waterfront Area to include the preparation of a series of alternative layouts for the Grand Parade, demonstrating how the area can be enhanced for public use, on the assumption that one series will include sufficient parking for the Mayor and Council; and
- 2) a sum of \$6,000 be added to the approved contract amount (to be shared equally between the City and the Provincial MAINSTREET Program, bringing the City's total commitment for the Open Space Design Study, including the Grand Parade adjunct, to \$23,000 (funds are available in the MAINSTREET Capital Budget Account Number CK051).

The motion was put and passed.

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There being no further business to be discussed, the meeting was adjourned at 10:20 p.m.

HIS WORSHIP MAYOR RON WALLACE
AND
DEPUTY MAYOR J. ALBERT WALKER
CHAIRMEN

E. A. KERR
CITY CLERK

sh*K

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SPECIAL COUNCIL
PUBLIC HEARING
MINUTES

Council Chamber
City Hall
Halifax, Nova Scotia
May 4, 1988
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 joined in reciting the Lord's Prayer.

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

Also Present: Mr. C. Reddy, Mr. J. Heseltine, and Mr. W.B. Campbell, all of the Development and Planning Department; Mr. W. Anstey, Representing the City Solicitor; E.A. Kerr, City Clerk; and other members of City staff.

ADDED ITEMS

The City Clerk advised of the following items added to the agenda from the Committee of the Whole Council meeting held earlier this date:

1. Plan Amendment - Lacewood & Dunbrack Streets Area;
2. Case No. 5556 - Rezoning from R-1 to R-2 and Modification - 59-61 Purcell's Cove Road;
3. Award of Tender 88-100 - Computer Room, Suite 504, Market Street Mall.

Plan Amendment - Lacewood & Dunbrack Streets Area

MOVED by Alderman Hamshaw, seconded by Alderman Flynn that, as recommended by the City Planning Committee, the following be approved:

1. Council refer the proposed amendments to the Municipal Plan and Land Use Bylaw identified on Map 1 and Appendix 1 of the April 26 staff report to the PAC for their advice;
2. Given that these amendments are corrections to the Plan and not a change in policy intent, that Council adopt a special public review process that does not

involve a public meeting held by the PAC, and that the PAC be requested to provide their advice at their earliest possible convenience in order for this matter to get to public hearing as soon as possible.

Motion passed.

Case No. 5556 - Rezoning from R-1 to R-2 and Modification - 59-61
Purcell's Cove Road

MOVED by Deputy Mayor Walker, seconded by Alderman Hamshaw that, as recommended by the City Planning Committee, a public hearing be scheduled to consider the application to rezone 59-61 Purcell's Cove Road from R-1, Single Family Dwelling Zone, to R-2, Two Family Dwelling Zone.

Motion passed.

The City Clerk advised that the date for the public hearing would be scheduled for Wednesday, June 8, 1988 in the Council Chamber, City Hall, beginning at 5:00 p.m.

Award of Tender 88-100 - Computer Room, Suite 504, Market St Mall

MOVED by Alderman O'Malley, seconded by Alderman Flynn that, as recommended by the Finance and Executive Committee, authority be granted to award Tender #88-100 for the construction of a computer room at suite 504, Market Street Mall, to G & M Developments, the lowest bidder meeting specifications in the amount of \$130,480.00.

Motion passed.

Public Hearing - Case No. 5514 - Development Agreement - 1883-1887
Granville Street

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

Mr. C. Reddy of the Development and Planning Department, with the aid of drawings, outlined the application received from the Nova Scotia College of Art and Design (NSCAD) to occupy the fourth floor of two registered heritage buildings at 1883-87 Granville Street (as illustrated in the staff report dated March 14, 1988). In summary, Mr. Reddy advised that staff are recommending approval of this application for a development agreement.

Mr. Peter J.E. McDonough appearing on behalf of NSCAD addressed Council advising that, in his opinion, Mr. Reddy's explanation was complete and that the staff report is clear.

There were no further persons present wishing to address Council.

MOVED by Alderman Downey, seconded by Alderman Cromwell
that this item be forwarded to Council without recommendation.

Motion passed.

**Adoption of the Peninsula North Secondary Planning Strategy and
Associated Municipal Planning Strategy and Land Use Bylaw
(Peninsula Area)**

Alderman Downey declared a conflict of interest and retired from the meeting.

In response to a question from Alderman Dewell with respect to voting eligibility, Mr. Anstey advised that there is legal authority to the effect that in this type of amendment which is not primarily dealing with one individual property, but rather is a plan and land use bylaw for a broad section of the City, the Aldermen are acting legislatively rather than judicially and therefore attendance at the public hearing is not required. He further advised that, although it is a detailed plan and only a part of the Land Use Bylaw, in scope it is as large and larger than many of the plans for some of the municipalities in this Province. Mr. Anstey suggested that a good argument could be made to say that attendance is not required.

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

This matter was last discussed at the City Council meeting held on March 30, 1988.

Mr. J. Heseltine of the Development and Planning Department advised that the Peninsula North Secondary Planning Strategy was presented previously at a number of public meetings and at a previous public hearing. He noted that it was consequently felt that Planning staff not do a presentation but advised that they were prepared to answer any questions on the strategy.

Mr. Robert G. Grant, Stewart MacKeen & Covert Barristers and Solicitors, addressed Council on behalf of Halifax Cablevision Limited. Mr. Grant advised that Halifax Cablevision owns a number of properties in the area bounded by Robie Street, Bilby Street, Agricola Street, and McCara Street noting that its head offices and studios are located in this area. Mr. Grant further advised that Halifax Cablevision Limited owns lands other than those on which its studios are presently located and has held those lands

for sometime with the intention of expanding its operations onto those lands.

At the present time, Mr. Grant noted that Halifax Cablevision's property is zoned C-2. Mr. Grant went on to note that the proposal to amend the Peninsula North Secondary Planning Strategy and Land Use Bylaw as put forward in July of 1986 would have affected Halifax Cablevision's lands. He advised that the proposal was to rezone its lands to C-2B and to subject those lands to Schedule "Q". He further advised that the impact of that was that certain developments including the type that his client had in mind for the property could not have proceeded without a contract development and without a public hearing. Mr. Grant indicated that the proposal in July of 1986 was satisfactory to Halifax Cablevision at the time and noted, if the proposal had remained that way, he would not be before Council this evening.

Mr. Grant indicated that in December of last year, after the last public meeting held by PAC on this matter, an amendment came forward to Schedule "Q" which imposed a 35 foot height restriction on any development in the lands designated as Schedule "Q" including the lands of his client. He advised that the amendment is not acceptable to his client for the reason that procedurally there is a great unfairness occurring here in that this 35 foot height restriction was introduced into the Plan without any prior notice, without any opportunity for the affected persons to be heard, and without having any public meeting before PAC. He noted that he could anticipate some of the objections that Aldermen would have to that submission in that this particular plan has been considered and before Council for a long period of time and that there have been numerous public hearings. He advised that it is ironic, however, that after Council and PAC went through this laborious process of showing fairness to all parties affected that at the latest possible date a very material amendment was introduced with no notice and no opportunity to be heard.

Mr. Grant advised that the restriction on developments in the Schedule "Q" lands to 35 feet would have a very severe impact on his client noting that his client has assembled properties in that block between Bilby, Robie, McCara, and Agricola Streets for the purposes of future expansion. Mr. Grant mentioned that his client's present facilities exceed 35 feet in height. He noted that his client has plans at the present time to expand its facilities to accommodate a second studio in order to provide further community programming in the area. He further noted that Halifax Cablevision also has plans to install satellite dishes on top of this new facility and he advised it is anticipated that would exceed 35 feet in height.

Mr. Grant submitted to Council that this 35 foot height restriction has no planning rationale to recommend itself to Council. He commented that there was no staff report as far as he understood in support of the 35 height restriction and advised that Schedule "Q" covers a very wide range of properties within the Peninsula North Secondary Planning Strategy area. He further commented that while the 35 foot height restriction may have some justification with respect to some of those properties, he submitted that it had none with respect to the properties east of Robie Street and the north sector of the Plan.

Mr. Grant pointed out that the imposition of the 35 foot height restriction in the most recent copy of the plan did not come as a result of public grounds in favour of imposing a 35 foot height restriction. He noted that he has examined the minutes of the last meeting of the PAC and suggested that there was no objection regarding the proposal at that time as it applied to the Schedule "Q" lands in the north portion of the area plan.

In closing, Mr. Grant suggested that Council not abandon the fairness and procedure which they have adopted throughout the examination of this plan and reject the 35 foot height restriction in Schedule "Q".

Mr. Mike Turner, owner of the property at 6129/6131 North Street, addressed Council and advised that his property is subject to a proposed down zoning under the planning strategy. Mr. Turner presented and read a petition signed by nine of the twelve property owners opposing the down zoning on North Street in the two blocks which are bounded by Gladstone to Clifton and Clifton to King. Mr. Turner explained that those properties are currently zoned C-3/C-2 and the latest planning strategy indicate a proposed down zoning to R-2. He suggested that the down zoning had only come about in December of 1987 and, prior to that, the secondary planning strategy showed a proposed down zoning from C-3/C-2 to C-2B.

Mr. Turner added that the impact of the proposed down zoning in his opinion will reduce the average property value of each of the twelve properties by about \$20,000 per property. He suggested that presumably the reason for the proposed down zoning to R-2 was to safeguard the residential environment. Mr. Turner indicated that up to November of 1987 the Peninsula North Secondary Planning Strategy showed a proposed zoning for those properties as C-2B Schedule "Q". He further advised that C-2B requires front yard setbacks of 15 feet for commercial industrial use with a 40 foot frontage and a 4 foot side yard setback for C-1 uses. Mr. Turner went on to advise that he had looked at every property in those two blocks that are affected by this proposed down zoning and advised that there isn't a single property in either of those blocks which meets the C-2B requirements for a 15

foot setback. He suggested, therefore, if the C-2B zoning had been left, it would have been impossible for anybody to use it for a C-2B use without going through the contract development procedure and going before a public hearing. Mr. Turner advised, with the possible exception of one property on the corner of Gladstone Street and North Street, not a single property would meet the C-1 requirements and noted that it would be necessary to proceed under Schedule "Q" for a contract development. He suggested, had the zoning been left as C-2B, the residential environment would have already been protected because it would have had to come before City Council anyway. Mr. Turner further suggested that the impact of going further and down zoning it to R-2 would wipe out almost a quarter of a million dollars of the property values without benefitting anybody.

Mr. Turner commented that the down zoning would introduce a degree of inflexibility into the zoning which would preclude upgrading of the older properties in the two blocks into such uses as professional offices. Mr. Turner advised that it would have been attainable had the C-2B zoning been left in Schedule "Q" under contract development. He went on to note that the properties in those two blocks vary in terms of their condition but advised that all of them are 60 years old or more. Mr. Turner further advised that it is simply not possible today because of rent control to economically renovate that type of property and rent it for residential use. He suggested it would be economic sometime in the future to take a property like that and turn it into professional offices. Mr. Turner advised that they bought their property at 6129/31 North Street in September of 1987 noting that at the date of purchase it was zoned C-3 industrial. He commented that he was aware, at that time, that the Peninsula North Secondary Planning Strategy did propose a down zoning to C-2B. He further commented that they intended to purchase the property and rent it as a duplex and then down the road convert it into offices. Mr. Turner advised that he was aware that it would not meet the setback requirements and that he was also aware of the Schedule "Q". Mr. Turner noted that he met with Mr. Heseltine and they reviewed the situation and was told that Council were also aware of the setback problems. He further noted that there was no indication given to him that this property was ever going to be down zoned to residential.

Mr. Turner advised that, after they purchased their property, they decided to test the market to satisfy themselves that there was no market for offices at the present time. Having confirmed that there was no market for office space, Mr. Turner informed that they went ahead and asked that it be rented as a duplex. He advised that a week later somebody walked into his office and discovered, as a result, that his property at a PAC meeting had been down zoned to R-2. Mr. Turner advised that they are left in a desperate position from a financial point of view

due to circumstances that they have no control over. He suggested that the proposed down zoning to R-2 is completely unnecessary.

Betty Ann Lohnes, Cabana Tours & Bus Agency Service Ltd., addressed Council advising that she is the owner of a property at 2528 Windsor Street. In her presentation, Ms. Lohnes referred to her letter dated April 15, 1988 submitted to Mr. Kerr and circulated to members of Council previous to this meeting noting that it explains her concerns. Ms. Lohnes noted that she required a modification agreement to allow four units and an office and advised that no complaints have been received from area residents concerning her business.

Mr. John Bouris, owner of the property located at 2334 and 2336 Creighton Street, addressed Council and expressed his dissatisfaction with the part of the Peninsula North Secondary Planning Strategy which states (quoting from the advertisement) "because the area bounded by Gottingen Street, Cunard Street, North Park and Agricola Streets, and North Street is substantially different from other portions of Peninsula North, a special policy provides more latitude for development there. Policies allow rezoning of medium density residential land to the R-2A and R-2B category in this area and lands immediately to the south extending to Cogswell Street. Development Agreements are also provided to allow construction of R-2 uses on lots that are beneath the R-2 lot size and frontage standards." Mr. Bouris suggested that the words "substantially different" are referring to the mixed use of the land at present. He advised that after speaking with many residents in the area affected, he found that all the people he spoke to wish to retain what residential character they have left and have R-2 medium density zoning. Mr. Bouris submitted a petition dated March 5, 1988 and a copy of his presentation.

Mr. Heseltine suggested that there was a mistake or misunderstanding in what Mr. Bouris has said concerning the zoning on Creighton Street. Mr. Heseltine explained with the use of drawings that the Gottingen Street commercial area is zoned commercial and in one portion it is commercial to Creighton Street. He further explained that the change concerns the area from Cunard Street to North Street between Agricola and Gottingen Street and the ability to rezone in that location to R-2A and R-2B. Mr. Heseltine went on to advise that, in the latest version of the plan, that particular policy has been changed from what was in the plan for a long time that covered the area from Cogswell Street all the way to North Street and, he further noted, that in fact the amendment that was made was to cut it back so that it only covered the area from Cunard to North Street. Mr. Heseltine agreed that Mr. Bouris was correct in stating that it does allow a greater latitude for rezoning in that particular part of Peninsula North.

Mr. Blair Richards, residing at 6057 North Street, addressed Council and with the use of the monitor displayed the original plan and his property. He advised that he followed the proposed changes over the course of the year and, although they were scheduled to be down zoned, he purchased and operated the property as a commercial interest. Mr. Richards noted that they are massed in with an extremely commercial industrial area. He went on to note that although the down zoning would removed him from the C-2 designation to a C-2B, that was acceptable since the entire area was going along those lines. Mr. Richards advised that he has not been able to come up with any objections or justification for the final meeting in December at which time the line no longer ran directly up North Street but went around his property and the house next door. He indicated that he has not been able to find out why they were included. Mr. Richards further advised that his partner had spoke to Mr. Heseltine and it was suggested that there was a request that they be included. He advised that in conversation with Alderman Meagher, he was informed that they in fact probably should not have been included. Mr. Richards further noted that they are completely surrounded by commercial properties and are very concerned that in the very final analysis they would in fact be down zoned not simply from C-2 to C-2B but all the way from C-2 to R-2. Mr. Richards requested that Council consider this as a slight injustice and exclude them from that particular down zoning.

Mr. Ted Wickwire representing ASN (ATV) addressed Council advising that his client (ATV) is the owner of 69,000 square feet of land fronting on the east side of Robie and bounded by Russell, McCara, and Agricola Streets. With the use of the diagram displayed, Mr. Wickwire explained that ATV owns most of the small buildings behind the main principal buildings. Mr. Wickwire advised that his client asked him to persuade Council that the implications of the proposals before them are indeed a very bad idea as they relate to his client's property and also the property interests of those in the two blocks to the north and to the two blocks to the south. He went on to advise that they have extended their focus on not only the block in which his client is very much involved, but in the total five block area bounded by Robie Street, Agricola, Almon and Young. He described the five block area on the monitor noting that he did a calculation which would indicate that 10 percent of all of the land in that five block area is residential and 90 percent is commercial. Mr. Wickwire described the land uses that are being made of this five block area noting that there is a veritable mix such as you would find in a commercial area which has subsisted officially since 1950. He further advised that 1950 was the date of adoption by this City Council of the first zoning bylaw.

Mr. Wickwire commented that Robie Street is one of the principal streets in this City and divides the City in two. Mr.

Wickwire went on to note that historically and presently, the land use would indicate that the predominant characteristic of that five block area is commercial.

Mr. Wickwire suggested that one would have thought that the existing land use would have a significant contribution to the planning proposals that follow but noted that they haven't. He suggested that this was probably the cause as to why the planning proposals are simply not appropriate. Mr. Wickwire suggested that the planners have concocted a mixed use. Mr. Wickwire further suggested that they are trying to make more stable a residential area which doesn't exist and which lies between industrial lands, Pierceys, the Forum Commission Land, and the Brewery. He advised that there was an error in the original perception and ascertainment of the land use on these five parcels and suggested that is where they have gone so terribly wrong with the proposals.

Mr. Wickwire expressed concern with regard to the implications for ATV and the other land owners if these proposals are adopted and implemented commenting that C-2B carries with it zoning bylaw amendments which in effect do not allow one to build over 26 feet or build more than 10,000 square feet. He noted that in those two respects alone, his client (ATV) is already a non-conforming use and would require a contract development application with the full PAC public hearing process which he noted is expensive to both the City and his client.

Mr. Wickwire mentioned that all of the residents in this five block area were contacted except for two persons. He advised that of all the people his office talked to, not one takes a position in favour of the planning and zoning proposals that are being advanced. At this point, Mr. Wickwire submitted a petition dated March 1988.

With respect to the planning aspects of these proposals, Mr. Wickwire indicated that they are not consistent with the land use and, secondly, do not reflect the wishes of the land owners in the five block area referred to. Mr. Wickwire noted that Alderman Meagher indicated at the PAC meeting of July 8, 1986 that he did agree a down zoning from C-2 to C-2B was too drastic. He advised that he came before Council on January 21, 1987 and was contacted by the Development and Planning Department the next day with respect to contract zoning to allow his client to build above the 26 foot height limit. Mr. Wickwire noted that he indicated at that time that some merit could be seen in that and that it was a productive kind of negotiation. He advised that he did not attend the PAC meeting on October 26, 1987, but that he read carefully the record advising that there wasn't one word directed to the kind of proposals they are now seeing. Mr. Wickwire indicated

that those proposals came up after the PAC meeting. He noted that Walter Goodfellow was the only person in support of retaining the C-2.

Mr. Wickwire suggested that it is implicit that those whose interests are involved be entitled to an opportunity to come before PAC and Council to express their views. Mr. Wickwire suggested that it is inconsistent with good planning principles and is totally inconsistent and a violation of the property owner's rights.

Ms. Kay Rhodenizer, residing at 6057-59 North Street, addressed Council and with the use of diagrams described her property and the surrounding properties. She expressed concern with regard to their properties being down zoned from a commercial designation to a residential designation. Ms. Rhodenizer expressed particular concern to the fact that they are becoming a "Gilligan's Island". Making reference to the map displayed, Ms. Rhodenizer pointed out that the block bounded by Clifton, St. Albans, King, and North, contains other residential properties. She noted that those properties are remaining in some kind of commercial industrial designation. Ms. Rhodenizer indicated that they had the expectation that perhaps they would be down zoned to some sort of mixed use which she suggested logically made sense from a planning point of view.

Ms. Rhodenizer advised that the intent of the C-2B mixed use as indicated in the Peninsula North Plan is to provide for a mixed use and for the ability for changes in uses to in effect be done in a manner that makes a graceful transition from one sort of use to another. She went on to advise that all of a sudden they are parachuted into a situation where there is no graceful transition from this industrial zone down to a mixed use. By permitting this to happen, Ms. Rhodenizer suggested that they will not be able to sell to a residential buyer at a value that they could get from a commercial buyer. She further advised that it's not the kind of residence that would adapt easily to a family use which she suggested, in her understanding, is one of the intents of maintaining residential uses in the neighbourhood. In concluding, Ms. Rhodenizer suggested that the proposed down zoning is not in keeping with the way that the immediate area has been developed and would come as a jolt rather than a transition.

Mr. Stephen Townsend, President, Citadel North Neighbourhood Association, addressed Council and read and submitted a document dated May 3, 1988 outlining their concerns and wishes (a copy of which is in the official file of this meeting). Mr. Townsend requested R2/medium density zoning for the residential lands in the area between Cogswell, North, Gottingen and Agricola/North Park Street.

Mr. Donald Hogan, owner/operator of Hogies Steak & Fish House, Quinpool Road, addressed Council suggesting that there was an error in the Peninsula North Secondary Planning Strategy, Part II-10, section (f). He advised that during the many meetings that he attended, the question with respect to commercial refuse was raised and commented that it was his understanding that commercial refuse containers were to be camouflaged or covered, not prohibited as stated in the section referred to. He went on to note that one of the bi-products of a successful restaurant is a lot of refuse. Mr. Hogan agreed that it is an eyesore and shouldn't be seen, but suggested that it could easily be covered up so that it would not be seen by anybody.

Mr. Heseltine addressed Mr. Hogan's concern advising that it was his understanding that this policy does come into the Peninsula North Plan from the Quinpool Road process, but advised that it has been part of the Peninsula North Plan for over a year. He advised that it is not a typographical error and is a correct statement.

Mr. Hogan noted that it was his understanding that commercial refuse containers would be permissible providing that they would not be seen and advocated such a provision.

Mr. Alan Ruffman, a resident of Ferguson's Cove and a businessman downtown, addressed Council and with the use of a diagram described the corner of Devonshire and Barrington inquiring if the small piece of land, that is presently zoned park, was City owned or owned privately. He urged that park land not be zoned commercial.

Responding to Mr. Ruffman's question, Mr. W.B. Campbell advised that the land referred to was City owned land and suggested that the zoning would not necessarily create a commercial use of it and further that the City has a procedure for dealing with its existing park lands. He further advised that very often park land in the City is zoned residential and commercial and other such zones depending on where it is located.

Mr. Ruffman commented on the Harbour Drive right of way advising that, for the first time in one of the City Planning documents that deals with this area, there is no specific mention to build an express way up through that area to cause the traffic to by-pass around residential areas. He further commented that this particular secondary strategy is silent in the transportation section about building a major express way. Mr. Ruffman indicated that there is a consistent and on-going policy of not doing anything with the land on the east side of Barrington Street. Referring to the zoning map, Mr. Ruffman noted that the plan is recommending that the area be used for exclusive industrial commercial. In doing that, Mr. Ruffman suggested that

one problem is created explaining that at the corner of Cornwallis there is a private dwelling still being lived in as a private dwelling and further advised that at the foot of Artz there are two private homes there that are still being used as private residences. Mr. Ruffman suggested that the proposed plan is not fair to those three property owners that have persisted through 20 years of CMHC and City enforced isolation. Mr. Ruffman went on to recommend that the zone, which is presently C-3B, be expanded to permit the existing dwellings to exist and, if a developer comes along and wants to build residential in there, that the zone not exclude that. Mr. Ruffman further recommended that there be a call for proposals for the land referred to and that a policy be incorporated in the plan that obligates the City to deal with that land.

Mr. Don Mitchell, representing the owners of 6041 North Street (the Hertz property), addressed Council suggesting that there was an error in the revised amendments. He indicated that half of the property at 6041 North Street is zoned C-2B and the other half is zoned C-3A. Mr. Mitchell explained that the existing structure is zoned C-3A and the rest of the parking lot is zoned C-2B. Mr. Mitchell requested that the whole property be zoned C-2B and not split the way it is now.

Mr. Heseltine described the location on the plan and advised that Mr. Mitchell is correct in suggesting that the building is in a C-3A zone and the parking area is in the C-2B zone. Mr. Heseltine suggested that it was a drafting error and commented that they might be able to deal with it before sending the plan off to the Minister.

Mr. Tom Donovan, representing City Investing Company Ltd. and Citicentres Ltd., addressed Council and with the use of a map described the properties owned by Citicentres Ltd. on the block bordered by Robie, Russell, Agricola, and Sullivan. Mr. Donovan outlined on the map the Lions Head Tavern property owned by City Investing Company Ltd. He advised that at the present time there is a Mall under construction owned by Citicentres Ltd. on the block he previously referred to. Mr. Donovan pointed out that the Lions Head Tavern and the Mall presently under construction are two commercially based operations. He commented that they support by way of example what Mr. Wickwire said on behalf of ATV and what Mr. Grant said on behalf of Halifax Cablevision. He suggested that the overall policy, evident in the plan, to protect and preserve a residential neighbourhood is simply a fiction with respect to the area in question.

Mr. Donovan advised that since the time the zoning was put in place (1950), development has proceeded precisely as one might expect within commercial parameters. Mr. Donovan noted that the present construction of the mini mall by Citicentres Ltd. is

certainly an obvious example of that. He gave the existence of the Lions Head Tavern for many years as a further example.

Mr. Donovan advised that the difficulty in preserving a residential neighbourhood that doesn't exist is not only procedural, but does not manifest a common sense approach to planning. He highlighted a few portions of the planning strategy which supports that statement. Referring to the "Acknowledgement" section of the document where it states that the Planning Department sought the advise of interested citizens, Mr. Donovan suggested that the advise, in this instance, does not support what was done. He went on to advise, as Mr. Wickwire pointed out, that the only landowner speaking with respect to this area supported the C-2 zoning. As a result, he suggested that the advise sought by interested citizens was ignored. Quoting from Section 1-8 where it states "Mixed-use areas are intended to provide an environment in which a mixture of small-scale residential and non-residential uses may co-exist and form a transition between residential neighborhoods and Exclusive Industrial/Commercial Zone", Mr. Donovan suggested that this statement is not applicable to the area in question. He noted that the area in question has developed along predominantly commercial lines for the reason that the zoning encouraged that to occur. Mr. Donovan pointed out that Oland's Brewery and the Young Street Pierceys land area exist on both sides of the area in question. He, therefore, suggested that the concept as expressed as a policy objective is not applicable to this particular part of the planning strategy area.

Referring to Section III-9 where it states "The intention of mixed-use areas is to provide inner-city locations in which light-industrial, business, service and residential uses can co-exist in one area", Mr. Donovan noted that Mr. Wickwire pointed out in his presentation that 10 percent of the five block area was described by Mr. Wickwire as residential. He further noted that, of that 10 percent, there is a 50 percent absentee owner situation and a 100 percent view that the existing zoning should be maintained. Mr. Donovan, therefore, suggested that the preservation of a residential neighbourhood is inappropriately applied to this particular area.

9:25 p.m. His Worship Mayor Wallace retires from the meeting with Deputy Mayor Walker assuming the Chair.

Mr. Donovan went on to advise that Section III-9 also states as follows: "Mixed-use areas are intended to accommodate only those small-scale light-industrial business and service uses that can respect the small lot size, narrow streets, and low-rise nature of the existing residential buildings. Because of the uncertain direction of development in these areas, a schedule - Schedule "Q"..." Mr. Donovan indicated that there is no uncertainty with respect to what is happening in this area of the

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Plan. He further commented that the existing zoning is C-2 and the proposal is to change that to a C-2B zoning with a height restriction. Mr. Donovan suggested that this proposal does not accord with the development that has been encouraged by official city policy or meet the objective of preserving residential neighborhoods because the residential character of this area is very minor.

Mr. Donovan made reference to the question of procedure commenting that after receiving public input and views, the Planning Advisory Committee made certain decisions without public participation. He noted that this process raises very real issues about what might be the result if this Plan was presented to the Municipal Affairs Department and suggested that the City Solicitor give some comment with respect to this matter tonight. He suggested that Council may avoid running into further difficulty by addressing the question of whether a procedural flaw is evident and apparent before anything revocable happens. Mr. Donovan commented that decisions cannot be made, that affect economic rights, irrespective of differing views of what the character of neighborhoods may be, without the participation of the people involved.

Mr. Donovan suggested that the ability to fully utilize commercial properties which have been purchased and developed in good faith at City encouragement over the years should be the net result of Council's decision. He recommended, on behalf of his client, that a considered effort be made at this point to address the inconsistency of the treatment of this particular area in whatever way the City Solicitor's Department may think prudent at this stage before the inevitable conflict is made mandatory.

Mr. Ken-Porter, residing at 5659 Bloomfield Street, addressed Council and read a letter previously submitted dated April 29, 1988 (a copy of which is included in the official file of this meeting). Mr. Ken-Porter, in his presentation, suggested that the proposed Peninsula North Secondary Planning Strategy would have a negative effect on the properties at 5659 Bloomfield Street and 2630 Fuller Terrace.

Major Donald Hollingworth, Salvation Army, 1741 Barrington Street, addressed Council and expressed concern with respect to their property at 2044 Gottingen Street. He advised that the property is on Gottingen Street and flows through to Creighton Street. Major Hollingworth explained that the proposal would have the front part of that property zoned C-2 (the building) and the parking area would be zoned R-2. He suggested that this will isolate what they are attempting to do in that area.

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Mr. Richard Peverel, owner of National Radiator on Young Street, addressed Council noting that 18 years ago he bought in a C-2 zone to preserve the future of his business and to be able to expand. Mr. Peverel expressed the concern that he will lose approximately \$100,000 if this Plan is approved.

9:30 p.m. His Worship returns to the meeting with Deputy Mayor Walker taking his usual seat in Council

Mrs. Donna Kasdan, residing at 2013 Creighton Street, addressed Council making reference to the comments made by Major Donald Hollingworth. She reminded Council that they had submitted two petitions from the residents and owners of Creighton Street requesting that the zoning of their area be maintained as R-2 with a medium density land use. Mrs. Kasdan advised, if the Plan is not adopted as it is proposed, commercial will exist on the east side of Creighton Street and R-3 will exist on the west side of Creighton Street. She suggested that this situation is totally unacceptable from the point of view of the residents. At this point, Mrs. Kasdan read and submitted a memorandum dated May 4, 1988 (a copy of which is included in the official file of this meeting).

Mr. Bob Ferguson, speaking on behalf of his father Raymond Ferguson owner of the property located on the corner of Gladstone and North Street (civic address 2609 Gladstone), addressed Council and added his name to the list of those residents along North Street objecting to the change of zoning from C-2B to R-2.

Ms. Charmaine Wood, residing at 2656 Belle Aire Terrace, addressed Council and inquired if any environmental provisions had been made with respect to this Plan since the last public hearing. She suggested that the environmental provisions of this plan are inadequate. With respect to policy 3.3.1 of the proposed Plan, Ms. Wood noted that it is comprehensive for an environmental regulation but expressed the concern that it only applies to exclusively industrial or business areas.

Mr. Hugh Smith, President of Piercey Supplies, addressed Council and reiterated the points outlined in his letter dated April 29, 1988 that was submitted previous to this meeting. Mr. Smith urged that the 65 foot height restriction on this property be removed.

Ms. Brenda Shannon, residing at 1538 Oxford Street, addressed Council with regard to 2110 Brunswick Street of which she is part owner. Ms. Shannon advised that 2110 Brunswick Street is half of a side-by-side duplex presently zoned C-2 and part of a very large commercial lot. She further advised that the proposal is now to cut off a little sliver along Brunswick Street which

includes her property, the adjoining part of the duplex, and one other house. Ms. Shannon pointed out that the City has been actively encouraging and enlarging the commercial property behind and to the side of their property, the lands of Kidston Glass.

Ms. Shannon submitted copies of a sketch. Referring to the sketch, Ms. Shannon noted that the proposed C-2 zoning will follow the boundaries of the Kidston Glass property and suggested that no discernable planning principles seem to be involved. She suggested, in making reference to the sketch, that the obvious more logical point in which to draw the line would be to take it straight down to Brunswick Street and include the two properties referred to. Ms. Shannon suggested that the only purpose in cutting out that sliver along Brunswick Street seems to be some notion of Staff that they want to create a Disney Land facade along Brunswick Street.

She went on to advise that it has been suggested that these houses could be sold under contract. Ms. Shannon reiterated that they are very small properties and to try to sell them to someone on the condition that they may or may not get a contract from the City is entirely unrealistic. However, with the latitude of the C-2 zoning, Ms. Shannon suggested that it might be possible to contemplate that others might be interested in renovating the adjacent buildings for office or studio use.

In concluding, Ms. Shannon expressed the concern with respect to the possible detrimental effects on the building which adjoins theirs and their wish to avoid a non-conforming status. Ms. Shannon commented that Mr. Hogan, their adjoining neighbor, and Ms. Christie, the other property owner, have both indicated their support in favour of the retention of the C-2 zoning.

Mr. Harold Rennie, residing at 6171 Duncan Street, addressed Council and indicated his support in favour of the adoption of this Plan.

Mr. Graham Hicks, residing at 5335 Young Street, addressed Council and commented that the residents of the area are in favour of the R-1 zoning which is proposed under the Plan. He suggested, however, that the five block area along Robie Street between North and Young Street is being treated unfairly and improperly. Mr. Hicks proposed that the inconsistent zoning would cause problems in the future. He further commented that the properties along Barrington Street referred to previously by Mr. Ruffman, should be put to use.

Mr. John Renouf, owner of 5541 Russell Street and also 6160 Almon Street, addressed Council as a property owner and also as a real estate agent who is involved in the sale and leasing of property to small business. He noted that the north end of the

City has been used by a number of small business people to purchase single family homes and rent them as offices for their own use. Mr. Renouf suggested that this practice is something the City should be fostering rather than putting restrictions on. He further suggested that the down zoning from C-2 to C-2B and C-2A makes the effective use of many of the small lots in the north end of the City almost impossible for small business owners. Mr. Renouf advised that he particularly objects to the complete down zoning and the taking away of commercial land completely and making it residential. He suggested that it was important to note that over the last five years in the United States, 100 percent of all of the net new jobs were created by small business.

Mr. William R. Carter, residing at 6125, addressed Council and submitted a petition (a copy of which is included in the official file of this meeting) requesting that the properties on the north side of North Street between Gladstone and Clifton Streets, with the exception of the property immediately at the intersection on the west side of North and Clifton Streets, be changed to R-2.

There were no further persons present wishing to address Council.

The following correspondence, not previously recorded, was received prior to the commencement of this public hearing:

- a letter dated April 5, 1988 from Michael S. Turner, President, Turner Drake & Partners Ltd.;
- a letter dated April 19, 1988 from Kay L. Rhodenizer, Patricia L. Rhodenizer, and Blair Richards, 6057-59 North Street;
- a letter dated April 19, 1988 from Thomas P. Donovan, (Cox, Downie & Goodfellow);
- a letter dated April 23, 1988 from Patricia Rhodenizer, 6057 North Street;
- a letter dated April 27, 1988 from Charmaine Wood, 2656 Belle Aire Terrace;
- a letter dated April 27, 1988 from Paul Girard, 2548 Oxford Street;
- a letter dated April 30, 1988 from Fred Wieler, 2100 Bauer Street;
- a letter dated April 30, 1988 from Susan Wieler, 2100 Bauer Street;

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- a letter dated April 29, 1988 from John Wright and Ken-Porter, 5659 Bloomfield Street;
- a letter dated May 1, 1988 from Theresa Dube and Kenneth W. Silver, 2113 Bauer Street;
- a letter dated April 29, 1988 from Hugh K. Smith, President, FS Industries Limited;
- a letter April 29, 1988 from J.E. Reardon, 1600 Chestnut Street;
- a letter dated May 3, 1988 from Robert G. Grant, Stewart MacKeen & Covert;
- a letter dated May 3, 1988 from Sydney Langmaid, 2016 Bauer Street;
- a letter dated May 3, 1988 from Michael S. Turner, 59 Bellroyal Court, Dartmouth, NS;
- a letter dated May 3, 1988 from Kay Rhodenizer, 6057-59 North Street;
- a letter dated May 4, 1988 from F.B. Wickwire, MacInnes Wilson Flinn Wickwire;
- a letter dated May 4, 1988 from Peter Mettam, Mettam Group Inc.

The following correspondence was submitted at this public hearing:

- a sketch submitted by Brenda Shannon;
- a petition with an attached series of letters submitted by Mr. F. B. Wickwire - diagrams were also submitted by Mr. Wickwire;
- a letter dated April 15, 1988 from Betty Ann Lohnes, Cabana Tours & Bus Agency Service Ltd.
- a petition dated April 24, 1988 containing 15 names;
- a report dated May 3, 1988 from Stephen Townsend, President, Citadel North Neighbourhood Association;
- a memorandum dated May 4, 1988 from Donna and Leonard Kasdan, 2013 Creighton Street;

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- a submission by Mr. John Bouris dated May 4, 1988 with an attached petition dated March 5, 1988;

- a petition entitled "A list of properties between Gladstone and King Streets affected by the down zoning to R-2" with an attached petition containing 12 names;

- a letter dated May 4, 1988 from Mr. Raymond W. Ferguson, R.W. Ferguson Investments Limited;

MOVED by Alderman Meagher, seconded by Alderman O'Malley that this matter be forwarded to Council without recommendation.

Motion passed.

10:10 p.m. The meeting adjourned.

HIS WORSHIP MAYOR WALLACE
DEPUTY MAYOR WALKER
CHAIRMEN

E.A. KERR
CITY CLERK

/mmd

HEADLINES FOR CITY COUNCIL MINUTES
of 05/04/88

Plan Amendment - Lacewood & Dunbrack Streets Area	294
Case No. 5556 - Rezoning from R-1 to R-2 and Modification - 59-61 Purcell's Cove Road	295
Award of Tender 88-100 - Computer Room Suite 504, Market Street Mall	295
Adoption of Peninsula North Secondary Planning Strategy & Associated Municipal Planning Strategy and Land Use Bylaw	296

CITY COUNCIL
MINUTES

Council Chamber
City Hall
Halifax, Nova Scotia
May 12, 1988
8:00 P. M.

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

The meeting was called to order, and members of Council (led by Deputy Mayor J. Albert Walker) joined in the recitation of the Lord's Prayer.

PRESENT: His Worship Mayor Ron Wallace, Chairman; Deputy Mayor J. Albert Walker; and Aldermen Cromwell, Downey, Meagher, O'Malley, Dewell, Richard Grant, Leiper, Flynn, and Hamshaw.

ALSO PRESENT: City Manager; City Solicitor; City Clerk; and other members of City staff.

PRESENTATIONS

Presentation - His Worship Mayor R. Wallace Re:
Bill 77 - Social Assistance Act

A report, dated May 12, 1988, entitled "Bill 77 - Social Assistance Act," was submitted by His Worship Mayor Ron Wallace.

Mayor Wallace advised Council that on Wednesday, May 11, he, the City Solicitor and the Director of Social Planning made presentations to the Law Amendments Committee regarding Bill 77 which, if adopted, would remove the right of the municipality to place a lien on the home of a person requiring nursing home care.

Calling the Bill "discriminatory," His Worship stated that, in his opinion, the Province should proceed to amend the proposed legislation to also protect those whose assets are in cash and thereby treat all senior citizens equitably. If this was unacceptable, he suggested that the situation should remain as it is.

A discussion arose with Aldermen Cromwell and O'Malley suggesting (and it was so agreed) that this matter be placed on the agenda of the Committee of the Whole Council meeting scheduled for **WEDNESDAY, MAY 18, 1988**, so that other members of Council will have an opportunity to discuss the Bill's implications in greater detail.

Alderman Cromwell further requested that copies of His Worship's May 12 report on the matter be circulated to members of Council prior to that time.

MINUTES

Minutes of the regular meeting of Halifax City Council held on Thursday, April 28, 1988 and of a Special Meeting of City Council held on Wednesday, May 4, 1988 were approved on a motion by Deputy Mayor Walker, seconded by Alderman Hamshaw.

APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS & DELETIONS

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

17.5 Appointments

20.1 6292-6294 Yukon Street: Issuance of Permit (Alderman Meagher)

The City Clerk further noted that, at the request of Alderman Richard Grant, he was proposing to add the following items:

20.2 Tender #88-15 - Joyce Avenue: New Paving (Alderman R. Grant)

20.3 Thornhill Drive Sewage Ejector Station (Alderman R. Grant)

20.4 City Hall Anniversary Celebrations (Alderman R. Grant)

20.5 Spryfield Lions Recreation Center: Loss of City Support (Alderman R. Grant)

20.6 Citizen Appointments (Alderman R. Grant)

A discussion arose concerning the appropriateness of adding these items to Council's agenda in view of the fact they had originally been deferred from the May 4 meeting of Committee of the Whole Council to that scheduled for May 18.

Addressing the matter, Alderman Richard Grant emphasized the urgency of Items 20.2, 20.3, and 20.5, noting that he would be willing to have the remaining matters (Items 20.4 and 20.6) deferred for discussion at the May 18 meeting of Committee of the Whole Council.

It was subsequently moved by Alderman Cromwell, seconded by Alderman Downey that the agenda, as amended (adding Items 17.5, 20.1, 20.2, 20.3 and 20.5) be approved.

The motion was put and passed.

DEFERRED ITEMS

Marketing Committee - Halifax Industrial Commission

This matter had been deferred from the last regular meeting of Halifax City Council held on April 28, 1988.

Correspondence, dated May 9, 1988, was received from Mr. David B. Hyndman, a member of the Halifax Industrial Commission's Marketing Committee.

Alderman O'Malley advised that, on behalf of the Marketing Committee, he wished to address Council on this matter prior to having it removed (with Council's permission) from the agenda.

In his remarks, Alderman O'Malley advised that the plan to send a trade delegation to Hong Kong is on track, with four additional businessmen from the City of Halifax having joined the delegation. He also noted that meetings have recently been held with a representative of New World Enterprises of Hong Kong.

The Alderman emphasized that, in the collective judgement of the Halifax Industrial Commission, this trade delegation will greatly benefit the interests of the City of Halifax, adding that he will be prepared to make public the contents of a confidential report previously submitted by the Commission Chairman concerning this venture.

At Alderman O'Malley's request, it was agreed that this item be removed from the agenda.

Development Agreement - 1883-1887 Granville Street

A public hearing concerning this matter was held on Wednesday, May 4, 1988.

MOVED by Alderman Downey, seconded by Alderman Cromwell that City Council approve the application for a development agreement pursuant to Schedule "F," Section 84 of the Peninsula agreement pursuant to Schedule "F," Section 84 of the Peninsula portion of the Land Use Bylaw, to permit the fourth floor of the buildings located at 1883-87 Granville Street to be used by the

Nova Scotia College of Art and Design for university uses (as shown on Plan No. P200/16533 of Case No. 5514).

The City Clerk advised that Alderman Leiper had been absent from the May 4 public hearing and was therefore ineligible to vote.

The motion was put and passed with Alderman Leiper abstaining.

Peninsula North Secondary Planning Strategy, and
Associated Municipal Planning Strategy and Land
Use Bylaw Amendments

A public hearing concerning this matter had been held on Wednesday, May 4, 1988.

Alderman Downey asked to have it recorded that, since the commencement of Council's deliberations concerning the proposed Peninsula North Secondary Planning Strategy, he, as a property owner in the area, has consistently removed himself from all discussions pertaining to this matter. In view of this, the Alderman emphasized that he had taken strong exception to some of the comments made during the May 4 public hearing and to some of the petitions submitted thereto.

8:45 p.m. - Declaring a conflict of interest with regard to this matter, Alderman Downey retired from the Council Chamber.

A private and confidential report, dated May 11, 1988, was submitted from Mr. D. F. Murphy, q.c., City Solicitor, together with a supplementary staff report, dated May 12, 1988.

MOVED by Alderman Meagher, seconded by Alderman O'Malley
that Council:

- (1) adopt the report entitled Peninsula North Secondary Planning Strategy, dated April, 1988, as an official City report;
- (2) adopt Part II of the report, entitled Peninsula North Secondary Planning Strategy, as Section XI of Part II of the Municipal Development Plan;
- (3) adopt amendments to the Land Use Bylaw necessary to implement the Peninsula North Secondary Planning Strategy as contained in Part IV of the report entitled Proposed Land Use Bylaw Amendments, as amended in accordance with the supplementary report dated May 12, 1988;

- (4) adopt amendments to the Municipal Development Plan and Land Use Bylaw contained in Appendix II of the supplementary report of May 12, 1988 that are necessary to incorporate the Peninsula North Secondary Planning Strategy.

An amendment to the motion was moved by Alderman O'Malley, seconded by Alderman Meagher that the following items be sent to the Planning Advisory Committee for review within thirty (30) days of approval of the Peninsula North Secondary Planning Strategy by the Minister of Municipal Affairs:

- (1) all relevant policies, designations and zoning for all lands included within Schedule "Q" (notably the lands of Piercey's Supplies Limited, Halifax Cablevision, ATV, and City Investing Company;
- (2) the designation and zoning for all properties on the north side of North Street between King and Gladstone Streets;
- (3) the designation and zoning for a parcel of City-owned land at the north intersection of Devonshire Avenue and Barrington Street.

At the request of Alderman Hamshaw (and making reference to the private and confidential report, dated May 11, 1988, submitted from the City Solicitor), the Chairman clarified that Alderman Leiper (who had been absent from the May 4 public hearing) would be ineligible to vote on these matters.

At the request of Alderman Cromwell, Mr. J. M. Heseltine, Planner II with the Development and Planning Department, outlined the boundaries of Schedule "Q" proposed in the amendment to the motion for review by the Planning Advisory Committee.

In addressing his proposed amendment, Alderman O'Malley emphasized that while various landholders in the Peninsula North area may not be completely satisfied with the Strategy presently before Council, the Plan amendment process remains available to them should they wish to pursue the matter once the Plan itself has received Ministerial approval.

After some further discussion, the amendment to the motion was put and passed with Alderman Leiper abstaining.

Alderman Richard Grant proposed a further amendment to the Strategy which would provide greater clarification in terms of

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Policy 2.3 which suggests that a further planning strategy be undertaken for what is termed "the Gottingen Street Commercial Area."

It was therefore moved by Alderman Richard Grant that the motion be amended to define the Gottingen Street Commercial Area (as noted in Policy 2.3 of the proposed Peninsula North Secondary Planning Strategy) as follows:

following the centre line of Creighton Street (incorporating the east side of Creighton Street) from Cogswell to Gerrish; proceeding east on Gerrish Street to Maitland Street; following Maitland Street to Cornwallis Street; down the centre line of Cornwallis Street to Brunswick Street; and along Brunswick Street south (following the west side of the street) to where it presently joins the commercial zone.

There was no seconder for Alderman R. Grant's proposed amendment.

A further amendment was moved by Alderman Cromwell, seconded by Deputy Mayor Walker that the lands owned by the Salvation Army be referred to the Planning Advisory Committee for review and recommendation, subsequent to approval of the Peninsula North Secondary Planning Strategy by the Minister of Municipal Affairs.

The amendment to the motion was put and passed, with Alderman Richard Grant voting in opposition (and Alderman Leiper abstaining).

The original motion, as amended, was put and passed with Alderman Dewell voting in opposition (Alderman Leiper abstaining).

The following submissions were received:-

- Correspondence, dated May 6, 1988, from Mr. F. B. Wickwire, Q.C., MacInnes, Wilson, Flinn, Wickwire;
- Correspondence, dated May 11, 1988, from Mr. Mark MacDonald and Ms. Theresa Thomas, 5571 Falkland Street, Halifax, B3K 1A6;
- Correspondence, dated May 11, 1988, from Mr. F. B. Wickwire, Q.C., MacInnes, Wilson, Flinn, Wickwire;
- Correspondence, dated May 12, 1988, from Mr. Robert G. Grant, Stewart, MacKeen & Covert.

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9:15 p.m. - Alderman Downey returns to the Council Chamber.

PETITIONS AND DELEGATIONS

Petition Alderman Hamshaw Re: Residents of Wren Street

Alderman Hamshaw submitted a petition signed by eight property owners on Wren Street in Rockingham in opposition to the proposed local improvements.

In his comments, Alderman Hamshaw asked for information from staff as to why the letter from the Director of Engineering and Works (referred to in the petition) had been forwarded to these residents.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on Wednesday, May 4, 1988, as follows:

Award of Tender #87-111: Tanker Pumper, Halifax
Fire Department

MOVED by Alderman Hamshaw, seconded by Alderman Flynn that, as recommended by the Finance and Executive Committee, authority be granted to purchase a tanker pumper for the Halifax Fire Department (Tender #87-111) from Phoenix Fire Apparatus Incorporated at a price of \$198,555, subject to their provision of a satisfactory Performance Bond at terms and specifications outlined in Tender #87-111, and further, that title of the equipment, components, etc. be given to the City as prepayments are made.

The motion was put and passed.

Retail Store Hours - SET DATE FOR PUBLIC MEETING

A report, dated May 10, 1988, was submitted by Mr. E. A. Kerr, City Clerk.

After some discussion, it was agreed that (as recommended by the Finance and Executive Committee) a public meeting to consider the matter of retail store hours in the City of Halifax (Ordinance Number 121) would be scheduled for **WEDNESDAY, JUNE 15, 1988** at 7:30 p.m. in the Council Chamber, Halifax City Hall.

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Alderman Flynn strongly recommended that, with specific regard to public meeting announcements, newspaper advertisements should be placed in positions more prominent than the Classified Ads.

The Chairman advised that Alderman Flynn's suggestion would be considered, and that a draft advertisement (and relevant prices) would be brought forward for Council's consideration.

Noting that he had been under the impression the public meeting would be scheduled for June 13, Alderman Downey requested that the Chairman of the Spring Garden Road Merchants' Association be personally informed of the change in meeting date.

In this context, Mayor Wallace asked that the City Clerk telephone the Chairmen of the various Business Improvement District Commissions to advise them of the date and time of the public meeting.

Encroachment License - Civic No. 5994 Spring Garden Road

MOVED by Alderman Cromwell, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, Council approve an Encroachment License to permit the construction of a canopy at Civic Number 5994 Spring Garden Road to project over the street line (as shown on the drawing attached to the April 12, 1988 staff report).

The motion was put and passed.

Transit Advisory Committee Recommendations Re:
Assessment-Based Cost-Sharing

MOVED by Alderman Flynn, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, City Council endorse the continuation of the present mileage-based cost-sharing formula; and, in addition, that further study of this matter of funding be pursued by the Metropolitan Authority.

In making this motion to continue with the present mileage-based cost-sharing formula, Alderman Flynn emphasized that, in his opinion, the proposed assessment-based method does not adequately address the matter of the inter-jurisdictional responsibility of participating municipal units. He also referred to conflicting comments regarding the amount of money which the City under the proposed formula could be expected to save, and stated that, from his perspective, no clear indication has yet been received as to what the City's costs under the assessment-based formula are anticipated to be. Alderman Flynn further noted

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that the proposed formula does not appear to take into consideration the implications of assessment appeal decisions, and reiterated his previous suggestion that the City should determine a maximum amount which it feels it is capable of paying for transit services and expend no further monies beyond that figure.

Alderman Flynn also noted that, under the assessment-based formula, all transit routes would be costed individually so that a determination can be made as to whether they are being appropriately utilized. Under those circumstances, he emphasized, the mileage-based formula will still be in use for evaluation purposes while the assessment-based system would be used to bill the participating municipal units.

Based on Alderman Flynn's comments, the Chairman urged that more up-to-date information and clearer recommendations be forthcoming from staff with regard to this matter.

Alderman Richard Grant addressed Council on this matter, noting that in his ward, and in that of Deputy Mayor Walker, there are some very pressing transit problems which need to be resolved. The Alderman emphasized that, at the present time, he feels there are too many unanswered questions in terms of the merits of the two formulas, particularly with regard to the implications each would have for Wards 7 and 8. In particular, Alderman Grant indicated that he would like to know how the County feels about extra service to their area, and whether, if the City of Halifax votes against the implementation of the assessment-based formula, the County would be willing to pay for increased service under the present scheme.

It was therefore moved by Alderman Richard Grant, seconded by Alderman Cromwell that the matter be deferred, pending receipt of additional information from staff.

The Chairman indicated that staff would be encouraged to have this information available in time for the next regular meeting of City Council scheduled for THURSDAY, MAY 26, 1988.

The motion to defer was put and passed.

Acquisition of Easement - 6 Plymouth Street

MOVED by Alderman Leiper, seconded by Alderman Flynn that, as recommended by the Finance and Executive Committee, the service easement (as shown on Plan TT-40-29596, be acquired from the Trustees of the United Church of Canada for the sum of \$3,800

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(funds are available in Account No. FA040, the Capital Account for the project).

The motion was put and passed.

Waterfront Dockage: (1) Murphy Water Tours;
and F. & S. Offshore Limited

(1) Murphy Water Tours

A supplementary staff report, dated May 9, 1988, was submitted.

MOVED by Alderman Dewell, seconded by Alderman Flynn that the City enter into a five-year agreement with Mar II Sailing Tours Limited (attached as Appendix "A" to the supplementary staff report of May 9, 1988), such agreement to reviewed on an annual basis.

The motion was put and passed.

(2) F. & S. Offshore Limited

A supplementary staff report, dated May 9, 1988, was submitted.

MOVED by Alderman Flynn, seconded by Alderman O'Malley that the City enter into a one-year lease agreement with F. & S. Offshore Limited (attached as Appendix "B" to the supplementary staff report of May 9, 1988), to be reviewed at the end of that period as to the status of this particular portion of the Halifax Waterfront; and further, that the City not execute the F. & S. Offshore Limited license until certain repairs to the wharf face have been effected.

The motion was put and passed.

Hemlock Ravine: Acquisition of Portion of Ramia Property,
538 Bedford Highway

MOVED by Alderman Hamshaw, seconded by Alderman Leiper that, as recommended by the Finance and Executive Committee, the City purchase the rear portion of the Ramia Property at 538 Bedford Highway for the unit value of \$0.42 per square foot with the final price subject to survey by the City (funds are available for the purchase from Account Number CK061).

The motion was put and passed.

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Recommendation of Appointment of Trustee for Pension Assets:
Retirement Committee Report

MOVED by Alderman O'Malley, seconded by Deputy Mayor Walker that, as recommended by the Finance and Executive Committee, Council formally endorse the recommendation of the Retirement Committee whereby Royal Trust Limited would be appointed Trustee of the City of Halifax Superannuation Plan for a period of three years, renewable annually thereafter.

Responding to a question from Alderman Meagher, Mr. B. G. Smith, Director of Finance, advised that while Eastern and Central Trust (through its subsidiary Guaranteed Trust) had submitted a proposal, that submission could not be accepted as it had been received subsequent to the advertised deadline.

The motion was put and passed.

Current Borrowing Resolution - Metropolitan Authority

A supplementary report, dated May 11, 1988, was submitted.

In order to provide members of Council an opportunity to review the May 11 supplementary report, it was moved by Alderman Flynn, seconded by Alderman O'Malley that the matter be deferred to the next regular meeting of Committee of the Whole Council scheduled for WEDNESDAY, MAY 18, 1988.

The motion to defer was put and passed.

Permanent and Part-Time Works: Call-Back

This matter had been referred to City Council from the May 4 meeting of the Finance and Executive Committee with a request from Alderman Downey that a staff report be made available.

An Information Report, dated May 9, 1988, was submitted.

Alderman Downey expressed concern regarding the relatively small number of seasonal employees who had, to date, been called back to work by the City's Engineering and Works Department. In his comments, the Alderman expressed the hope that everything possible would be done to have the full complement of these employees back to work by the end of May.

MOTIONS

Motion Alderman Jeffrey re: Amendment to Ordinance Number 126, the Train Whistles Ordinance - FIRST READING

Alderman Jeffrey gave Notice of Motion of his intention to introduce First Reading of an amendment to Ordinance 126, the Train Whistles Ordinance at the City Council meeting held on April 28, 1988.

A report from the City Solicitor dated April 21, 1988 was submitted.

MOVED by Deputy Mayor Walker, seconded by Alderman Flynn that the amendments to Ordinance 126, the Train Whistle Ordinance, as follows, be given First Reading and referred back to the Committee of the Whole Council for consideration and report:

Ordinance 126, the Train Whistles Ordinance, as enacted by Halifax City Council on the 27th day of August, 1970 and approved by the Railway Transport Committee of the Canadian Transport Commission on the 17th day of January 1972, is amended as follows:

1. Section 1 of said Ordinance 126 is amended by deleting the reference to the following crossings:

Kempt Road	Mile 1.25 Willow Park Branch - Bedford Subdivision
Young Street	Mile 1.99 Willow Park Branch - Bedford Subdivision
Almon Street	Mile 2.24 Willow Park Branch - Bedford Subdivision
Upper Water Street	Mile 3.05 Deep Water Branch - Bedford Subdivision
Lower Water Street	Mile 3.35 Deep Water Branch - Bedford Subdivision

and by adding the following crossings:

Palmer Hill Road	Mile 1.69 Chester Subdivision
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Chairman L. R. ...

The ...

Motion Alderman ...
Taxi Ordinance ...

Alderman ... attention
to introduce ... 116
at the City ...

Commission ...

distributed ...
extended ...
Reading of ...
Vehicle ...
"H" ...

Public Meeting ...

... May 18,
1968 was ...

... by Alderman Leiper
...
JUNE 21, 1968 at ...

Insurance ...

A staff report ...

MOVED by Deputy Mayor Walker, seconded by Alderman
Leiper that ...
a cost of ...
familiarity with ...
softening ...
coverage.

City of York
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Request for Fly-Plans - Cedar Hill, York, Pa.

Correspondence of May 5, 1988 to the Board of Directors, Office Manager, was received.

MOVED by Alderman [Name] seconded by Alderman [Name] that Council approve the request of Cedar Hill, York, Pa. to complete a fly plan between the hours of 10:00 a.m. and 10:00 p.m. on Monday, May 16, 1988 between the hours of 10:00 a.m. and 10:00 p.m., providing that all other applicable regulations are adhered to strictly.

Notice [Name]

Renaming of [Name] [Name] [Name] [Name]

A report of [Name] dated [Date] was received.

MOVED by Alderman [Name] seconded by Alderman [Name] that City Council approve the renaming of [Name] Place to Ash Lake [Name].

Notice [Name]

Appointments

This section refers to the agenda items pertaining to the agenda. A report of [Name] dated May 12, 1988 was submitted.

MOVED by Alderman [Name] seconded by Alderman [Name] that the following [Name] be approved:

HERITAGE ADVISORY COMMISSION

Bonnie McTierman

Term to expire [Date]

CONCERNS OF AGEING

Ward 4 - Arnold Grandson

Ward 8 - Richard Aldheim-White

Terms to expire May 12, 1989