

**SPECIAL COUNCIL  
PUBLIC HEARING  
MINUTES**

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Council Chamber  
City Hall  
Halifax, Nova Scotia  
September 21, 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, led by Alderman Hamshaw, joined in reciting the Lord's Prayer.

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

**Also Present:** Mr. C. J. Reddy, Planner with the Development and Planning Department; Ms. M. E. Donovan, Representing the City Solicitor; Mr. P. Calda, City Manager; Mr. E.A. Kerr, City Clerk; and other members of City Staff.

**ADDED ITEMS**

The City Clerk advised of the following added items:

1. Stormwater Management Plans - Mainland North;
2. Water Line Easement - Fairmount/Springvale Subdivision.

**Stormwater Management Plans - Mainland North**

The above item was added to the agenda from the Committee of the Whole Council meeting held earlier this date.

MOVED by Alderman R. Grant, seconded by Alderman Leiper that, as recommended by the Committee on Works, Council approve the additional payment to the consultant in an amount of \$10,000.00 and that the funds be authorized from Capital Account DA053.

Motion passed.

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Water Line Easement - Fairmount/Springvale Subdivision

The above item was added to the agenda from the Committee of the Whole Council meeting held earlier this date.

MOVED by Alderman Jeffrey, seconded by Alderman Hamshaw that, as recommended by the Committee on Works, the Halifax Water Commission be granted, for the sum of one dollar, an easement over City land abutting the North West Arm Drive as shown on the sketch attached to the September 16, 1988 staff report.

Motion passed.

Amendments to the Municipal Development Plan and the Land Use Bylaw - Police Club - 6680 South Street

Due to the absence of the Alderman for Ward One, and the fact that a plan amendment to the Land Use Bylaw requires a majority of the whole of Council, and in order to ensure a fair hearing by Council members who will or may be present at a later date, Alderman Dewell MOVED, seconded by Alderman R. Grant that this hearing be adjourned to the November 23, 1988 Special Meeting of Halifax City Council, at 7:30 p.m. in the Council Chamber.

Motion passed.

Case No. 5561 - Development Agreement, Melville Ridge Retirement Community Shoreham Lane

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

Mr. C. J. Reddy, Planner, Development and Planning Department, addressed Council and outlined the application for a contract development to permit construction of a 75 unit apartment building which is intended to form Phase 3 of the Melville Ridge Retirement Community. Referring to page two of the August 15, 1988 staff report, Mr. Reddy noted that there was an error in the sixth paragraph where it states that "Approval of this application will bring the total number of dwelling units in the retirement community to 256." Mr. Reddy advised that "256" should read "258". Mr. Reddy went on to outline the proposed development as illustrated in the staff report.

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Mr. Paul Skerry, the architect for the proposed development, addressed Council on behalf of the applicant, Mr. B. K. Raju. Mr. Skerry gave a brief summary of the proposed development. He noted that the proposed 75 unit building is intended to form part of the retirement village. Mr. Skerry went on to describe the different elements of the project noting that it consists of an existing nursing home, a professional centre which is under construction, and a proposed nursing care facility intended to be a residential environment for people requiring nursing care. Mr. Skerry further noted that the residential units located at the bottom of the site constituted another component of the development.

In concluding, Mr. Skerry advised that he was available to answer questions from members of Council or persons present. Mr. Skerry also presented a drawing to Council which illustrated the land use and building shape.

Deputy Mayor Walker advised that the height of the proposed building, compared to the original height of the seven storey building proposed and approved, was a concern of a number of residents in the area.

Mr. Skerry addressed questions from members of Council concerning details of the project.

Mr. Clyde Beals, a resident of 13 Randolph Street, addressed Council and advised that he was the only resident of the area present in the gallery. Mr. Beals suggested that many of the residents had not received their notification, to date, of the hearing. Mr. Beals indicated that he had no problem with the proposed building nor did other residents of Randolph Street. Mr. Beals suggested, however, that the building would tower over the properties located on Winchester Street. Mr. Beals expressed concern with respect to the damage that could occur as a result of blasting.

In response to Mr. Beals concern, Mr. Skerry addressed Council and advised that the building itself is designed to sit on top of the rock. He advised that the idea of the three to the four levels was to accommodate the grade change. Mr. Skerry further advised that the building will not require major blasting but that the service trenching for the building would cause blasting.

There were no further persons present wishing to address Council.

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MOVED by Deputy Mayor Walker, seconded by Alderman  
R. Grant that:

1. City Council approve the entering into of a development agreement to permit construction of a 75 unit apartment building as part of the Melville Ridge Retirement Community, provided that the development is in substantial conformity with Plan Nos. P200/ 16587, 16766 and 16826-28 inclusive of Case No. 5561.
2. The contract 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.

8:25 p.m. The meeting adjourned.

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HIS WORSHIP MAYOR RON WALLACE  
CHAIRMAN

EDWARD A. KERR  
CITY CLERK

/MMD

CITY COUNCIL  
MINUTES

Revised

Council Chamber  
City Hall  
Halifax, Nova Scotia  
September 29, 1988  
8:00 p.m.

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

**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; Mr. W. Anstey, representing the City Solicitor; City Clerk and other members of City staff.

After the meeting was called to order, His Worship Ron Wallace welcomed the Reverend Cedric Pettigrew of the Calvin Presbyterian Church. His Worship thanked Reverend Pettigrew for being present this evening to lead Council in prayer and requested that he proceed.

Reverend Pettigrew addressed Council expressing his appreciation of being extended the invitation to attend Council this evening. Reverend Pettigrew offered a prayer for wise and beneficial government and then led members of Council in the recitation of the Lord's prayer.

Council then observed a Moment of Silence in memory of the late Mr. John Grant. His Worship extended condolences to Alderman D. Grant and her family on behalf of members of Council.

Presentation: Unveiling: Painting by Mr. P. Backman of Queen Elizabeth II

A memo dated September 26, 1988 from His Worship Mayor Ron Wallace was submitted.

His Worship indicated that a very special presentation was to be made to the City this evening. His Worship advised that Mr. Philip Backman has donated his painting of Queen Elizabeth II to the City.

His Worship invited members of Council and those in the gallery to retire to the hallway to witness the unveiling of the painting.

The members of Council retire from the chamber.

After the unveiling of the painting, the members of Council return to the chamber.

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Presentation: Aldermen's Award to Chief of Police (Natal Day Parade) - Alderman Meagher

Alderman R. Grant addressed the matter and briefly outlined the background to the Aldermen's Award for the Natal Day Parade. Alderman R. Grant then requested Alderman Meagher and Ms. Joanne Dower, Co-Chairman, Halifax Natal Day to come forward and make the presentation.

Alderman Meagher and Ms. Dower then presented the award to Inspector David Murphy and Ms. Janice Reynolds, a civilian employee.

Inspector Murphy addressed Council indicating that he was very pleased to accept this award on behalf of the Chief, members of the force, and the civilian support staff of the department. Inspector Murphy indicated that all employees of the Police Department were very proud of this award and went on to note that it would be displayed at headquarter with the appropriate dignity.

Presentation: Study of Sudden Infant Deaths Association

Information entitled 'Profile of the Canadian Foundation for the Study of Infant Deaths', with an attached pamphlet regarding the book entitled 'Sam's Storey - Infant Death Seen Through a Child's Eyes', was submitted.

His Worship advised that a special presentation regarding the Canadian Association for the Study of Sudden Infant Deaths was to be made this evening. His Worship introduced Ms. Fiona Chin-Yee, author of 'Sam's Story', and requested that she come forward to address Council in regard to this matter.

Ms. Fiona Chin-Yee addressed Council indicating that October has been declared 'Baby Breath Month' in Canada by the Canadian Foundation for the Study of Infant Deaths. Ms. Chin-Yee went on to request, on behalf of the Halifax-Dartmouth Chapter of the Association, that Council proclaim October 'Baby Breath Month'. Ms. Chin-Yee went on to advise that SIDS was the leading cause of death for children between the natal period and one year of age. Ms. Chin-Yee further indicated that between 17 and 20 babies will die in Nova Scotia each year as a result of SIDS and that half of these would be from the metro area.

Ms. Chin-Yee went on to note that the Foundation supports bereaved SIDS families, raise money for SIDS research, and implement public information programs. Ms. Chin-Yee indicated that the Nova Scotia Chapter of the Foundation has just completed a project, funded by Health and Welfare Canada, to produce a

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child's story, Sam's Story, for bereaved families. Ms. Chin-Yee, as the author of Sam's Story, then presented His Worship the Mayor and Deputy Mayor Walker each with a copy of Sam's Story.

His Worship, on behalf of Council and residents of the City, then signed the proclamation declaring October 'Baby Breath Month'.

In closing, Ms. Chin-Yee presented to each member of Council a baby's breath pin indicating that it was the symbol of the SIDS Foundation.

#### MINUTES

Minutes of the regular meeting of Halifax City Council held on September 15, 1988 and of the special meeting of Halifax City Council held on September 21, 1988 were approved on a motion by Alderman Hamshaw, seconded by Alderman Flynn.

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

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

- 20.1 Approval of Payment - Simpson Hurst Limited
- 20.2 Stanley Park - Alderman R. Grant

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

Motion passed.

#### PETITIONS AND DELEGATIONS

Petition Alderman O'Malley re: Employees of Olands Breweries  
- Four Way Stop and Crosswalk - Russell and Agricola

Alderman O'Malley presented a petition on behalf of the employees of Olands Breweries requesting that a four way stop and crosswalk be implemented at the corner of Russell and Agricola Streets. Alderman O'Malley indicated that employees of the Brewery cite excessive traffic flow as the justification for the four way stop and crosswalk.

Alderman O'Malley requested a report from the Traffic Authority regarding the implementation of a four way stop and crosswalk at this intersection.

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Petition Alderman Flynn re: Halifax Shopping Centre  
Expansion - Closure of Romans Avenue

Alderman Flynn presented a petition on behalf of the residents of Romans Avenue, Aikens Avenue, and Isner Avenues in relation to the proposed expansion of the Halifax Shopping Centre. Alderman Flynn noted that residents of the area were requesting that the vehicle access to Romans Avenue be closed in connection with the expansion of the Halifax Shopping Centre. Alderman Flynn indicated that it was his intention that this request be a matter of public information prior to the Public Hearing to consider this proposed expansion.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on September 21, 1988, as follows:

Atlantic Winter Fair Proposal

MOVED by Alderman R. Grant, seconded by Alderman Hamshaw that, as recommended by the Finance and Executive Committee, this matter be referred back to the Lakes and Waterways Advisory Committee for a review of the UMA Engineering report and a recommendation back to Council.

Motion passed.

C. N. R. Pipeline License - Mile 1.60 Chester Subdivision

MOVED by Deputy Mayor Walker, seconded by Alderman R. Grant that, as recommended by the Finance and Executive Committee, the Mayor and City Clerk be authorized to sign, on behalf of the City of Halifax, the agreement relating to a pipeline license, Mile 1.60 Chester Subdivision as attached to the August 23, 1988 staff report.

Motion passed.

Public Hearing Procedures - Resolution of City Council

MOVED by Alderman R. Grant, seconded by Alderman Flynn that, as recommended by the Finance and Executive Committee, Council adopt, as a resolution of City Council, the following procedures in relation to the conduct of Public Hearings:



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At any special meeting of Council called for the purpose of a public hearing, the following additional rules shall apply:

1. The Chairman will, before introducing the first item on the agenda, brief the public on the procedures and conduct of the meeting.
2. The Chairman of the meeting will ask for a staff presentation.
3. The Chairman of the meeting will ask the proponent of the item to address Council.
4. The Chairman of the meeting will then ask members of the public to speak.
5. After the presentation by each speaker, members of Council may ask further questions or request further reports or information.
6. The Chairman of the meeting will call for a motion on the item and then proceed to the next item on the agenda.
7. When the meeting is not completed by 11 p.m., Council may adjourn the matter to another day.
8. When individuals or organizations wish to address Council they should:
  - (a) Where possible, advise the City Clerk by noon of the day of the hearing.
  - (b) Where written material will be presented it shall be delivered to the Clerk 72 hours before the hearing.
  - (c) Give their name and address at the commencement of their presentation and indicate if they are representing any other person or body.
  - (d) Restrict their presentation to 10 minutes except with the leave of Council. Where a presentation is being made on behalf of an organization, the 10 minute limit applies to the organization.
  - e) Each person or organization may speak only once except with the leave of Council.

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9. A requirement that a copy of these public hearing guidelines will be available at all public hearings for reference by members of Council.

Motion passed.

Annual Review of Licenses, Permits, and Fees

MOVED by Alderman R. Grant, seconded by Alderman Leiper that, as recommended by the Finance and Executive Committee, City Council authorize the City Solicitor to seek changes to the various ordinances to effect increases, as indicated on the schedules attached to the September 2, 1988 staff report, and further that these increases, as well as those not governed by Ordinances, be effective January 1, 1989.

Motion passed.

Petition Under Section 132 (b) of the Assessment Act -  
2476-82 Robie Street - Solomon and Nassim Ghosn

This matter was forwarded, without recommendation, to this meeting of Halifax City Council pending receipt of a staff report providing additional information to Council with respect to the questions put forward at the September 21, 1988 Committee of the Whole Council meeting. A supplementary report dated September 22, 1988 from the City Solicitor was submitted.

MOVED by Alderman Jeffrey, seconded by Alderman O'Malley that this matter be deferred until other pertinent information is made available to Council.

The motion to defer was put and passed.

Repeal of Ordinance 163 - Advertising Costs

MOVED by Alderman Downey, seconded by Deputy Mayor Walker that, as recommended by the Finance and Executive Committee, approval in principle be given to the repeal of Ordinance 163 (the Cost of Advertising Ordinance), and that staff be requested to arrange for the introduction of an appropriate Notice of Motion concerning this matter.

Motion passed.

C.N.R. Pipeline License - Mile 5.31 Bedford Subdivision

MOVED by Alderman Hamshaw, seconded by Deputy Mayor Walker that, as recommended by the Finance and Executive Committee, the Mayor and City Clerk be authorized to sign on

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behalf of the City of Halifax, the Pipeline License Agreement (relative to Mile 5.31 Bedford Subdivision), as shown on Plan No. TT-41-29800 and attached to the staff report of September 14, 1988.

Motion passed.

Current Assessment of Tripartite Process

MOVED by Alderman O'Malley, seconded by Alderman Leiper that, as recommended by the Finance and Executive Committee, Council endorse the staff-prepared response to the questionnaire received from the Union of Nova Scotia Municipalities with regard to the Tripartite Process (as contained in the staff report, dated September 15, 1988).

Motion passed.

Ragged Lake - Open Space

MOVED by Alderman O'Malley, seconded by Alderman Leiper that, as recommended by the Finance and Executive Committee, staff be authorized to advertise the City's interest in the construction, operation and maintenance of an 18-hole golf course for public use on the 130-acre green area surrounding Ragged Lake, on the understanding that these will be followed by a Call for Proposals from the interested parties.

In response to a question from Alderman Jeffrey regarding whether the advertisement would refer to the possibility that this golf course would be a municipal golf course, His Worship noted that this was a call for expressions of interest.

Alderman Jeffrey addressed the matter indicating he felt a municipal golf course was a very good idea and noting that most other cities have a municipal golf course. Alderman Jeffrey further noted that the Recreation Committee has endorsed such a concept on a previous occasion.

Alderman R. Grant addressed the matter noting that there was a nine hole golf course located in his Ward which was bounded by a Holding Zone. Alderman R. Grant indicated that the Holding Zone could be developed for Residential and/or Recreational purposes. Alderman R. Grant noted that the Holding Zone adjacent to this golf course could allow for an expansion of the course. Alderman R. Grant requested that staff investigate this possibility, as well as, the proposed industrial lands site.

Alderman Flynn addressed the matter and, in support of Alderman Jeffrey's comments regarding a municipal golf course, noted that the industrial lands proposed to be used for a golf course must be maintained as they constitute the buffer between the industrial uses and the lake. Alderman Flynn indicated that

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staff should keep this in mind and should the City not receive appropriate proposals from the private sector, a municipal golf course should be considered.

After a further discussion, the Motion was put and passed.

#### Store Hours

Following is the recommendation of the Finance and Executive Committee:

"That Council approve in principle an amendment to Section 3(2)(d) of City Ordinance 121, the Retail Store Closing Ordinance, to allow for an extension of the Christmas shopping hours from November 1 to December 31."

His Worship addressed the matter indicating that this item should more properly be dealt with under Notices of Motion.

Alderman O'Malley addressed the matter agreeing with the Mayor's ruling and noting that it was his intention to put forward a Notice of Motion at tonight's meeting regarding this matter.

A brief discussion ensued and the Chairman proceeded to the next item of business.

#### Legal Action - Centennial Pool Roof

MOVED by Alderman Downey, seconded by Alderman Leiper that, as recommended by the Finance and Executive Committee, the City staff be authorized to take all necessary steps to settle the claim of the City of Halifax against Mettam Wright Associates for damages in respect of the design of the Centennial Pool Roof for the sum of \$35,000.00.

Motion passed.

#### REPORT - SAFETY COMMITTEE

Council considered the report of the Safety Committee from its meeting held on September 21, 1988, as follows:

##### Overhead Crosswalk Sign - Welsford and Robie

At the September 21, 1988 Safety Committee meeting Alderman Meagher requested that this matter appear on the agenda for this meeting of City Council and that a report outlining the costs involved be made available to Council. An information report dated September 29, 1988 was submitted.

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MOVED by Alderman Meagher, seconded by Alderman Cromwell that \$15,000 be allocated from special funds to provide for the installation of an illuminated overhead crosswalk sign at the corner of Welsford and Robie Streets.

Alderman Meagher indicated that a life had been lost at this crosswalk and, regardless of a lack of funds in the appropriate account, he did not believe Council could allow this situation to continue until next year.

His Worship suggested that the phrase 'as soon as possible' should be included in the motion as the staff report indicates that the Province has prohibited further installations of the crosswalk signs presently existing in the City and the new style crosswalk signs are not yet available, to which Alderman Meagher agreed.

The motion, therefore, reads as follows:

"That \$15,000 be allocated from special funds to provide for the installation, as soon as possible, of an illuminated overhead crosswalk sign at the corner of Welsford and Robie Streets."

Alderman Cromwell addressed the matter noting that the situation at the corner of Robie and Welsford was extremely dangerous. Alderman Cromwell suggested that signs advising motorists to 'Be Prepared to Stop - Crosswalk Ahead' might be of benefit.

Alderman Downey addressed the matter noting that one of the problems with the crosswalk was the proximity of parked cars to the crosswalk. Alderman Downey indicated that staff must enforce 'No Parking' in the area of the crosswalk.

His Worship indicated that this matter would be pursued.

A further discussion ensued with Alderman Jeffrey suggesting that the lack of enforcement of crosswalks was the problem in the City. Alderman Jeffrey indicated that crosswalks throughout the City must be enforced. Alderman Jeffrey indicated that he felt continuous enforcement of each crosswalk for a period of two months would reduce the problems being experienced.

Responding to questions from Alderman Meagher, the City Manager noted that the new crosswalk signs were not available and it would be several months before they were available.

Alderman Meagher indicated that some action must be taken in regards to this particular crosswalk and requested that parked cars be removed from the vicinity of the crosswalk immediately and enforcement of the crosswalk implemented. Alderman Meagher emphasized the need to order and install this illuminated sign as soon as possible.

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Alderman Jeffrey referred to 'No Passing from Here to Crosswalk' signs which had been installed in various locations throughout the City. Alderman Jeffrey suggested that these signs should be located at all illuminated crosswalks throughout the City.

Motion passed.

**REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS, AND COMMISSIONS**

Amendment to Ordinance Number 121, the Retail Store Closing Ordinance (Section "T") - SECOND READING

MOVED by Alderman Dewell, seconded by Deputy Mayor Walker that, as recommended by the Finance and Executive Committee, the amendment proposed for Section "T" of Ordinance Number 121, the Retail Store Closing Ordinance, as follows, be forwarded to Halifax City Council for Second Reading:

Ordinance 121, the Retail Shop Closing Ordinance, is amended as follows:

1. Section 2 of said Ordinance 121 is amended by adding the following clause immediately following clause (e) thereof:

(f) "convenience store" means a shop having a net floor area of one thousand and five hundred square feet (1500 sq. ft.) or less, engaged in the selling of groceries, dairy products, confectionery, beverages, snack foods, tobacco products, newspapers, magazines or books, or some combination thereof.

2. Clause (m) of Section 5 of said Ordinance 121 is amended by deleting the words, numbers and symbols "a grocery store shop having a net floor area of one thousand five hundred square feet (1500 sq. ft.) or less" and by substituting therefor the words "a convenience store."

Motion passed.

Amendment to Ordinance Number 121 - the Retail Store Closing Ordinance (Section "S") - SECOND READING

MOVED by Alderman Dewell, seconded by Alderman seconded by Alderman Leiper that, as recommended by the Finance and Executive Committee, Halifax City Council give SECOND READING to the following amendment to Ordinance Number 121, the Retail Store Closing Ordinance:

1. Section 5 of said Ordinance 121 is amended by deleting the period at the end of clause (s) thereof, and by substituting therefor a semi-colon, and by adding immediately following the said clause (s) the following:

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"(t) a bookstore."

Motion passed.

**REPORT - CITY PLANNING COMMITTEE**

Council considered the report of the City Planning Committee from its meeting on Wednesday, September 21, 1988, as follows:

MPS Amendment: East and West Side of Bicentennial Drive at Bayers Lake Interchange

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

1. **West Side of Bicentennial Drive at Interchange:** the matter of an amendment to the Generalized Future Land Use Map for the area to the west of the Bicentennial Drive and immediately north of the Bayers Lake Industrial Park be forwarded to the Planning Advisory Committee for its consideration and recommendation; and further, that the PAC, in considering the proposal, obtain the advice of the Lakes and Waterways Committee.
2. **East Side of Bicentennial Drive at Interchange:** the matter of an amendment to the Generalized Future Land Use Map and associated policy amendments to the area on the east side of the Bicentennial Drive be referred to the Planning Advisory Committee for its consideration (a staff report is to be prepared upon receipt of more detailed analysis from Clayton Developments Limited).

The motion was put and passed.

Dickson Avenue Rezoning (Petition from the Residents of Dickson Avenue)

Following is the recommendation from the City Planning Committee:

It is recommended that the matter be referred to staff with a request that a report be submitted relating to the remarks made during the September 21 meeting of the City Planning Committee by Mr. Allan Turner of 11 Dickson Avenue.

Alderman Hamshaw advised that, since the September 21 meeting of the City Planning Committee, he has discussed the matter in greater detail with staff of the Development and Planning Department. He noted that because Dickson Avenue is a relatively short street, staff believe it should be zoned R-2 as is the rest of the surrounding neighborhood.

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It was therefore moved by Alderman Hamshaw, seconded by Alderman Leiper that, as recommended by staff, the petition submitted by the residents of Dickson Avenue (for a rezoning of their street to R-1) be denied, and that the R-2 zoning be retained.

The motion was put and passed.

Heritage Advisory Committee Report - Building Permit  
Application #88-173, 1051 Tower Road

A report, dated September 29, 1988, was submitted from Dr. Essy Baniassad, Chairman, Design Advisory Panel.

MOVED by Alderman Leiper, seconded by Alderman Hamshaw that, as recommended by the City Planning Committee, Council accept the recommendation of the Heritage Advisory Committee, namely that the original street (west) facade of the building located at 1051 Tower Road be retained, and that Council direct the owner to remove the new vinyl siding, soffits, insulation and cover strips, and to reinstate the street facade to its original design and materials, subject to the issuance of the necessary building permits.

The motion was put and passed.

Role of the Planning Advisory Committee

MOVED by Alderman Flynn, seconded by Alderman Jeffrey that, as recommended by the City Planning Committee, Council be requested to establish a committee (which would include representatives of the public) to review the role, function, and procedures of the Planning Advisory Committee.

Alderman Flynn, in making this motion, asked that this matter be brought to the attention of the incoming Council.

The motion was put and passed.

MOTIONS

Motion Alderman Meagher Re: Amendment to Ordinance Number 170,  
Respecting Partial Tax Exemption for Certain Properties  
Schedule "A: (FIRST READING)

Notice of Motion regarding this matter was given by Alderman Meagher during a regular meeting of Halifax City Council held on Thursday, September 15, 1988.

MOVED by Alderman Meagher, seconded by Alderman O'Malley that Council give FIRST READING to the proposed amendment to



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Schedule "A" of Ordinance Number 170, Partial Tax Exemption for Certain Properties, to include the Golden Age Society, 212 Herring Cove Road (as follows); and that the matter be forwarded to the next regular meeting of Committee of the Whole Council (scheduled for Wednesday, October 5, 1988) for consideration and report:

BE IT ENACTED by the Council of the City of Halifax that Ordinance 170, the Tax Concession Ordinance, as enacted by the City Council of the City of Halifax on the 11th day of June, 1981, and approved by the Minister of Municipal Affairs on the 6th day of November, 1981, as amended, is hereby further amended as follows:

1. Schedule "A" attached and forming part of said Ordinance 170 is amended by adding thereto the following property:

The Golden Age Society  
212 Herring Cove Road

The motion was put and passed.

#### MISCELLANEOUS BUSINESS

##### Aldermen's Orientation (Alderman Richard Grant)

This matter was added to the agenda at the request of Alderman Richard Grant who indicated that, in his opinion, it would be extremely useful to newly-elected Aldermen if they were provided with an "orientation" by existing members of Council as to the workings of the City Council Chamber as well as to some of the general responsibilities of the City's elected representatives. The Alderman added that a program such as this would be relatively easy to develop in this election year since four of the present Council have been returned to office by acclamation.

Alderman Grant therefore proposed that those members of Council returned by acclamation form a committee to assist in the orientation of incoming Aldermen and to work in cooperation with the Mayor and City Manager in the preparations for the swearing-in ceremony.

A discussion ensued with it being MOVED by Alderman Meagher, seconded by Alderman O'Malley that Alderman Richard Grant be appointed as a committee of one to undertake the orientation of incoming Aldermen.

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It was noted by the Chairman that Alderman Meagher's motion does not preclude participation on this orientation committee by other interested members of Council.

The motion was put and passed.

Case No. 5605 - Rezoning: 6422 Chebucto Road

A private and confidential report, dated September 27, 1988, was submitted by Mr. Donald F. Murphy, Q.C., City Solicitor.

After some discussion, it was agreed that following the completion of this evening's agenda, Council would adjourn for an in camera discussion of the contents of the September 27 report.

### QUESTIONS

Question Deputy Mayor Walker Re: Overhead Crosswalk Light

Deputy Mayor Walker asked that staff investigate the possibility of installing an overhead crosswalk light at the intersection of McLennan and Colindale Streets. In making this request, he noted that he had had several complaints from area residents concerned with the amount of traffic in this area and the number of school children who use this route.

Question Deputy Mayor Walker Re: Letter of Congratulations -  
Halifax Participants in the Seoul Olympics

Deputy Mayor Walker strongly recommended that a letter of congratulations, on behalf of Halifax City Council, be forwarded to all residents of Halifax participating in the Seoul Olympics. In this context, particular reference was made to Raymond Downey (recent winner of a bronze medal for boxing) and to a former student of the Cunard Junior High School who is competing as a member of the Taiwanese swim team.

Question Deputy Mayor Walker Re: Arrest on Fleming Tower  
Playground

Deputy Mayor Walker requested a report from the Halifax Police Department regarding a recent incident involving an individual apprehended on fraud-related charges in the Fleming Tower school yard. The Deputy Mayor noted that he understood from various media reports that the police had entered the school yard with drawn guns and had been involved in chasing the suspect, all in close proximity of very young children. He advised that he had received a number of complaints from parents whose children had been disturbed by the incident, and added that, in his opinion, given the relatively harmless nature of the offence, there

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appeared to be little need of such action being taken at such an inappropriate location.

Question Alderman Cromwell Re: Halifax Industrial Park

Alderman Cromwell noted that he had previously asked the Director of Finance for an updated report concerning the tax benefits to the City of Halifax in relation to the operation of the Halifax Industrial Park. He added that he had also requested that, should an update be unavailable at the present time, he be circulated a copy of the previously-released report.

Alderman Cromwell emphasized that he had not yet received either an update or the original report, and asked that this information be forthcoming by noon on Friday, September 30.

9:20 P.M. -- His Worship Mayor Wallace retires from the meeting, with Deputy Mayor Walker assuming the Chair.

Question Alderman Downey Re: Metro Centre Events

Alderman Downey requested that staff investigate the feasibility of blocking off some of the streets leading to the Metro Centre (e.g., Rainnie Drive) on those nights when special events (such as hockey games) have been scheduled for that facility.

The Alderman advised that he has received a number of telephone calls regarding this matter, noting that many people object to the fumes created in the Scotia Square parkade by large number of vehicles attempting to exit, and would therefore prefer to park on the streets.

Question Alderman Downey Re: Street Sweeper - Spring Garden Road

Referring to a number of calls he has received from residents of the Spring Garden Road/South Park area, Alderman Downey requested a report from staff as to why the street sweeper is apparently no longer operating on these streets.

Question Alderman Leiper Re: Registration Policy - Northcliffe Recreation Centre

Alderman Leiper requested information from the Recreation Department concerning the registration policy in effect at the Northcliffe Recreation Centre, particularly with regard to the priorities being given to City residents.

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In this context, the Alderman noted that it had recently been brought to her attention that many of the people registered at the Centre are not residents of the City, while Haligonians are being turned away owing to the lack of space.

Question Alderman Richard Grant Re: Grand Parade  
Planning Committee

Alderman Richard Grant indicated that he had heard from other individuals that plans are being formulated with regard to the future of the Grand Parade site. The Alderman emphasized that the Grand Parade Planning Committee (consisting of himself, His Worship the Mayor, Alderman Jeffrey and Alderman Leiper) has met only infrequently, and, to his knowledge, no decisions have been made regarding the future of the site.

The Alderman therefore asked that a written report be submitted to him regarding any other meetings which may have been held on this matter (e.g., with staff and Mayor Wallace, or between staff and various individuals outside the City administration), and, in addition, whether any plans or drawings have been finalized. Alderman Grant emphasized that if these events have taken place, he would like to be advised as to why the Planning Committee was not first informed.

9:20 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: Separate Policing Zone  
for the Central Business District

Alderman O'Malley referred to his previous request for comments from the Halifax Police Department regarding the feasibility of a separate policing zone for the City's downtown area. The Alderman emphasized that he would appreciate receiving a report on this matter as quickly as possible so that he will be afforded an opportunity to participate in the discussion prior to his retirement from City Council.

His Worship Mayor Wallace indicated that the requested report would be made available prior to the next regular meeting of Committee of the Whole Council scheduled for Wednesday, October 5, 1988.

Question Alderman O'Malley Re: Taxi Subsidy Program for Seniors

Alderman O'Malley referred to previous requests for comments from the Halifax Taxi Commission regarding the proposal from the Halifax Seniors Council for a taxi subsidy program for seniors.

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Based on comments made by Alderman Dewell, Chairman of the Commission, Alderman O'Malley urged that this matter be placed on the agenda of the upcoming meeting of Committee of the Whole Council **scheduled for Wednesday, October 5, 1988.**

Question Alderman Meagher Re: Loss of Grades 1-2 Teacher  
at Oxford School

Alderman Meagher made reference to the fact that time had not permitted discussion of this item during the September 21 meeting of the Finance and Executive Committee. Under the circumstances, therefore, the Alderman requested that the matter be included on the agenda of the next regular meeting of the Committee **scheduled for Wednesday, October 5, 1988.**

Alderman Meagher indicated that he would like a discussion to take place at the Committee level, and requested that the Director of Education attend the meeting to explain the situation to members of Council.

Question Alderman Meagher Re: Parent-Teacher Association (Oxford  
School) - Improvements to School Yard

Alderman Meagher made reference to the fact that time had not permitted discussion of this item during the September 21 meeting of the Committee on Works. Under the circumstances, therefore, the Alderman requested that the matter be included on the agenda of the next regular meeting of the Committee **scheduled for Wednesday, October 5, 1988,** and asked that a staff member of the Recreation Department be present at that time.

Question Alderman Meagher Re: Tax Arrears

With reference to a problem brought forward by Alderman Meagher regarding a Halifax resident behind in payment of their property taxes, the City Manager advised that he would obtain further information from the Alderman at the close of the meeting and have the matter investigated.

Question Alderman Flynn Re: Sidewalk Replacements

Alderman Flynn asked for a report as to when staff of the City's Works Department will be in a position to undertake sod replacement and removal of barriers, etc. in conjunction with this year's sidewalk replacement program. In asking for this information, the Alderman emphasized that he realized that staff are under some pressure to finish the slab replacement process, but nevertheless would appreciate some indication as to when the other aspects of the program would be concluded.

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Question Alderman R. Grant Re: Audit Committee Meeting

Alderman Richard Grant expressed concern that recent meetings of the Audit Committee have not been fully attended, and urged that all members be encouraged to be present for the Committee's upcoming meeting.

Question Deputy Mayor Walker Re: Signage at Armdale Rotary

Deputy Mayor Walker referred to discussions held by the Tourism Halifax Board regarding the lack of appropriate signage at the Armdale Rotary, emphasizing that many visitors to the City find this site extremely difficult to navigate.

NOTICES OF MOTION

Notice of Motion Alderman O'Malley Re: Amendment to Ordinance Number 121, the Retail Shop Closing Ordinance

Alderman O'Malley gave Notice of Motion that at the next regular meeting of Halifax City Council, **scheduled for Thursday, October 13, 1988**, he proposes to introduce for First Reading amendments to Ordinance Number 121, the Retail Shop Closing Ordinance, the purpose of which is to change the beginning date on which stores are permitted to remain open on Monday, Tuesday and Saturday evenings for the Christmas shopping season from the first day of December to the first day of November.

Notice of Motion Alderman Flynn Re: Repeal of Ordinance 163, Respecting Zoning Bylaw Advertising Costs

This matter was last discussed during a meeting of the Finance and Executive Committee held on Wednesday, September 21, 1988.

Alderman Flynn gave Notice of Motion that at the next regular meeting of Halifax City Council, **scheduled for Thursday, October 13, 1988**, he proposes to introduce a motion to repeal Ordinance 163, Respecting Zoning Bylaw Advertising Costs.

Notice of Motion Alderman Flynn Re: Amendments to Ordinance 180, the Streets Ordinance

Alderman Flynn gave Notice of Motion that at the next regular meeting of Halifax City Council, **scheduled for Thursday, October 13, 1988**, he proposes to introduce for First Reading amendments to Ordinance Number 180, the Streets Ordinance, the purpose of which is to provide for the licensing and regulation of the placement of newspaper boxes on City streets.

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Notice of Motion Alderman Richard Grant Re: Amendments to Ordinance 147, the Dog Ordinance

Alderman Richard Grant gave Notice of Motion that at the next regular meeting of Halifax City Council, **scheduled for Thursday, October 13, 1988**, he proposes to introduce for First Reading amendments to Ordinance Number 147, the Dog Ordinance. The purpose of these amendments is to change the name of the Ordinance to the "Animal Control and Protection Ordinance" and, with the exception of the provision respecting licensing and "vicious dogs," make the Ordinance generally applicable to all animals.

ADDED ITEMS

Approval of Payment - Simpson Hurst Limited

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

MOVED by Alderman Flynn, seconded by Alderman Leiper that an amount of 15 percent be paid to the broker (Simpson Hurst Limited) by way of bonus, recognizing the work carried out by the broker in 1988 with respect to the placing of insurance and, as a result, an amount of \$14,009 be paid in the 1988 year.

The motion was put and passed.

Stanley Park (Alderman Richard Grant)

Alderman Richard Grant expressed concern that members of the Lakes and Waterways Advisory Committee have not yet been given an opportunity to review the proposal concerning the Stanley Park development project. In his remarks, the Alderman noted that the Committee had previously requested staff to distribute this information to members so that their recommendation could be made before the proposal is submitted to Council. However, the Committee has apparently been advised that this material would not be made available to them until such time as City Council schedules a public hearing to consider the proposal.

It was therefore moved by Alderman Richard Grant, seconded by Deputy Mayor Walker that Council direct City staff to forward to the Lakes and Waterways Committee for comment information regarding the Stanley Park development proposal, such comment to be included in the staff report and recommendations to be submitted to City Council before a public hearing date is scheduled. The motion was put and passed.

9:50 p.m. -- The meeting was adjourned to afford members of Council an opportunity to meet in camera.

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

Case No. 5605 - Rezoning: 6422 Chebucto Road

This matter had been previously discussed earlier in the meeting's agenda.

MOVED by Alderman Meagher, seconded by Alderman Flynn that City Council direct staff to continue to support Council's original position (i.e., to retain the R-2 designation of the property located at 6422 Chebucto Road) before the Municipal Board.

The motion was put and passed.

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

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

EDWARD A. KERR  
CITY CLERK

sh\*K



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of 09/29/88

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**SPECIAL COUNCIL  
PUBLIC HEARINGS  
MINUTES**

Council Chamber  
City Hall  
Halifax, Nova Scotia  
October 5, 1988  
7:30 p.m.

A special meeting of City Council, Public Hearings, 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, Jeffrey, Flynn, and Hamshaw.

**Also Present:** Mr. G. Porter, Mr. C. Reddy, and Mr. J. Gallivan (all of the Development and Planning Department); M.E. Donovan, Representing the City Solicitor; Mr. 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 on this date:

1. Tender Award 88-10 - Harlington Crescent Sewer Renewal;
2. Case #5275 - Amendment to Development Agreement - Spring Garden Place - Phase II;
3. Tender 88-128 - Bulk Salt & 88-129 - Hauling of Bulk Salt;
4. Tender 88-144 - Landscaping, Clayton Park Junior High Sports Field; Cogswell Street Sports Field (Commons);
5. Tender 88-147 - Mainland North Branch Library - Leasehold Improvements;
6. Sidewalk Renewals Due to Development.

**Tender Award 88-10 - Harlington Crescent Sewer Renewal**

**MOVED by Alderman Flynn, seconded by Deputy Mayor Walker that, as recommended by the Committee on Works, Council:**

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1. Award Tender 88-10, Harlington Crescent Sewer Renewal, to D.A. Lanthier Const. Co. Ltd. for the unit prices quoted and at a total project cost of \$275,000.00;
2. Approve the appointment of Jacques Whitford and Associates Ltd. to provide site inspection and engineering at an estimated cost of \$15,000.00;
3. Approve the funds from Capital Budget Account No. DB015, Harlington Crescent Sewer Rehabilitation;
4. Approve the transfer of \$95,000.00 from Capital Budget Account No. DB400 to Capital Budget Account No. DB015.

Motion passed.

Case #5275 - Amendment to Development Agreement - Spring Garden Place - Phase II

MOVED by Alderman Downey, seconded by Alderman Hamshaw that, as recommended by the City Planning Committee, City Council approve an amendment to the Spring Garden Place - Phase II development agreement to:

- A. include the property at 5652-56 Spring Garden Road in the lands covered by the development agreement;
- B. permit on the said property a building which, in the opinion of the Development Officer, is in substantial conformity with Plan No. P200/16907-16911 of Case No. 5275.

Motion passed.

Tender 88-128 - Bulk Salt & 88-129 - Hauling of Bulk Salt

MOVED by Alderman Jeffrey, seconded by Deputy Mayor Walker that, as recommended by the Committee on Works, authority be granted to award Tender 88-128 for the supply of salt to The Canadian Salt Co. Ltd. at the prices shown in the September 21, 1988 staff report.

Motion passed.

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**Tender 88-144 - Landscaping, Clayton Park Junior High Sports Field; Cogswell Street Sports Field (Commons)**

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

1) Authority be granted to award Tender 88-144 for landscaping at Clayton Park Junior High Sports field to Lorraine Landscaping in the amount of \$74,965.00 and that the sum of \$1,500.00 be transferred from account 20600.FA083 to 20600.FA009 to provide the additional funding needed to cover the contract price. Funds authorized from account number 20600.FA009.

2) Authority be granted to award Tender 88-144 for landscaping at Cogswell Street Sports field (Commons) to Green Thumb Landscaping in the amount of \$33,547.00 and that the sum of \$3,700.00 be transferred from account D9900.DS172 and that the sum of \$3,900.00 be transferred from account D9900.DS179 to provide the additional funding needed to cover the contract price. Funds authorized from account number D9900.DS174.

Motion passed.

**Tender 88-147 - Mainland North Branch Library - Leasehold Improvements**

MOVED by Alderman R. Grant, seconded by Alderman Downey that, as recommended by the Committee on Works, authority be granted to award Tender 88-147 to Dineen Construction Ltd. for leasehold improvements to the Mainland North Branch Library in the amount of \$205,600.00.

Motion passed.

Alderman Flynn suggested that a letter of congratulations and encouragement be forwarded to Constable Frank Yakimchuck and Constable Donny Robinson who are competing in the Police Games in Australia, to which Council agreed.

**Sidewalk Renewals Due to Development**

MOVED by Alderman Dewell, seconded by Alderman Meagher that, as recommended by the Committee on Works, Council approve the following:

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- 1) The cost-sharing of a sidewalk renewal including curb and gutter abutting the property of Citicentres Ltd., Robie and Russell Streets in the amount of \$12,800.00 net, and;
- 2) The authorization of the transfer of \$12,800.00 from Account No. CC036 - Central Trust to Account No. CC038 - Citicentres.

Alderman R. Grant advised that he could not support the motion. It was his opinion that the developer should pay the entire costs for renewing a sidewalk when development takes place and tears up good sidewalks.

Motion passed.

Case No. 5652 - Contract Development - 5168-86 Morris Street  
(Halliburton House Inn)

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

Mr. Gary Porter, Planner, Development and Planning Department, addressed Council and outlined the application for a contract development under Section 16AA(d) to permit a hotel at 5168-86 Morris Street as contained in the staff report of September 19, 1988. In closing, Mr. Porter advised that staff is recommending approval of this application.

In response to a question from Alderman Downey, the City Clerk advised that no correspondence was received either in favour of or opposed to this application.

Mr. William McIver, the Inn-Keeper of the Halliburton House Inn, addressed Council and advised that the properties in question were purchased in 1984 and were subsequently renovated with a particular concern to their heritage designation. Mr. McIver noted that since the opening of the Inn in Spring of 1987, they have hosted over 10,000 visitors. Mr. McIver suggested that those visitors were in particular looking for the historical character that they are able to provide. Mr. McIver went on to advise that the proposed renovations will be done with the same consideration to the heritage nature of the properties.

There were no further persons present, wishing to address Council.

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MOVED by Alderman Downey, seconded by Alderman R. Grant  
that this matter be forwarded to Council without  
recommendation.

Motion passed.

Amendment to the Municipal Planning Strategy and Land Use  
Bylaw - Development Agreements for registered Heritage  
Properties

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

Mr. Joe Gallivan, Planner, Development and Planning  
Department, addressed Council and outlined the proposed  
amendments to the Municipal Planning Strategy and Land Use  
Bylaw. Mr. Gallivan indicated that the proposed amendments  
would allow owners of registered heritage properties,  
throughout the City, the ability to enter into development  
agreements for the purpose of allowing uses and developments  
other than those permitted by the future land use  
designation. During his presentation, Mr. Gallivan referred  
to the Planning Advisory Committee report dated August 8,  
1988.

Commodore McMillin, Chairman of the Heritage Advisory  
Committee, addressed Council and advised that the Heritage  
Advisory Committee supports the proposed amendments.  
Commodore McMillin referred to a report dated March 22, 1988  
from the Heritage Advisory Committee stating its position.  
By allowing the owners of registered heritage properties to  
make better use of their properties, Commodore McMillin  
suggested that the preservation of heritage properties would  
be encouraged.

Alderman Flynn requested a report with respect to the  
number of registered heritage properties in the R-1, R-2, and  
R-3 zones of the City. Alderman Flynn asked that the report  
be available before the next City Council meeting scheduled  
for Thursday, October 13, 1988.

Further to Alderman Flynn's request, Alderman Dewell  
suggested that it would be useful for Council to have the  
addresses of the registered heritage buildings so that the  
impact of those buildings to the surrounding neighbourhoods  
could be more easily determined.

Mr. Milton Veniot, Solicitor for the Heritage Trust of  
Nova Scotia, addressed Council and indicated his support in  
favour of the proposed amendments. Mr. Veniot advised that



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the Heritage Trust supports any initiative that will preserve the heritage tradition of the City. Mr. Veniot addressed the issue of demolition control. He noted that the Trust were requesting that a no demolition clause be included in the proposed amendments. If this request is not possible at this time, Mr. Veniot asked that Council consider placing the matter on the agenda of the meeting where the planning laws are made.

Mr. Veniot went on to point out a number of concerns of the Heritage Trust with respect to the way the legislation is drafted. Mr. Veniot submitted that any developer who wants to apply for a contract development for a heritage site should be able to demonstrate that the use that its being put to is no longer viable. Secondly, Mr. Veniot suggested, if a developer planned to drastically change a heritage building's use, that he be encouraged and required to demonstrate that the proposed use would not damage the building structurally. Mr. Veniot also advised that the Trust is concerned with the lack of provision that has been made for the long term maintenance of registered heritage properties. He suggested that a commitment be received from the person applying for a development agreement that the building will be maintained. Mr. Veniot further suggested that no contract should be made without the active involvement and the positive recommendation of the Heritage Advisory Committee.

Mr. Veniot clarified a number of questions from members of Council.

Mr. D. Churchill addressed Council on behalf of the Heritage Canada Foundation. Mr. Churchill encouraged Council to favorably consider the proposed amendments.

There were no further persons present, wishing to address Council.

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

In moving the recommendation, Alderman R. Grant asked for a staff report addressing Mr. Veniot's suggestions. He further suggested that the Heritage Advisory Committee make comment too.

Motion passed.

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**Case No. 5628 - Development Agreement for the proposed expansion of the Halifax Shopping Centre, 7001 Mumford Road**

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

Mr. Chris J. Reddy, Planner with the Development and Planning Department, addressed Council and presented a short video on this application for a development agreement (contract development) to construct 110,000 sq. ft. of additional retail space at the Halifax Shopping Centre. In summary, Mr. Reddy advised that staff is recommending approval of this application with the exception that the present driveway from Romans Avenue be closed.

A staff report dated September 15, 1988 was submitted prior to this meeting.

8:30 p.m. His Worship Mayor Wallace retires from the meeting, with Deputy Mayor Walker assuming the seat of the Chair.

In response to a question from Alderman Flynn, Mr. Reddy advised that he had met with representatives of Trilea Centres Inc. earlier this day and was informed by them that the problems with the school bus layby at St. Agnes School had been resolved. Mr. Reddy advised that a ramp is proposed rather than a set of steps leading from the school bus layby to the school site.

Mr. Alan C. Boulton, Vice-President of Design and Construction for Trilea Centres Inc., addressed Council on behalf of the owners of the Halifax Shopping Centre. Mr. Boulton advised that Mr. D. Buck, the architect for the project, and also Mr. J. Long, traffic consultant, were also in attendance to make presentation.

Mr. D. Buck addressed Council and described the proposed design of the project by presenting slides illustrating the intentions of the applicant.

Mr. J. Long addressed Council with respect to the traffic issue which he noted was not resolved to date. Mr. Long advised that a number of meetings had been held with City staff and with community groups in the area. Mr. Long went on to advise that the issue with respect to accessing the site from Romans Avenue had not been resolved. From a transportation point of view, Mr. Long suggested that the Romans Avenue access was an extremely valuable one. He advised that there were three effective signalized

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intersections providing access to the site. Mr. Long noted that about 20 percent of the traffic to the shopping centre enters through the Romans Avenue entrance. He indicated that the bulk of the 20 percent comes from Mumford Road which he noted was a concern because of the indirectness of travel.

Mr. Long went on to advise that the buses had been re-routed along the easterly perimeter road way and that there had been discussions with the citizens in the area regarding the provision of environmental protection to minimize noise impacts. Mr. Long advised that one of the major concerns, resulting from those meetings, was with regard to the problem of traffic exiting at the Romans Avenue entrance exit, turning left, and then interfering with traffic travelling north bound on Romans. Mr. Long noted that a survey was carried out with respect to the amount of traffic exiting the Romans entrance. As a result of that survey, Mr. Long advised that they are suggesting that Romans Avenue should be widened on the approach to the Mumford intersection. Mr. Long further suggested that the proposed parking spaces would discourage traffic from using Romans Avenue.

With the use of plans, Mr. Long addressed a number of inquiries from Council.

In response to a question from Alderman Flynn, Mr. Boulton advised that the expansion would cause a considerable amount of blasting. He noted that a company had already been engaged to do a pre-blasting survey. Mr. Boulton confirmed that there would be no blasting early in the evening or late at night.

Alderman Flynn asked that the applicant consider placing a sound baffling enclosure around the compression drills in order to muffle noise.

Mr. George Borgal addressed Council and expressed concern with respect to the proposed extension to the Halifax Shopping Centre. Mr. Borgal expressed concern with respect to the traffic situation which already exists at the Shopping Centre. Mr. Borgal also expressed concern with respect to the winds, fumes, and dusts that surrounding homes would be subjected to as a result of the expansion. Mr. Borgal indicated that his final concern was with respect to blasting.

Mr. Ken Walker, a resident of Cook Avenue, addressed Council and expressed concern with respect to traffic exiting from the Shopping Centre onto Romans Avenue. Mr.

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Walker suggested that the exit onto Romans Avenue should be closed.

Mr. A.E. Young, residing at 6779 Edward Arab Avenue, addressed Council and noted that his property had been damaged during the establishment of the Halifax Shopping Centre a number of years ago. Mr. Young went on to note that the Halifax Shopping Centre was a poor neighbour. He expressed the concern that he constantly removes garbage from his property as a result of wind sweeping it onto his property from the Halifax Shopping Centre.

Mr. Young also expressed concern with respect to the through way from Bayers Road to Mumford Road. It was his opinion that the proposed expansion was for the betterment of the developers and not for the residents. Mr. Young urged that traffic near the St. Andrew's School, the St. Agnes School, and the Westmount School be controlled.

Mr. Reg Allen, residing at 3140 Romans Avenue, addressed Council and advised that his past experience with Trilea Centres Ltd. was not a successful one. Mr. Allen expressed the concern that only abutting property owners to the Shopping Centre had been invited by Trilea Centres Ltd. to meetings with respect their proposal. Mr. Allen made reference to the petition which had been submitted at the September 29, 1988 City Council meeting in relation to the proposed expansion. He noted that approximately 61 residents signed the petition supporting the recommendation that the vehicular access to Romans Avenue from the Halifax Shopping Centre property be closed.

Mr. Allen went on to express concern with respect to the traffic surveys carried out by Trilea Centres Ltd. and suggested that the figures, presented by Trilea at a recent meeting with the residents, were miscalculated. He noted that Trilea presented the following figures: 74 percent of the traffic exiting from the Halifax Shopping Centre turned left and that the remaining 26 percent turned right. Mr. Allen noted his survey results as follows: 56 percent turning left and 44 percent turning right; at the closing of the shopping centre, 58 percent turned left and 42 percent turned right, on Saturday from 1:15 p.m. to 1:30 p.m., 64 percent turned left and 35 percent turned right; at 3:10 p.m. on Saturday, 51 percent turned left and 49 percent turned right.

Referring to the staff report of September 15, 1988, appendix "A", Section II, policy statement 3.1.4 where it states that "Shopping centres should service a major area of the City, and/or part of the region. They shall have direct

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controlled access to the principal street network...". Mr. Allen submitted that Romans Avenue was not a principal street and that the driveway was too close to a major intersection. Mr. Allen further submitted that acceptance of the proposal would result in the continuation of a bad situation.

Mr. Borgal addressed Council for the second time and expressed the concern that the Halifax Shopping Centre parking lot had become a garage for many people living out of town and working in the downtown. He went on to reiterate his concerns with respect to blasting.

There were no further persons present wishing to address Council.

A letter dated October 3, 1988 from the Westmount School Association was submitted (a copy of which is contained in the official file of this meeting).

A petition containing approximately 61 signatures was submitted prior to this meeting (a copy of which is included in the official file of this meeting).

MOVED by Alderman Flynn, seconded by Alderman R. Grant that this matter be forwarded to Council without recommendation.

Motion passed.

10:00 p.m. The meeting adjourned.

HEADLINES FOR CITY COUNCIL MINUTES  
of 10/05/88

|   |          |
|---|----------|
| Tender Award 88-10 - Harlington Crescent Sewer Renewal  | .... 643 |
| Case #5275 - Amendment to Development Agreement - Spring<br>Garden Place - Phase II                                   | .... 644 |
| Tender 88-128 - Bulk Salt & 88-129 - Hauling of Bulk Salt   | .... 644 |
| Tender 88-144 - Landscaping, Clayton Park Junior High<br>Sports Field; Cogswell Street Sports Field (Commons)         | .... 645 |
| Tender 88-147 - Mainland North Branch Library -<br>Leasehold Improvements   | .... 645 |
| Sidewalk Renewals Due to Development  | .... 645 |
| Case No. 5652 - Contract Development - 5168-86 Morris<br>Street (Halliburton House Inn)                               | .... 646 |
| Amendment to the Municipal Planning Strategy & Land Use<br>Bylaw - Dev. Agreements for Registered Heritage Properties | .... 647 |
| Case No. 5628 - Development Agreement for the Proposed<br>Expansion of the Hfx. Shopping Centre, 7001 Mumford Rd.     | .... 649 |

**SPECIAL COUNCIL  
PUBLIC HEARINGS  
MINUTES**

Council Chamber  
City Hall  
Halifax, Nova Scotia  
October 6, 1988  
7:30 P. M.

A special meeting of Halifax City Council (Public Hearings) was held at this time.

**PRESENT:** His Worship Mayor Ron Wallace, Chairman; Deputy Mayor J. Albert Walker; and Aldermen Downey, Meagher, Dewell, Richard Grant, Jeffrey, Leiper, and Hamshaw.

**ALSO PRESENT:** City Manager; Mr. Barry Allen, representing the City Solicitor; Ms. Karen Swim, representing the City Clerk; and other members of City staff.

Case No. 5620 - Proposed Amendment to the Land Use Bylaw  
(Mainland Area) Affecting Shep's Autobody Shop,  
5 Alex Street

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

A staff report, dated September 12, 1988, was submitted together with a report, dated October 5, 1988, submitted from Mr. Walter Nolan, Vice Chairman, Planning Advisory Committee.

Mr. J. Michael Hanusiak, Planner II with the Development and Planning Department, using diagrams and photographs, presented members of Council with a brief overview of the proposed amendment.

In his remarks, Mr. Hanusiak emphasized that while the application pertaining to Case No. 5620 is a dual-purpose proposal, tonight's public hearing would address only the application for an amendment to the Mainland portion of the Land Use Bylaw. He added that, assuming this amendment is eventually approved by Council and is not appealed, the remainder of the application (that proposing a development agreement for this site) will be considered at a later date.

Reviewing the contents of the September 12 staff report, Mr. Hanusiak advised that the owner of 5 Alex Street (Shep's Auto Body Shop) has applied for a development agreement to permit an expansion to the existing premises. He added that because the property on which this auto body shop is located is zoned R-2, it constitutes a non-conforming use and (under the provisions of the Nova Scotia Planning Act) is not permitted to expand as of right.

Mr. Hanusiak emphasized, however, that the Municipal Planning Strategy (particularly those sections pertaining to the Fairview area) provides an opportunity for non-conforming commercial uses to be considered for an expansion or a change in use subject to a contract, one of the conditions being that the specific property be identified in the Land Use Bylaw together with the terms and conditions of the contract.

Referring to a diagram of the property, Mr. Hanusiak noted that the applicant wishes to add a 12 foot wide addition to his building to extend towards Adelaide Street. In this context, he referred Council to Policy 2.3 of MPS Section VII which directs that development agreements for non-conforming uses in the Fairview area must result either in improvements to the existing building, the property on which it is located, or to the use itself as it relates to the surrounding area. Mr. Hanusiak emphasized that, in staff's opinion, the nature of the addition proposed for Shep's Auto Body Shop not only benefits the applicant by providing him with additional working space, but also represents substantial improvements to the site and to the neighbourhood in general. He mentioned, in particular, the plans to enclose a portion of the property which is currently used for the storage of materials and the repair of automobiles and which, it is suggested, represents the most unappealing feature of the existing site. Mr. Hanusiak also made reference to the fence which is proposed for construction along Adelaide and Alex Streets which, when completed, will obstruct much of the shop's activities from view. In addition, he referred to a metal dumpster which is frequently parked on this property, emphasizing that the applicant proposes to enclose this unit within a wooden structure, thereby obscuring it from the view of passing pedestrians and motorists. Council was also advised that considerable refurbishing will be undertaken to the existing building, thereby improving the site and its relationship to the surrounding area.

There were no persons present in the public gallery wishing to address Council regarding this matter, and no correspondence received.

Alderman Jeffrey advised that he had discussed the application with a number of neighborhood residents, all of whom had voiced their support of the improvements proposed for this site.

It was therefore moved by Alderman Jeffrey, seconded by Deputy Mayor Walker that City Council approve an amendment to Section 14F(2) of the Mainland portion of the Land Use Bylaw by adding immediately after the conditional clause of Subsection (ii) the following:



- (iii) Shep's Autobody Shop located at 5 Alex Street:

permit a single storey addition to the existing autobody shop building not exceeding 345 sq. ft. in floor area or 10 ft. in height, provided that the development includes fencing and landscaping improvements and the re-siding of the existing autobody shop.

The motion was put and passed.

Case No. 5636 - Proposed Amendment to the Land Use Bylaw  
(Mainland Area) Affecting 25 Convoy Avenue

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

A staff report, dated September 12, 1988, was submitted together with a report, dated October 5, 1988, from Mr. Walter Nolan, Vice Chairman, Planning Advisory Committee.

Mr. J. Michael Hanusiak, Planner II with the Development and Planning Department, using diagrams and photographs, provided members of Council with a brief overview of the proposed amendment.

In his remarks, Mr. Hanusiak emphasized that, as in the case of the preceding hearing concerning 5 Alex Street, Council is at this point being requested to consider only an amendment to the Land Use Bylaw (with a subsequent hearing pertaining to the proposed development agreement to be scheduled for a later date).

Mr. Hanusiak noted that the property at 25 Convoy Avenue presently contains a local convenience store, a pizza take-out located at the rear of the building, and four residential units. Reviewing the history of this site, he advised that when, in 1987, an application had been received to enlarge the existing building, staff had assumed at the time that the building contained only a convenience store and two residential units. Under that assumption and taking into consideration that the property was zoned RC-1 (which permits as of right a local convenience store of up to 1,000 square feet as well as four residential apartment units), staff proceeded to approve the application. Mr. Hanusiak emphasized that it wasn't until early this year that staff learned of the pizza operation which, under the RC-1 Zone, is not a permitted use. Staff was therefore faced with the knowledge that in 1987 when the initial application for expansion was received,

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the building in question was actually a non-conforming use and (under the provisions of the Planning Act) was not permitted to expand as of right. In bringing this to Council's attention, Mr. Hanusiak emphasized that the oversight pertaining to the existence of the pizza take-out was not the fault of the applicant, but that of staff who had not detected its presence during their review of his 1987 application.

Mr. Hanusiak noted that, faced with the necessity to rectify this situation, Council has two alternatives from which to choose, the first being to require the applicant to remove either the two-unit addition at the rear of the building, or his pizza take-out operation. He emphasized, however, that while either one of those options would reinstate the building as a conforming use under the terms of the Land Use Bylaw, they might also prove to be expensive since, in staff's opinion, such actions would subject the City to litigation (based on the issuance in 1987 of improper permits).

As a second option, Mr. Hanusiak referred to Section VII, Policy 2.3 of the Municipal Planning Strategy, noting that non-conforming commercial uses in the Fairview area can be considered for expansion under the terms of a development contract. In this context, he clarified that the fact that this expansion has already occurred does not make it impossible for Council to "turn back the clock" and to reinstate it as a permitted use, provided that the contract is in keeping with the objectives of the MPS. Mr. Hanusiak advised that the developer has generously offered to make a number of improvements to the building to enhance its general appearance, one being to remove a free-standing sign located directly above the store and to replace it with a fascia sign. In addition, it is proposed that planter boxes be installed in front of the residential units; as well, the paved area directly in front of the existing residence will be sodded, and walkway markings will be placed from the entrance of the store and the existing house out to Convoy Avenue to provide greater delineation as to where cars may park. Under the circumstances, staff consider that the previously-approved expansion and the proposed improvements to the site are in keeping with the intent of MPS Policy 2.3, as is the developer's request for an amendment to the Land Use Bylaw.

There were no persons present in the public gallery wishing to address Council regarding this matter, and no correspondence received.

Alderman Jeffrey advised that he had discussed this matter with various neighbourhood residents, and noted that no one had voiced an objection with regard to the application.

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It was therefore moved by Alderman Jeffrey, seconded by Alderman Downey that City Council approve an amendment to the Mainland portion of the Land Use Bylaw by adding immediately after the conditional clauses of Section 14F(2)(iii) [Clause (iii) being a proposed amendment presently before Council as Case No. 5620] the following:

- (iv) Convoy Pizza and Grocery  
Located at 25 Convoy Avenue

The retention of a two-unit addition to the rear of the existing building, provided that the entire structure is in keeping with the building and site requirements of the RC-1 Zone; furthermore, that the owner undertake to replace the existing overhanging sign with a fascia sign and that landscaping improvements be introduced for the area immediately adjacent to the front wall of the residential dwelling units.

The motion was put and passed.

Case No. 5529 - Amendment to the Land Use Bylaw Re:  
Implementation Policy 10

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

A staff report, dated September 15, 1988, had previously been submitted and recorded.

Correspondence, dated September 30, 1988, was received from Mr. Alan Ruffman, President of Geomarine Associates Limited.

Mr. Michael Hanusiak, Planner II with the Development and Planning Departments, noted that tonight's public meeting had been generated by a previous gathering at which time Council had defeated a proposal to amend the Municipal Planning Strategy with regard to Implementation Policy 10. He added that during the defeat of those proposed amendments, it was decided that the matter should be referred to the Planning Advisory Committee to determine alternatives that would allow the Canadian Cancer Society to develop their property on South Street for patient lodging and Society offices. Mr. Hanusiak advised that the PAC has since recommended that Implementation Policy 10 be left as is

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presently written, and that the Society's application be dealt with pursuant to existing statements contained in the Municipal Planning Strategy.

Mr. Hanusiak emphasized that if, in the future, Council wishes to consider development agreements under the provisions of Implementation Policy 10, the Land Use Bylaw must be amended to insert an appropriate enabling clause. In this context, he noted that each Plan policy must be echoed in the Land Use Bylaw, and although Implementation Policy 10 clearly provides for the use of contracts, specific implementing policies have not to date found their way into the Land Use Bylaw. In summary, Mr. Hanusiak advised that the matter presently before Council is simply to include this contract provision in the Land Use Bylaw so that, once it is inserted, Implementation Policy 10 can be used for the approval of contract developments in any given situation. Staff is therefore recommending that Appendix I of the September 15 staff report be approved so as to allow contract agreements under Sections 16AE (Peninsula) and 14K (Mainland) of the Land Use Bylaw.

Responding to a question from Alderman Dewell, Mr. Hanusiak emphasized that Implementation Policy 10 (as it presently exists) is perhaps the most difficult policy under which to exercise successful rezonings, and it is therefore staff's opinion that it is very unlikely that Council will see a wholesale number of applications under this Policy even if enabling policies for the use of contract agreements were made available under the Land Use Bylaw. In this context, Mr. Hanusiak advised that in the 10 years that Implementation Policy 10 has been in place, there have been only four successful applications for rezoning made pursuant to it. He further noted that Municipal Board decisions (with regard to appeals based on the objectives of Implementation Policy 10) have consistently been in opposition to the rezoning applications.

Alderman Meagher made reference to the considerable anxiety that Implementation Policy 10 has created for residents throughout the City over recent weeks, and gave notice that once the Canadian Cancer Society's application has been successfully dealt with, he intends to propose the removal of this policy in its entirety from the Plan.

The Chairman then called for comments from the public gallery.

Mr. Donald Higgins, a resident of 5672 Rhuland Street, reading from a submission dated October 6, 1988 and presented to the City Clerk, expressed concern that despite the sentiments verbalized during the previous public hearing, staff and the Planning Advisory Committee are apparently still determined to use

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Implementation Policy 10 to obtain approval for the Canadian Cancer Society's proposal. He added that, in this context, he had misgivings about the use of the words "immediately adjacent," emphasizing that in his interpretation of the Municipal Board's 1982 decision regarding the Marine Towers application, the Board appeared to define "immediately adjacent" as meaning "adjoining" or "abutting," rather than "in the vicinity." He therefore suggested that the City would seem to be ill-advised to use the latter interpretation in presenting its case for the use of Implementation Policy 10 vis a vis the Cancer Society's application.

Mr. Higgins further noted that the use of Implementation Policy 10 to achieve approval of the Cancer Society's application would undoubtedly result in an appeal being registered with the Municipal Board. He emphasized that, taking into consideration the inordinate length of time in which the majority of such appeals are processed, the Cancer Society (despite the fact that the appeal might be overturned by the Board) stands to be considerably inconvenienced by this delay. He therefore urged staff and Council to devise an alternative other than the use of Implementation Policy 10 to achieve the objectives of the Canadian Cancer Society's application.

Ms. Beverley Miller, a resident of South Street and a representative of the Ward 1 Residents Association, addressed members of Council reading from a submission dated October 6, 1988 and subsequently submitted to the City Clerk.

In her remarks, Ms. Miller emphasized the Association's concern that the proposed amendment to the Land Use Bylaw "will have exactly the same effect as the previously attempted amendment of the MPS and will create chaos in the City in every area where future land use designations meet." She added that, in their opinion, "this would threaten perhaps thousands of residential properties and put dozens of residential neighborhoods in jeopardy."

Ms. Miller went on to note that while her Association is not, in any way, objecting to the application submitted by the Canadian Cancer Society, it is very much opposed to an amendment to the Land Use Bylaw which is not site-specific.

Following her presentation, Ms. Miller responded to questions from Alderman Jeffrey.

With reference to a question from Alderman Dewell, Mr. Hanusiak clarified that until now (and lacking more specific provisions in the Land Use Bylaw) Implementation Policy 10 has been used solely to allow developments to proceed under rezonings. With reference to the Canadian Cancer Society application, he

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noted that staff wished to review it as a potential contract development because such an agreement will permit both an office component and lodging facilities.

Ms. Mary Ferguson, a resident of 6134 Pepperell Street and a member of the Neighborhood Committee of the Ward 2 Residents Council, expressed concern that approval for the Canadian Cancer Society's application has yet to receive approval despite the fact that it has received widespread support. Ms. Ferguson urged that Implementation Policy 10 be deleted in its entirety but, failing that, asked Council to consider sending it back to the Planning Advisory Committee for a full and comprehensive review pertaining especially to residential protection clauses that could be added when incursions into residential areas are proposed. As part of this suggested protection for residential neighborhoods, she suggested that every application pertaining to the use of Implementation Policy 10 be referred to the PAC who would then be required to schedule a public meeting prior to submitting their recommendation to City Council.

Mrs. Ann McMillan, representing the Ward 12 Community Association, asked to have it entered in the Minutes that her Association is extremely concerned about the amendment to the Land Use Bylaw as is presently proposed. She emphasized that the group is particularly anxious about the implications of this amendment on their portion of Halifax, that area having been projected as the City's major growth area over the next 15 years. She noted, however, that the Association would have no difficulty with the amendment if it were reworded to make it site-specific; i.e., relevant only to the Cancer Society's application.

Mr. Ronald Pink, solicitor for the Canadian Cancer Society, addressed the gathering, noting that he and his clients feel like "a political football," having appeared before Council on this matter on three previous occasions. He emphasized that his clients' proposal has received widespread support, with the general consensus appearing to be that the facility is a very necessary one for the City of Halifax. He further noted that while he can appreciate the concerns voiced by the various Residents Associations, his clients will lose a great deal of money if construction is delayed much longer. On that basis, he strongly urged Council to find a way to deal with the Society's application and then to subsequently remove Implementation Policy from the Municipal Planning Strategy.

Mr. Philip Pacey, a resident of 6269 Yukon Street, spoke in opposition to the proposed amendment, noting that in their report staff has made no mention of the impact of the revision on the properties (other than that owned by the Canadian Cancer Society) throughout the City who will undoubtedly be affected. In this context, he cited his own property as an

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example, noting that should the Land Use Bylaw be amended as is presently proposed, the commercial uses (which are now restricted to the corner of Harvard and Yale Street) could conceivably be extended to the residential area bounded by Yale, Yukon and Harvard Streets. He therefore suggested that, in his opinion, it was more important that City Council consider what could happen to these many other properties than it is to merely deliberate the implications for one.

Mr. Pacey also referred to remarks made during the previous public hearing by the Cancer Society's solicitor to the effect that the Society had initially applied for a rezoning to "Park and Institutional" but had been refused by staff. Mr. Pacey took exception to comments made by Mr. Hanusiak earlier in the meeting, emphasizing that, in his opinion, a rezoning to "Institutional" would have been extremely appropriate for the Cancer Society because residential uses of the nature proposed by the Society are indeed permissible under the definition of "Institutional."

Alderman Dewell referred to a matter raised by Mr. Pacey; i.e., that lots could be consolidated to result in "abutting" properties. The Alderman suggested that the Municipal Planning Strategy currently contains a policy which prevents the "triggering" of Implementation Policy 10 through lot consolidations, and asked for confirmation from staff on this point.

Ms. Mary Dykstra, a resident of 2024 Creighton Street, addressed Council, emphasizing that the residents of Ward 3 are also concerned by this problem. She quoted from a letter written by her neighbor, Mrs. Donna Kasdan (2013 Creighton Street), who indicated her opposition to the proposed Land Use Bylaw amendment and called attention to the fact that earlier in the year Council had indicated its support for retaining the Citadel North area as "Medium-Density Residential" and, in so doing, for retaining existing housing stock. Mrs. Kasdan emphasized that, to adopt staff's proposal for a Bylaw amendment, would seriously jeopardize the very considerable efforts by government and private citizens to stabilize this area, and on that basis strongly urged Council to reject this proposal and all future proposals of this kind.

Mr. Stephen Townsend, representing the Citadel North Neighborhood Association, concurred with the concerns expressed previously in the meeting. In his remarks, he noted that while he feels very sorry for the plight of the Canadian Cancer Society, he also feels that the implications of the Bylaw amendment would extend beyond the parameters of just one property and will instead apply to the entire City. On that basis, he strongly urged

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Council to refuse the proposal for an amendment to the Land Use Bylaw currently before it.

Mr. Larry Lamont, a resident of 2033 Maynard Street, expressed concern that, subsequent to the earlier public hearing, residents are once again being forced to voice their opposition to an amendment which, in his opinion, is very similar to that which was being considered by Council in early September.

Ms. Milo Riding addressed Council in opposition to the proposed Bylaw amendment, concurring with the remarks made earlier by Mr. Lamont, and suggesting that staff should instead formulate a Plan amendment in order to address the application submitted by the Canadian Cancer Society.

Alderman Richard Grant asked for clarification from staff prior to the next regularly scheduled meeting of City Council as to whether Implementation Policy 10 as it presently stands could be used in any way to address the application submitted by the Canadian Cancer Society.

A discussion ensued as to whether a decision on this issue should be reached during this evening's public hearing, with Alderman Jeffrey noting that since several members have requested additional information from staff, the matter should more appropriately be referred without recommendation to the October 13 meeting of City Council.

Emphasizing the negative implications of the proposed amendment on his ward, it was moved by Alderman Meagher that Council reject the proposed amendment to the Land Use Bylaw (relating to Implementation Policy 10), and direct staff to devise another method of dealing with the application from the Canadian Cancer Society.

At the request of Alderman Dewell, the meeting was adjourned for a brief discussion with members of staff.

9:20 p.m. - The meeting was adjourned.

9:30 p.m. - The meeting was reconvened with the same members being present.

In reconvening the meeting, His Worship Mayor Wallace apologized to those in the public gallery for the interruption, emphasizing that certain Aldermen merely wished to obtain further information from staff. He added that members of Council support completely the initiatives of the Canadian Cancer Society, but are being stymied in the approval process by the City's own legislation. He emphasized that both Council and staff are sincerely attempting to find a method to achieve the objectives of



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the Society, and for that reason asked the City Manager to bring back to Council prior to the next regular meeting of Council scheduled for October 13, every possible alternative or option with regard to this matter.

At the request of the Chairman, Alderman Meagher repeated his motion.

There was no seconder for Alderman Meagher's motion.

It was subsequently moved by Alderman Richard Grant, seconded by Alderman Jeffrey that the matter be forwarded without recommendation to the next regular meeting of Halifax City Council scheduled for Thursday, October 13, 1988.

The motion wa put and passed.

The meeting was adjourned at 9:40 p.m.

HIS WORSHIP MAYOR RON WALLACE  
CHAIRMAN

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HEADLINES FOR CITY COUNCIL MINUTES  
of 10/06/88

|   |          |
|---|----------|
| Case No. 5620 - Proposed LUB Amendment (Mainland Area) Re:<br>Shep's Autobody Shop, 5 Alex Street | .... 654 |
| Case No. 5636 - Proposed LUB Amendment (Mainland Area) Re:<br>25 Convoy Avenue                    | .... 656 |
| Case No. 5529 - Amendment to the Land Use Bylaw Re:<br>Implementation Policy 10                   | .... 658 |

CITY COUNCIL  
MINUTES

*Revised 10/13/88*

Council Chamber  
City Hall  
Halifax, Nova Scotia  
October 13, 1988  
8:00 P.M.

A regular meeting of Halifax City Council was held at this time.

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

**ALSO PRESENT:** City Manager; City Solicitor; Ms. Karen Swim, representing the City Clerk; and other members of City staff.

The meeting was called to order, with Alderman Deborah Grant leading members of Council and those present in the public gallery in the recitation of the Lord's Prayer.

His Worship Mayor Wallace noted that Alderman Alfred Hamshaw had been prevented from attending tonight's meeting because of illness, and, on behalf of members of City Council, wished the Alderman a speedy recovery.

MINUTES

Minutes of the regular meeting of City Council held on Thursday, September 29, 1988, together with Minutes of Special Meetings held on October 5 and 6, were approved on a motion by Alderman Dewell, seconded by Alderman Leiper.

APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS & DELETIONS

MOVED by Alderman Cromwell, seconded by Alderman Downey that the agenda, as circulated, be approved.

The motion was put and passed.

Before moving to the regular agenda, the Chairman noted that tonight represents Alderman Gerald O'Malley's last meeting of Council before he leaves to take his seat in the Provincial Legislature. He therefore offered the Alderman an opportunity to address members of Council on this occasion.

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In his remarks, Alderman O'Malley expressed his appreciation to his colleagues on Council, City staff and members of the media for the assistance and friendship they have given to him during his eight years as a member of Halifax City Council. Calling his years as a City Alderman "the greatest learning experience of my life," Alderman O'Malley emphasized that the work of municipal government is undeniably difficult, adding that, he nevertheless had tried to serve his constituents in Ward 5 and the citizens of the City as a whole in an appropriate fashion.

In closing, Alderman O'Malley noted that he was greatly appreciative of the opportunity to have been, as a Halifax Alderman, "part of the City's history," adding that as a member of the Provincial Legislature, he will continue to be sympathetic to matters concerning the City of Halifax.

#### DEFERRED ITEMS

Case No. 5652 - Contract Development: 5168-86 Morris  
(Halliburton House Inn)

A public hearing pertaining to this matter was held on Wednesday, October 5, 1988.

MOVED by Alderman Downey, seconded by Alderman Meagher  
that Council approve the application for contract development for the lands of Maritime Capital Management Limited, 5168-86 Morris Street, to permit an inn/hotel.

It was noted that the following members of Council had been absent during the October 5 public hearing: Aldermen Deborah Grant, Cromwell, O'Malley and Leiper.

The motion was put and passed with Alderman Deborah Grant, Cromwell, O'Malley and Leiper abstaining.

Amendment to the Municipal Planning Strategy and Land Use Bylaw  
Re: Development Agreements for Registered Heritage Properties

A public hearing pertaining to this matter was held on Wednesday, October 5, 1988.

A supplementary staff report, dated October 13, 1988, was submitted, together with correspondence, dated October 13, 1988, from Mr. A. W. Churchill, Governor, Heritage Canada.

MOVED by Alderman Flynn, seconded by Alderman Dewell  
that Council approve the proposed amendments to the Municipal Planning Strategy and Land Use Bylaw respecting development

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agreements for registered heritage properties as set out in Appendix I of the Planning Advisory Committee report dated August 8, 1988.

It was noted that the following members of Council were absent from the October 5, 1988 public hearing: Aldermen Deborah Grant, Cromwell, O'Malley, and Leiper.

The motion was put and passed with Aldermen Deborah Grant, Cromwell, O'Malley and Leiper abstaining.

Case No. 5628 - Development Agreement for the Proposed Expansion of the Halifax Shopping Centre, 7001 Mumford Road

A public hearing into this matter was held on Wednesday, October 5, 1988.

Correspondence, dated October 7, 1988, was submitted from Mr. R. J. (Reg) Allen, 3140 Romans Avenue.

Commenting on the input received during the October 5 public hearing, Alderman Flynn commended the developers for their efforts to meet with area residents and to iron out many of the potentially contentious issues before the proposal was submitted to Council. He noted, however, that there is still one factor under dispute, that being the access off Romans Avenue, and in that context proposed an amendment to the recommendation contained in the staff report dated September 15. In proposing this amendment (shown in overprint in the resolution below), Alderman Flynn requested that staff undertake to monitor this section of Mumford Road so as to provide Council and members of the public with sound information with regard to traffic flows and their impact on the surrounding neighbourhood. The Alderman emphasized that, in his opinion, the amendment will serve to satisfy the concerns of neighborhood residents while allowing the development project to proceed in a timely fashion.

It was therefore moved by Alderman Flynn, seconded by Deputy Mayor Walker that:

- 1) City Council, pursuant to Schedule "C," Section 83 of the Peninsula portion of the Land Use Bylaw, approve the entering into of a development agreement to permit the construction of an addition to the Halifax Shopping Centre at Civic No. 7001 Mumford Road, together with three parking structures and attendant site improvements as generally described on Plans No. P200/16751 to 16755 inclusive and Plans No. P200/16812, 16863 and 16864 of Case No. 5628, with the exception that the Romans Avenue access may be retained in its present form until transit service has been re-routed to the eastern side of the property. At that time Council will reconsider the options of

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the Romans Avenue access and can change the agreement as a minor amendment, depending on the results of the monitoring;

- 2) the agreement 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 approval will be void and obligations arising hereunder shall be at an end.

Addressing the motion, Alderman Richard Grant suggested that the City's Traffic Engineers assess the area from the perspective of implementing an in-bound left-turning lane on Mumford Road leading to the site primarily for the use of truck traffic.

It was noted that the following members of Council had been absent from the October 5 public hearing: Aldermen Deborah Grant, Cromwell, O'Malley, and Leiper.

The motion was put and passed with Aldermen Deborah Grant, Cromwell, O'Malley and Leiper abstaining.

Case No. 5529 - Proposed Amendment to the Land Use Bylaw to Enable Development Agreements Pursuant to Implementation Policy 10

A public hearing pertaining to this matter was held on Thursday, October 6, 1988.

An Information Report, dated October 13, 1988, was received together with correspondence, dated October 13, from Mr. Ronald A. Pink (Patterson, Kitz), solicitor for the Canadian Cancer Society.

It was moved by Alderman Meagher, seconded by Alderman Leiper that the proposed amendment to the Land Use Bylaw pursuant to the use of Implementation Policy 10 be denied.

In putting forward this motion, Alderman Meagher reiterated his concerns with regard to the use of Implementation Policy 10 on a City-wide basis, adding that, in his opinion, if this policy were to be used with regard to the Cancer Society's application, it could conceivably set a precedent for use in conjunction with other (less appropriate) development proposals.

The motion was put and passed.

It was subsequently moved by Alderman Meagher, seconded by Alderman Downey that the application by the Canadian Cancer

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Society be again referred to the Planning Advisory Committee; and further, that the PAC be requested to review Implementation Policy from the perspective of Council's expectation that it be removed from the Municipal Planning Strategy.

While speaking in support of the motion, Alderman Leiper urged that the PAC be requested to deal with these matters as quickly as possible, and that representatives of the Canadian Cancer Society be invited to be present during the Committee's deliberations.

Responding to concerns raised by Alderman Cromwell that Council has already received sufficient public input regarding this matter, the City Manager advised that an additional public meeting or hearing may not be necessary at this point in time. He cautioned, however, that it may be difficult (depending on the provisions of the Nova Scotia Planning Act) to remove this policy in its entirety.

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

#### PETITIONS AND DELEGATIONS

Petition Alderman Cromwell Re: Spencer House  
Program Coordinator

A petition carrying 86 signatures was submitted by Alderman Cromwell concerning the necessity to ensure the presence of a program coordinator at Spencer House Seniors Centre on Sundays.

The Alderman asked that a copy of this petition be forwarded as quickly as possible to members of the Board of the Spencer House Seniors Centre with a request that they give it every consideration.

Petition Alderman Cromwell Re: Alleviation of Traffic  
Situation on Armview Avenue/Pryor Street

Alderman Cromwell submitted a petition carrying 68 signatures and pertaining to the traffic situation in the Armview Avenue/Pryor Street area.

In his subsequent remarks, Alderman Cromwell referred to the fact that he had previously requested a full report on this situation from the City's Traffic Authority, and asked that this petition be taken into consideration when that report is being formulated. The Alderman added that he would appreciate receiving this information as quickly as possible.

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Petition Alderman O'Malley Re: Store Closing Hours

A petition carrying approximately 1,540 signatures was submitted from Alderman O'Malley in support of extended store hours during the Christmas season for Halifax retail outlets.

In presenting this petition, Alderman O'Malley noted that the matter would be further addressed under the item "Amendment to Ordinance Number 121, the Retail Store Closing Ordinance - FIRST READING" to be considered later in the meeting's agenda.

Petition Alderman Flynn Re: Store Closing Hours

A petition carrying approximately 280 signatures in opposition to the proposal to extend store opening hours during the Christmas season was submitted by Alderman Flynn.

In presenting this petition, Alderman Flynn noted that the matter would be further addressed under the item "Amendment to Ordinance Number 121, the Retail Store Closing Ordinance - FIRST READING" to be considered later in the meeting's agenda.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on Wednesday, October 5, 1988.

Seniors' Taxi Fare Reduction Program

MOVED by Alderman Dewell, seconded by Alderman Jeffrey that, as recommended by the Finance and Executive Committee:

- 1) approve in principle the proposed Seniors' Taxi Fare Reduction Program model;
- 2) direct staff to assist in the process of seeking sources of funding for the program model;
- 3) be prepared to make provisions for the Senior' Taxi Fare Reduction Program in the 1989 budget.

In putting forward this motion, Alderman Dewell urged that staff expedite the preparation of the reports necessary for the project's incorporation into the City's 1989 budget, emphasizing that that budget review process is due to begin very shortly.



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Speaking in support of the motion, Aldermen Jeffrey and Deborah Grant expressed their appreciation to Ms. Lucy Riley, President of the Halifax Seniors Council, for her patience and persistence in seeing this project through to fruition.

Alderman O'Malley, while supporting the motion, emphasized that in order for the subsidy program to be implemented supplementary funds must be obtained from outside sources. In this context, he suggested that Halifax City Council should be prepared to make representation to the senior levels of government to participate in a tangible monetary fashion.

It was therefore moved in amendment by Alderman O'Malley, seconded by Alderman Dewell that copies of this resolution be forwarded by the Office of the Mayor (on behalf of City Council) to the Premier of Nova Scotia and to the Prime Minister, with a view to seeking financial assistance from both levels of government to assist the City in the implementation of the proposed seniors taxi fare reduction program.

The motion, as amended, was put and passed.

Recommendations: (1) Metro Transit Goals (2) Allocation in Capital Budget for Bus Shelters

MOVED by Alderman Leiper, seconded by Alderman Deborah Grant that, as recommended by the Finance and Executive Committee:

- 1) that Council endorse the recommendations contained within the June 6, 1988 staff report with the following changes:
  - (a) that the Metropolitan Authority undertake more substantive long range planning for regional transit with emphasis on coordination between municipal units and overall regional transportation planning in order to ensure that transit maintains a paramount position in the regions's transportation network;
  - (b) that the Authority devise some form of public participation in the planning endeavour set forth in (a) above and in reviewing the existing goals and objectives;
  - (c) that Council support the comments and recommendations included in the Appendix attached to the June 6, 1988 staff report and recommend they be forwarded to the Authority.
- 2) that Council include funds in the 1989 Capital Budget for 10 bus shelters and that funds be included in all future Capital Budgets for a similar number of shelters until such time as the needs of the City have been met and further the Transit

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Advisory Committee advise Council that it may make further recommendations in relation to the types of shelters to be installed and a priority listing of locations for installation of the shelters.

The motion was put and passed.

Street Closure: Old Williams Lake Road and Herring Cove Road

MOVED by Alderman Richard Grant, seconded by Deputy Mayor Walker that, as recommended by the Finance and Executive Committee, a date be set for a public hearing to consider the closure of a portion of Herring Cove Road and Old Williams Lake Road.

The motion was put and passed.

Council was advised that the requested public hearing would be scheduled for **WEDNESDAY, NOVEMBER 9, 1988 at 5:00 p.m.** in the Council Chamber, City Hall.

Closure and Land Exchange - Portion of Kempt Road (Parcel KR)

MOVED by Alderman Meagher, seconded by Alderman O'Malley that, as recommended by the Finance and Executive Committee:

1. that the portion of Kempt road, identified as Parcel "KR" on Plan TT-40-29588, be closed as a street and be exchanged for lands owned by CNR, identified as Parcels "B" and "F" on Plan 11132-47, subject to final approval of the street closure;
2. that, in accordance with Section 350 of the City Charter, Council set a date for a public hearing to close the portion of Kempt Road as shown on Plan TT-40-29588 (the plans referred to are attached to the September 20, 1988 staff report).

The motion was put and passed.

Council was advised that the requested public hearing would be scheduled for **WEDNESDAY, NOVEMBER 9, 1988 at 5:00 p.m.** in the Council Chamber, City Hall.

U.N.I.C.E.F

MOVED by Alderman Leiper, seconded by Alderman Deborah Grant that, as recommended by the Finance and Executive Committee,

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Monday, October 31, 1988 be declared as U.N.I.C.E.F. day by the City of Halifax.

The motion was put and passed.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on Wednesday, October 5, 1988 as follows:

Appeal - Driveway Ramp: 6280 Chebucto Road

A staff report, dated October 11, 1988, was submitted.

MOVED by Alderman Meagher, seconded by Alderman Richard Grant that Council overturn the decision of the Director of Engineering and Works, and approve the application for a driveway ramp at 6280 Chebucto Road; and further, that Ordinance Number 180, Section 21, Subsection (5) be included with the next group of amendments.

In putting this motion forward, Alderman Meagher advised that since the October 5 meeting of the Committee on Works, he has again inspected the proposed driveway location, and found that it is capable of accommodating a fairly large vehicle without encroaching on the adjacent sidewalk.

The Chairman emphasized that, in his opinion, the Alderman was moving a motion that is in direct contradiction to both City and Provincial legislation, and, on that basis, it could not be accepted.

During the brief discussion which ensued, it was noted by Alderman O'Malley that members of Council do not have readily at hand a copy of the Streets Ordinance, reports and other information on appeals such as that presently before Council. He therefore suggested that the matter be deferred so that this material could be collected.

It was subsequently moved by Alderman O'Malley, seconded by Alderman Downey that the matter be deferred to the next regular meeting of Committee of the Whole Council (scheduled for Wednesday, October 19, 1988) for a full and comprehensive discussion.

Alderman Richard Grant asked for information from the City Solicitor at that time as to why these kind of situations are termed "appeals" if Council cannot deal with them as such.

Alderman Jeffrey referred to Alderman Meagher's earlier remarks (i.e., that a vehicle of considerable size can be accommodated by the proposed driveway location at 6280 Chebucto

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Road), and asked, if this is indeed the case, why approval of the driveway would constitute an violation under City and Provincial regulations.

The motion to defer was put and passed.

**REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS AND COMMISSIONS**

**Amendment to Ordinance 170, Respecting Partial Tax Exemption  
for Certain Properties (SECOND READING)**

This matter was given First Reading during a regular meeting of Halifax City Council held on Thursday, September 29, 1988, and was further considered during a meeting of the Finance and Executive Committee held on Wednesday, October 5, 1988.

MOVED by Alderman Meagher, seconded by Alderman Richard Grant that the following amendments to Schedule "A" of Ordinance 170, Partial Tax Exemption for Certain Properties (to include the Golden Age Society, 212 Herring Cove Road), be given SECOND READING:

BE IT ENACTED by the Council of the City of Halifax that Ordinance 170, the Tax Concession Ordinance, as enacted by the City Council of the City of Halifax on the 11th day of June, 1981, and approved by the Minister of Municipal Affairs on the 6th day of November, 1981, as amended, is hereby further amended as follows:

1. Schedule "A" attached and forming part of said Ordinance 170 is amended by adding thereto the following property:

The Golden Age Society  
212 Herring Cove Road

The motion was put and passed.

**REPORT - CITY PLANNING COMMITTEE**

Council considered the report of the City Planning Committee from its meeting on Wednesday, October 5, 1988, as follows:

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Rezoning - Proposed Lots D0-1, D0-2, and Parcel C0H-1, Donaldson Avenue/ Dunbrack Street

In the absence of Alderman Hamshaw, Alderman Flynn MOVED, seconded by Deputy Mayor Walker that, as recommended by the City Planning Committee, the matter be referred to the Planning Advisory Committee for consideration together with a request that a public meeting be scheduled.

Motion carried.

Langbrae Gardens - Phase 2C

An Information Report dated October 12, 1988 was submitted.

In the absence of Alderman Hamshaw, Alderman Flynn MOVED, seconded by Alderman Leiper that the developer work with staff to devise amendments to the Langbrae Gardens agreement which are in conformance with other approved plans for the Mainland North area and seek a revised Stage I approval.

Motion passed.

#### MOTIONS

Motion - Repeal of Ordinance 163, Respecting Zoning Bylaw Advertising Costs - FIRST READING

Notice of Motion regarding this matter was given by Alderman Flynn during a regular meeting of Halifax City Council held on Thursday, September 29, 1988.

MOVED by Alderman Flynn, seconded by Alderman Jeffrey that Council give FIRST READING to the repeal of Ordinance 163, Respecting Zoning Bylaw Advertising Costs, and that the matter be forwarded to the next regular meeting of Committee of the Whole Council (scheduled for Wednesday, October 19, 1988) for consideration and report.

Motion passed.

Motion - Amendment to Ordinance Number 121, the Retail Store Closing Ordinance - FIRST READING

Notice of Motion regarding this matter was given by Alderman O'Malley during a regular meeting of Halifax City Council held on Thursday, September 29, 1988.

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MOVED by Alderman O'Malley, seconded by Alderman R. Grant that Council give FIRST READING to the proposed amendments to Ordinance Number 121, the Retail Shop Closing Ordinance, the purpose of which is to change the beginning date on which stores are permitted to remain open on Monday, Tuesday and Saturday evenings for the Christmas shopping season, from the first day of December to the first day of November.

The motion was put and lost.

Motion - Amendment to Ordinance Number 180, the Streets Ordinance  
- FIRST READING

Notice of Motion regarding this matter was given by Alderman Flynn during a regular meeting of Halifax City Council held on Thursday, September 29, 1988.

MOVED by Alderman Flynn, seconded by Alderman Downey that Council give FIRST READING to the proposed amendments to Ordinance Number 180, the Streets Ordinance, the purpose of which is to provide for the licensing and regulation of the placement of newspaper boxes on City streets; and that the matter be forwarded to the next regular meeting of Committee of the Whole Council (scheduled for Wednesday, October 19, 1988) for consideration and report.

Motion passed.

Motion - Amendments to Ordinance 147, the Dog Ordinance  
- FIRST READING

Notice of Motion regarding this matter was given by Alderman R. Grant during a regular meeting of Halifax City Council held on Thursday, September 29, 1988.

MOVED by Alderman Jeffrey, seconded by Alderman R. Grant that Council give FIRST READING to the proposed amendments to Ordinance Number 147, the Dog Ordinance, for the purpose of changing the name of the Ordinance to the "Animal Control and Protection Ordinance" and, with the exception of the provision respecting licensing and "vicious dogs", make the Ordinance generally applicable to all animals; and that the matter be forwarded to the next regular meeting of Committee of the Whole Council (scheduled for Wednesday, October 19, 1988) for consideration and report.

Motion passed.

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MISCELLANEOUS BUSINESS

Hartlen Playground Baseball Field - Proposed Naming of Baseball Field

This matter was added to the agenda at the request of Alderman R. Grant who indicated that the Spryfield Minor Baseball Association's Awards Day was held last Saturday evening. He noted that the Association has been in existence a long time and that a great majority of their games have been held on the Hartlen Playground. Alderman R. Grant noted that funds were approved in last year's budget to improve those ball diamonds in addition to an acquisition of land for the purpose of expanding the playground. Taking all this into consideration, the Alderman advised that a gentleman by the name of Harold Cuvelier has been involved in minor baseball in Spryfield for over 40 years. He went on to suggest that it would be only appropriate to recognize this particular gentleman by naming one of the new diamonds at the Hartlen Playground in his honor.

At the suggestion of the Chair, Alderman R. Grant agreed to give Notice of Motion with respect to this matter later in the meeting.

His Worship Mayor Wallace commented that he had attended the Spryfield Minor Baseball Association's Awards Dinner and indicated that he was most impressed with the turn out and the contribution Mr. Cuvelier has made to the Association over the years.

Rosebushes - Dunbrack Street (Alderman Jeffrey)

This matter was added to the agenda at the request of Alderman Jeffrey who indicated that, during the past couple of weeks, he had received approximately 15 to 20 calls pertaining to the rosebushes along Dunbrack Street. The Alderman expressed concern with respect to the incidents occurring on the Dunbrack Highway in relation to the attempted rapes. He noted that the rosebushes reach a height of approximately six feet and that any person walking or jogging in this area cannot be seen by passing motorists or other persons on the opposite side of the street. Therefore, Alderman Jeffrey requested a staff report indicating whether or not these rosebushes could be cut down to approximately three feet.

Alderman Leiper addressed the matter and advised that she too had received calls from many residents with respect to the rosebushes along Dunbrack Street and the concern for persons walking or jogging along this street. Alderman Leiper advised that she had spoken with Mr. D. Quinn, Engineering and Works, who indicated that the bushes will be trimmed back even further than they normally are this at time of year.

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In view of this situation which has arisen with respect to the assaults, Alderman Leiper requested that the Police Department increase the number of patrols along Dunbrack Street.

### QUESTIONS

#### Question Alderman R. Grant Re: Herring Cove Road Golf Course

Alderman R. Grant referred to a proposal which was submitted in 1978 to the Development Control Division for an 18 hole golf course to be located on the Herring Cove Road. The Alderman asked that the file containing this proposal be forwarded to him if possible.

#### Question Alderman R. Grant Re: Council's Right to be Informed

Alderman R. Grant asked for a report indicating when Council has the right, under the City Charter, to be informed of what's going on in the City.

#### Question Alderman Jeffrey Re: Staff Reports - Storm Sewer

Alderman Jeffrey advised that, during the past five or six months, he had received staff reports pertaining to the blasting and construction for the storm sewer in Fairview. The Alderman noted that he had misplaced those staff reports and asked if staff could forward additional copies to him.

#### Question Alderman O'Malley Re: Recent Fire at Mulgrave Park

Alderman O'Malley referred to a staff report dated October 5, 1988 from the Acting Fire Chief relating to a fire which occurred in Mulgrave Park a few days ago. The Alderman expressed the concern that the fire almost resulted in the loss of a mother and her four children. Alderman O'Malley expressed concern with respect to the lack of adequate fire warning and detection systems in high rise developments belonging to the City and to other levels of government, particularly in Blocks A, B, and C of Mulgrave Park and also in the row housing.

Alderman O'Malley asked that staff look into the possibility of establishing an adequate permanently wired smoke detection system in Mulgrave Park and also examine the costs of installing a sprinkler system to protect the residents of those high rise buildings.



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The City Manager noted that the request would be forwarded to the Housing Authority, and that staff would keep abreast of the situation.

Question Alderman R. Grant Re: Review of City Council Salaries

Alderman R. Grant advised that Council had approved the recommendation that a consultant be appointed to review the salaries of City Council. The Alderman asked for a report with respect to the status of this matter.

NOTICES OF MOTION

Notice of Motion Alderman Jeffrey Re: Amendments to Ordinance Number 156, The Pollution Control Charge Ordinance

Alderman Jeffrey gave Notice of Motion that at the next regular meeting of Halifax City Council, scheduled for Thursday, October 27, 1988, he proposes to introduce for first reading amendments to Ordinance Number 156, The Pollution Control Charge Ordinance, for the purpose of changing the reference in Section 4(1) of the Ordinance from "gallons" to "volume" to enable Council to set the rate in metric measurements rather than Imperial to conform with the billing procedures of the Halifax Water Commission.

Notice of Motion Alderman R. Grant Re: Amendments to Various Ordinances

Alderman R. Grant gave Notice of Motion that at the next meeting of Halifax City Council to be held on Thursday, October 27, 1988, he proposes to introduce for first reading amendments to various Ordinances, the purpose of the amendments being to make provision for the increase in various fees approved in principle by City Council on September 29, 1988.

Notice of Motion Alderman R. Grant Re: Naming of Ball Diamond - Hartlen Playground

Alderman R. Grant gave Notice of Motion that at the next regular meeting of Halifax City Council, scheduled for Thursday, October 27, 1988, he proposes to introduce a Motion that one of the ball diamonds located on the Hartlen Playground be named the Harold Cuvelier Ball Diamond, the purpose of which is to recognize the more than 40 years of service Mr. Cuvelier has

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dedicated to the young people of Spryfield by promoting minor baseball.

Deputy Mayor Walker urged all citizens of the City of Halifax to exercise their vote in the up-coming municipal election on Saturday, October 15, 1988, and wished all candidates luck.

There being no further business to be discussed, the meeting was adjourned at 9:30 p.m.

HIS WORSHIP MAYOR RON WALLACE  
CHAIRMAN

EDWARD A. KERR  
CITY CLERK

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**SPECIAL COUNCIL  
PUBLIC HEARINGS  
MINUTES**

Council Chamber  
City Hall  
Halifax, Nova Scotia  
October 19, 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 Meagher, R. Grant, Leiper, Flynn, and Hamshaw.

**Also Present:** Mr. B.S. Allen, representing the City Solicitor; Mr. P. Calda, City Manager; M. MacDonell, City Clerk's Office; and other members of City Staff.

**ADDED ITEMS**

The following item was added to the agenda:

Damages Claim - Dal Mar Enterprises Limited v. City of Halifax - Sister Sarah's

The above matter was added to the agenda at the request of the City Clerk.

MOVED by Alderman R. Grant, seconded by Deputy Mayor Walker that the recommendation contained in the confidential staff report dated October 3, 1988 be approved.

Motion passed with Alderman Meagher voting in opposition.

Public Hearing - Case No. 5705 - Rezoning North Street between Gladstone and King

and

Public Hearing - Case No. 5704 - Rezoning Lands on North, Robie, Windsor, and Cunard

At the suggestion of the Chairman, Alderman Flynn MOVED, seconded by Alderman Hamshaw that the above hearings be adjourned.

Alderman Flynn asked that the City Solicitor explain the reason for the adjournment.

Mr. B. S. Allen, representing the City Solicitor explained that the subject matter of tonight's public hearings proposes rezonings which will be accomplished by the approval of the Peninsula North Detailed Area Plan. Mr. Allen advised that staff is off the belief that the Plan has been approved; but, because of the method that the Province has used in their deliberations, he explained that the City will have to make an application to the Courts to have it absolutely determined whether or not those amendments to the Plan have been approved. Mr. Allen went on to advise that, if the amendments have been approved, there is no need for the public hearings on tonight's agenda to proceed because they will be covered under that Plan. He further advised that, if for some reason the Peninsula North Plan has not been approved, the items before Council tonight should then be considered.

Mr. Allen also noted that it would take a few weeks before a decision with respect to the application to the Courts is reached. He, therefore, suggested that the hearings should be deferred and, since a problem could arise with respect to voting eligibility, it would be a wise decision to adjourn the hearings until a determination from the Courts with respect to the Plan is received. Mr. Allen finally suggested that Council adjourn to a specific date rather than an indefinite date. He proposed that a date towards the end of November would be appropriate.

It was agreed that the above public hearings be adjourned to November 23, 1988, at 7:30 p.m. in the Council Chamber, City Hall.

The motion was put and passed.

7:45 p.m. The meeting adjourned.

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HIS WORSHIP MAYOR RON WALLACE  
CHAIRMAN

EDWARD A. KERR  
CITY CLERK

/MMD