

**SPECIAL COUNCIL  
PUBLIC HEARINGS  
MINUTES**

Council Chamber  
City Hall  
Halifax, NS  
20 September 1989  
7:30 p.m.

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

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 Richard Grant; and Aldermen Meagher, O'Malley, Pottie, Hanson, Jeffrey, Leiper, and Stone.

**ALSO PRESENT:** Ms. Nadine Smiley, representing the City Solicitor; City Clerk and other members of City Staff.

At the request of the City Clerk the following item regarding non-union salary increases was added to the agenda:

**Non-Union Salary Increase**

MOVED by Alderman Leiper, seconded by Alderman Hanson that, Halifax City Council approve an additional 1% increase across the board to all Non-Union salary ranges retroactive to 1 January, 1989, and a further 1% retroactive to 1 July, 1989; and further, that Council approve an across the board increase to all Non-Union salary ranges of 3.5% as of January 1, 1990 and an additional 1% effective July 1, 1990.

The motion was put and passed.

**Appointments - Task Force on City Traffic**

MOVED by Alderman Leiper, seconded by Alderman Stone that the following be appointed to the Task Force on City Traffic:

Dexter Kaulback - to be Chairman

Ed Sutherland

Roger Middleton

Public Hearings  
20 September 1989

Terms to expire upon completion of mandate.

The motion was put and passed.

**Public Hearing Re: Minor Variance Appeal - 6268-70 Allan Street**

---

A staff report dated 14 August 1989 was submitted.

A letter, dated September 12, 1989 from Anne M. Burke and Michael P. Burke opposing the minor variance appeal was submitted.

A letter, dated 19 September 1989, from Mr. Michael Pancura withdrawing his appeal on this matter was submitted.

The City Clerk advised that the owner had withdrawn his appeal and that this item was deleted from the agenda.

**Public Hearing Re: Case No. 5781: Day Care Centres Amendment to the Land Use Bylaw**

---

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

A report, dated 20 September 1989, from the Planning Advisory Committee was submitted.

Ms. Bianca Bielski, Planner, addressed Council and outlined the proposed amendments to the Land Use Bylaw to:

- 1) remove the ability to have day care centres larger than 16 children in the R-1 zone;
- 2) require a separation distance of at least 500 feet between day care centres.

Ms. Bielski responded to questions from Council.

In response to a question by Alderman Stone, Ms. Bielski advised that if the proposed amendments were approved by Council the daycare centres presently operating in R-1 zones would not lose the right to register the number of children that they now have enrolled.

Deputy Mayor Grant addressed the matter and requested staff to investigate if daycares are regulated in such a manner that they are required to have areas for preparing food and he also requested staff investigate requirements regarding washroom facilities in daycare

Public Hearings  
20 September 1989

centres. Deputy Mayor Grant requested staff's response by the next regular meeting of City Council, scheduled for 28 September 1989.

Ms. Zita Poirier, a resident 1 Plymouth Street, addressed Council, read and submitted a paper supporting the proposed changes to the Land Use Bylaw concerning daycare centres in R-1 zones. (a copy of this submission may be found in the official file of this meeting)

In her submission Ms. Poirier expressed concern that if the proposed amendments were not approved, then the daycare centre on Plymouth may increase its number of children, thus, increasing the noise and volume of traffic coming from the daycare centre. She advised that a number of residents from Plymouth Street had their properties devalued by five percent due to the presence of the daycare centre.

In summary, Ms. Poirier requested that City Council take into consideration her concern in preserving the residential character of neighborhoods and adopt the two proposed amendments.

Mr. Vance MacDonald, a resident of 131 Evans Avenue, addressed Council and indicated his support for more stringent regulations of daycare centres in R-1 zones, and for the proposed amendments under discussion. Mr. MacDonald suggested that a maximum number of 14 spaces per daycare would be a more reasonable number in an R-1 zone and that a distance of 500 ft. or more between centres is necessary to protect the integrity of residential streets. Mr. MacDonald advised that if the two proposed amendments were approved then a more compatible relationship between daycare operators and residents in single family dwellings would result.

Ms. Sheila Simpson, a resident of Halifax, addressed Council and advised that she strongly opposed the proposed amendments to the Land Use Bylaw regarding daycare centres in R-1 zones.

Ms. Simpson indicated that she was very aware of the pressing need for quality daycare because her sister, Louise Mullins, operated two day care centres (one on Plymouth Street and one on Gorden Avenue). She added that if daycares are forced to cut back their numbers from 25 to 16 spaces in R-1 zones, then some daycares will be compelled to close and others will not open because it would not be economically viable.

Public Hearings  
20 September 1989

Ms. Simpson pointed out that lifestyles are quite different today from years ago and that the old zoning rules concerning daycare centres are not relevant. She then addressed the matter of additional noise and traffic generated from operating daycare centres and suggested that the noise is minimal and the extra traffic occurs only when parents bring their children and pick them up from the centre. On a final note, Ms. Simpson advised that child care is everyone's concern and that everything should be done to encourage quality daycare rather than implementing obstacles, and she requested that Council vote against the proposed amendments.

Mr. Ken Walker, representing the Halifax Homeowners Association addressed Council and advised that he had two changes to the proposed daycare legislation he would like to propose for Council's consideration.

Mr. Walker advised that the first change was that daycare centres should be located not less than 500 feet from a private home and the second change was a reduction in the number of children in daycares from 38 to 16. He added that the rationale for this was that the quality of care would be greater for 16 children than 38. On another note, Mr. Walker suggested that since there were vacant schools, perhaps they could be used as daycare centres and the revenue used for the upkeep and maintenance of the school buildings.

Mr. Pat Copeland, a resident of Bayview Road, and President of the Ward 10 Resident's Association addressed the matter of changes to the Land Use Bylaw regarding daycare centres and encouraged Council's adoption of the proposed amendments.

Mr. Copeland expressed concern of the devaluing of citizens homes if daycare centres in R-1 zones continue to increase their numbers. Mr. Copeland noted that if Council approves the amendments, the children already attending the centres would not lose their present number of spaces, and the amendments would ensure that the numbers would be maintained at a more reasonable level.

Ms. Gail Gardiner, Director of Rockinghorse Academy, 25 Armada Drive, addressed Council and indicated that she opposed the proposed amendments to the Land Use Bylaw regarding daycare centres in R-1 zones.

Ms. Gardiner advised that although children would receive quality care in a daycare limited to 14 children, it would not be feasible to operate at such a small number. She added that, in her opinion, if the daycare centres were limited to 14, this would encourage illegal daycares because

Public Hearings  
28 September 1989

it would not be feasible to operate a daycare in an R-1 zone with 14 children.

On a final note, Ms. Gardiner pointed out that she was concerned with the grandfather clause stated in the proposed amendments because of her substantial financial investment in her daycare, and that she would suffer financially if she had to close down for a few months and reopen under new regulations which would decrease the enrollment.

Ms. Anne MacMillan, President of the Ward 12 Community Association, addressed Council and read a report supporting the proposed amendments to the Land Use Bylaw concerning daycare centres in R-1 zones.

Ms. MacMillan advised that Ward 12 recognizes the need for child care services and that Ward 12 has two of the five largest daycare centres in a R-1 zone. She pointed out that the population of Ward 12 is projected to increase over the next few years and that they are concerned about the children and their needs.

Ms. MacMillan advised that Ward 12 supports the proposed amendments in terms of number of children designated to a daycare in an R-1 zone, but feel that under the present conditions the proposed distance of 500 ft. would put undo stress and hardship on the children who are already commuting in this area. She added that Ward 12 wants Council to meet minimal standards in their Ward as they have in other parts of the city such as sidewalks, signal lights and adequate recreational space.

Mrs. Louise Mullins, owner and Director of Happy Tots Preschools and Nursery addressed Council and advised that one of her centres was located on Gordon Avenue and the other on Plymouth Street. Mrs. Mullins informed that she strongly objected to the proposed amendments to change the Land Use Bylaw regarding daycare centres in R-1 zones.

Mrs. Mullins indicated that after opening one daycare centre, she found there was such a demand for daycare, especially infant daycare, that she opened another centre. She noted that it was not economically feasible to run a smaller daycare centre, and that if it wasn't for her larger centre supporting her smaller centre, she would have to stop operating the smaller one.

Mrs. Mullins then outlined the difficulties she encountered in obtaining an occupancy permit to increase the number of children in her Plymouth Daycare Centre from 16 to 25. She advised that on August 2, 1989 she applied for the

Public Hearings  
20 September 1989

permit and went ahead with the necessary renovations of the centre. Mrs. Mullins pointed out that, at this time, nothing was said to her from City staff regarding a freeze on permits. She explained that on August 24, 1989 she called city staff regarding the status of the permit and that this was the first time that she was informed of a freeze on occupancy permits. Mrs. Mullins noted that since this time, on September 11, 1989 she received a letter from the City notifying her of a freeze on occupancy permits. Mrs. Mullins advised that had she known on August 2 that there was a freeze on occupancy permits, she would not have gone ahead with the renovations and preparations for 25 children in her centre.

On a final note, Mrs. Mullins indicated that she was aware of the complaints of the neighbors in the area and suggested that, in her opinion, approval of these amendments would not make a significant difference in the noise and traffic in the neighborhood. She added that she runs an efficient and professional operation and does not feel that the expansion would in any way detract from the Plymouth Street neighborhood. Mrs. Mullins requested that Council vote against these proposed amendments.

Mrs. Mullins then responded to questions from Council.

Ms. Lorraine Fitzgerald, a resident of 127 Brooks Street addressed Council and advised that she has followed the issue of daycare with concern and interest because she recently bought a home in an area where there are many homes for sale.

Ms. Fitzgerald suggested that the main issue in this situation is the establishment of a business in a residential area. She noted that a daycare with 15 children is a viable operation, and a business such as this brings particular problems, like extra noise and traffic, to the residential area.

Ms. Fitzgerald advised that in June 1989 the residents of Ward 9 held a meeting and the issue of daycare was discussed. She added that most of the people attending the meeting were surprised to learn that a business could be established beside their homes. In summary, Ms. Fitzgerald requested that controls be placed on the distance between daycare centres and the number of children allowed in daycare in an R-1 zone.

Ms. Patricia Doyle, a resident of 7 Dawn Street addressed Council and explained that she was concerned about the issue of amendments to daycare legislation because she

Public Hearings  
20 September 1989

was a single parent and has experienced the difficulty in trying to obtain quality daycare. She informed that she had to wait for three weeks before she could enroll her child in Louise Mullins daycare centre and that the three weeks was time she had to take off work in order to care for her child. Ms. Doyle advised that Louise Mullins provides quality daycare in a neighborhood setting and requested Council to reject any amendments which would put stricter regulations on daycare centres.

Ms. Brenda Grant, a resident of 16A Gordon Avenue addressed Council and advised that she opposed the proposed amendments because, as a single parent, she was very aware of the difficulty of obtaining quality daycare for children. She indicated that at one time she considered opening a daycare centre but after a thorough investigation, she determined that the profits would be too low for it to be economically viable and did not proceed with the idea.

Ms. Grant suggested that consideration should be given to the question of whether child care is a business, and if it is, is it fitting to bring daycare centres to the downtown area. On a final note, Ms. Grant noted that Council has not offered any alternatives to the proposed amendments.

Mr. Lee Moore, a resident of 117 Lansdowne Drive addressed Council and suggested that the people who operate daycare centres should be commended on the service they provide to the community rather than have more restrictions and obstacles placed in their way.

At 8:50 His Worship Mayor Wallace retired from the meeting with the Deputy Mayor assuming the chair.

Mr. Moore pointed out that daycare centres can be valuable assets to a neighborhood. He added that if he had a young family and was looking for an area to settle in, the proximity of a daycare centre would be a priority for him. Mr. Moore suggested that, in his opinion, the extra noise and traffic generated from daycare centres is not so serious that it poses a detriment to the neighborhood. He also added that the operators of daycare centres are not trying to build large businesses, but rather, they are trying to meet the demand of quality child care service. In summary, Mr. Moore indicated that he agrees with the proposed spacing between daycare centres but that the numbers should not be restricted to 16 children.

At 9:00 p.m. His Worship Mayor Wallace assumes the Chair with the Deputy Mayor taking his usual seat in Council.



Public Hearings  
20 September 1989

Ms. Cathy Murray, a resident of 57 Isner Street, Timberlea, addressed Council and advised that she was concerned about this issue because of the outcome if the proposed amendments are approved. She noted that in order to ensure her child would have space in daycare, she made arrangements with Louise Mullins's daycare centre before the child was born.

Ms. Murray suggested that, in her opinion, if there is a reduction in the number of children per daycare centre and restrictions on the distance between daycare centres in an R-1 zone, then this will cut down on the number of daycare centres allowable in a residential area, thus, sending future daycares out of residential areas.

Ms. Marion Maynard, a resident of 11 Tremont Drive addressed Council and indicated she supported the proposed amendments to the Land Use Bylaw regarding daycare centres in R-1 Zones.

She pointed out that although she supports daycare centres in general, living adjacent to a daycare centre has demonstrated to her the problems which are associated with it. Ms. Maynard advised that, in her opinion, 16 children in a daycare centre is a reasonable number and any more than that would ruin the character of a neighborhood in an R-1 zone.

Mr. Barry Boyce, a resident of 5265 Tobin Street addressed Council and indicated that he was attending tonight's meeting to speak against the proposed amendments to Land Use Bylaw regarding daycare centres in R-1 zones.

Mr. Boyce explained the difficulty he had in finding daycare for his child and suggested that the proposed amendments would, in the future, restrict the number of children allowed in daycare.

Mr. Boyce recommended that City Council defer this matter at this time and search for alternative measures before restrictions are placed on existing daycare centres.

Ms. Helen Prouse, a resident of 9 Castle Hill Drive addressed Council and advised that she lived near the largest daycare centre in an R-1 zone. Ms. Prouse noted that it appears to her that the R-1 zone varies slightly, and suggested that to restrict the number of children in a daycare centre in every R-1 zone to 16 may be an inequitable approach because of the differing lot sizes, sizes of homes, and other differing aspects.



Public Hearings  
20 September 1989

Mr. Russel Walker, a resident of 10 Plymouth Street addressed Council and indicated that he supported the amendments proposed here tonight regarding daycare centres in R-1 zones.

Mr. Walker advised that he lived directly across from Mrs. Mullins second daycare centre and found that the noise from 16 children playing outside very disrupting. Mr. Walker noted that in addition to this, the traffic resulting from parents picking up and dropping off their children at the centre becomes congested and poses some danger.

Mr. Walker indicated that he supported restricting the numbers of children to 16 in a daycare centre in an R-1 zone, but for reasons of preventing traffic congestion and to avoid a buffer zone from the noise of the children, he suggested that a minimum of 500 feet between daycare centres in R-1 zones should be established--from property line to property line. Mr. Walker added that by adopting these proposed amendments, Council should also discourage possible franchising operations by absentee landlords on any particular street in an R-1 zone which would have detrimental affects on the neighborhood.

Ms. Pat Murphy, a resident of Harrietsfield addressed Council and advised that she was associated with Mrs. Louise Mullins and that she opposed the proposed amendments affecting daycare centres in R-1 zones. Ms. Murphy advised that Mrs. Mullins invested a considerable amount of time and money in her daycare centres because of her strong commitment to quality child care. Ms. Murphy added that Mrs. Mullins has extended the offer to her neighbors to discuss any problems they may have with the daycare centres.

Ms. Rosemary Quinn, a resident 3160 Leeds Street addressed Council and advised that she was the owner and director of a preschool in the west end of Halifax. Ms. Quinn advised that her daycare centre has 31 children and was well established. She pointed out that although her centre was flourishing, the financial demands were still present and that the provincial regulations and city regulations were costly.

In summary, Ms. Quinn advised that, in her opinion, in order to make a daycare centre viable it needs more children than 16, and to restrict the numbers to 14 or 16 would seriously affect the operation of a daycare centre.

Ms. Kelly Murphy, Site 28, Box 53, R.R.6 Armdale addressed Council and indicated her opposition to the proposed amendments to the Land Use Bylaw regarding daycare

Public Hearings  
20 September 1989

centres in R-1 zones. She suggested that the people supporting the proposed amendments do not understand the difficulty a single parent experiences when trying to acquire quality daycare services for their child.

Mr. Alan Farmer, a resident of 20 Wedgewood Avenue addressed Council and advised that the proposed amendments seem to resolve a specific problem on a specific street and to apply these amendments to all the daycares in the R-1 zones does not seem fair. He suggested that a more equitable solution would be to address matters such as the size of the property the daycare centre is on, the location, and how busy it is in relation to the surrounding houses, and proceed from this information before making a decision on this matter.

Ms. Marci Evans, Site 22, Box 52, R.R. 6 Armdale addressed Council and indicated her support for Mrs. Louise Mullins request to increase the number of spaces in her Plymouth Street Day Care. Ms. Evans pointed out that Mrs. Mullins wants to increase space in order to enroll infants in this centre, and therefore, she would not require the same type of facilities as toddlers would, and thus, some of the concerns expressed were unnecessary.

Mr. Swapan Dasgupta, a resident of 56 Covington Way addressed Council and advised that his child attends Louise Mullins daycare centre and indicated his opposition to the proposed amendments. Mr. Dasgupta explained the difficulty he encountered in obtaining daycare service and suggested that to restrict the numbers of children allowed in an R-1 zone would be a disincentive for anyone considering the idea of opening a daycare centre because it would not be economically viable.

Mr. Graham Hicks, a resident of 5335 Young Street addressed Council and advised that before City Council makes a decision on the matter of the proposed amendments to daycare centres in R-1 zones, some consideration should be given to the idea of relating the number of children permitted in an R-1 zone to various details such as the size of the lot, the type of street, and the age of the children who would be enrolled.

Ms. Joy Acker, a resident of Williamswood addressed Council and indicated her opposition to the proposed amendments to the Land Use Bylaw regarding daycare centres in R-1 zones. Ms. Acker addressed the issue of complaints against Mrs. Mullins regarding the fence she constructed around her daycare centre, and suggested that if she lived in the city, that she too would want a fence around her property to protect her children. Ms. Acker also suggested that complaints that daycare centres devalue properties in R-1

Public Hearings  
20 September 1989

zones were not founded because a daycare centre in an R-1 zone is considered an advantage of living in that area.

Mr. Brian Sonier, a resident of 13 Borrett Avenue addressed Council and advised that he was strongly opposed the proposed amendments to the Land Use Bylaw regarding daycare centres in R-1 zones.

He advised that he had two children in the Happy Tot Centres. Mr. Sonier indicated that he believed that daycare was more of a community service than a business as has been suggested. He noted that the people from the county who bring their children into the city for daycare services may do so because of the restrictions placed on daycare centres outside the city. On a final note, Mr. Sonier suggested that the real number of people opposing the proposed amendments were larger than those supporting it. He advised that those in opposition were not adequately represented at tonight's meeting and that he hoped Council would be aware of this fact.

There were no further persons wishing to speak on this matter.

The following correspondence opposing the proposed amendments to the Land Use Bylaw regarding daycare centres in R-1 zones was submitted:

20 September 1989, Mark David and Susan David, 70 Stoneybrook Court, Halifax, NS B3M 3J7.

18 September 1989, C. A. Messervey, 4 Kilbirnie Lane, Halifax, NS B3M 4E3.

19 September 1989, Marilyn Edwards, 3B Veronica Drive Apt. 304, Halifax, NS B3N 3A4.

A petition with 545 signatures was submitted supporting the proposed amendments to the Land Use Bylaw regarding daycare centres in R-1 zones. (A copy of this petition may be found in the official file of this meeting)

Deputy Mayor Grant addressed the matter and requested staff to report for the next regular meeting of City Council, scheduled for 28 September 1989, on the meaning of a single family dwelling, the neighborhood surrounding a single family dwelling, and how these affect the density regulations. He used the example of two stoves in the R-1 zone and whether they have to be separated.

Deputy Mayor Grant said he would like to know how the proposal affects the density regulations with 10 persons

Public Hearings  
20 September 1989

per acre in the R-1 zone. He suggested it would also affect the R-2 zone. His Worship suggested it did not relate to people passing through, but the Deputy Mayor advised that he would like a response.

Alderman Leiper addressed the matter and requested staff to report for the next regular meeting of City Council, scheduled for 28 September 1989, on the procedure for a nonconforming use -- the extent that a property would have to be destroyed before it would conform to the new regulations. She noted that there had been a comment that if someone stopped operating a daycare for, say, two months to redecorate, that they would not be covered by the old regulations.

Alderman Leiper also requested staff to report for the next regular meeting of City Council on the fees which are charged in daycare centres in R-1 zones.

MOVED by Alderman Leiper, seconded by Deputy Mayor Grant that this matter be forwarded to Council without recommendation.

The motion was put and passed.

HIS WORSHIP MAYOR WALLACE AND  
DEPUTY MAYOR RICHARD GRANT

CHAIRMEN

HEADLINES FOR CITY COUNCIL MINUTES  
of 09/20/89

Non-Union Salary Increase	.... 567
Appointments - Task Force on City Traffic	.... 567
Public Hearing Re: Minor Variance Appeal - 6268-70 Allan St.	.... 568
Public Hearing Re: Case No. 5781: Day Care Centres Amendment to the Land Use Bylaw	.... 568

**CITY COUNCIL  
M I N U T E S**

Council Chamber  
City Hall  
Halifax, Nova Scotia  
28 September 1989  
8:00 P. M.

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

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

**PRESENT:** His Worship Mayor Ron Wallace, Chairman; Deputy Mayor Richard Grant; and Aldermen Deborah Grant, Fitzgerald, Meagher, O'Malley, Pottie, Hanson, Jeffrey, Leiper, and Stone.

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

**Presentation of Long Service Award:  
Mrs. Hilda Sherman (Finance Department)**

His Worship introduced Mrs. Hilda Sherman of the Finance Department who, with her husband Cliff (now retired), have contributed a combined total of 77 years of service to the City of Halifax.

The Director of Finance, Mr. B. G. Smith, noted that he had worked with both Mr. and Mrs. Sherman for 16 years, adding that each of them had been "exemplary employees" and "a joy to work with." He emphasized that it was with deep regret that he saw them leaving the City employ, but was pleased to know that they are both in good health and looking forward to a long and happy retirement together.

Mayor Wallace (reading from information provided by staff of the Finance Department) observed that Mrs. Sherman had joined the City on 11 May 1953 as a teenager and married a fellow employee "thus dispelling the myth that accountants

**CITY COUNCIL  
M I N U T E S**

Council Chamber  
City Hall  
Halifax, Nova Scotia  
28 September 1989  
8:00 P. M.

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

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

**PRESENT:** His Worship Mayor Ron Wallace, Chairman; Deputy Mayor Richard Grant; and Aldermen Deborah Grant, Fitzgerald, Meagher, O'Malley, Pottie, Hanson, Jeffrey, Leiper, and Stone.

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

**Presentation of Long Service Award:**  
Mrs. Hilda Sherman (Finance Department)

His Worship introduced Mrs. Hilda Sherman of the Finance Department who, with her husband Cliff (now retired), have contributed a combined total of 77 years of service to the City of Halifax.

The Director of Finance, Mr. B. G. Smith, noted that he had worked with both Mr. and Mrs. Sherman for 16 years, adding that each of them had been "exemplary employees" and "a joy to work with." He emphasized that it was with deep regret that he saw them leaving the City employ, but was pleased to know that they are both in good health and looking forward to a long and happy retirement together.

Mayor Wallace (reading from information provided by staff of the Finance Department) observed that Mrs. Sherman had joined the City on 11 May 1953 as a teenager and married a fellow employee "thus dispelling the myth that accountants



City Council  
28 September 1989

are loners and cannot even live with themselves, let alone with somebody else."

Mrs. Sherman was then presented with a long service award and a corsage on behalf of the Mayor and members of City Council, as well as the many members of City staff who had worked with her and her husband throughout their many years of dedicated service.

MINUTES

Minutes of the last regular meeting of Halifax City Council, held on Monday 11 September, and of a Special Meeting, held on Wednesday 20 September, were approved on a motion by Alderman O'Malley, seconded by Alderman Fitzgerald.

APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS AND DELETIONS

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

- 20.1 Case No. 5929 - Development Agreement:  
2507 Brunswick Street (McCully House)
- 20.2 Appointments

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

- 20.3 Rooming Houses
- 20.4 Heritage Designation on Tax Bills  
and Assessment Notices

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

- 20.5 Year 2000

The agenda, as amended, was approved on a motion by Alderman Meagher, seconded by Alderman Pottie.

City Council  
28 September 1989

DEFERRED ITEMS

Case No. 5328: Minor Variance Appeal -  
2107 Oxford Street

This matter had been deferred from a regular meeting of Halifax City Council held on Thursday, 31 August 1989.

At the request of the solicitor for the appellant, it was moved by Alderman Meagher, seconded by Deputy Mayor Grant the matter be deferred to the next regular meeting of City Council scheduled for Thursday, 12 October.

The motion to defer was put and passed.

Case No. 5781: Day Care Centres  
(Amendment to Land Use Bylaw)

A public hearing regarding this matter was held on Wednesday, 20 September 1989.

An Information Report, dated 26 September 1989, was submitted.

Alderman Leiper opened the discussion by emphasizing that this is an issue which affects many sectors of the City's population and, as such, deserves very serious consideration by members of Council.

In her remarks, the Alderman made reference to a petition (previously submitted) signed by 587 property owners from all parts of the City, adding that, in her opinion, the petitioners had been able to demonstrate to Council that their property values had decreased considerably owing to their proximity to a day care facility.

Alderman Leiper went on to note that the City's Land Use Bylaw contains very stringent regulations with regard to "home occupations," requiring, among other things, that the operator of the home occupation be a resident of the dwelling in question. She added that the Bylaw would not appear to address other kinds of businesses located in residential areas (such as day care centres) with the same kind of concern, and that many Haligonians see this as being unfair.

Alderman Leiper emphasized that while the Bylaw currently provides for a maximum of 35 children per day care

City Council  
28 September 1989

centre, it also contains a proviso that on very large lots, four more children can be added to the facility's enrollment for every 1,000 square feet over 6,000. Referring, in particular to the large lots characteristic of the City's Mainland North area, the Alderman suggested that there consequently exists the potential for structures of considerable size to be built in R-1 Zones in order to accommodate a legal day care centre.

The Alderman brought to Council's attention that, in their review of this matter, staff had canvassed the City's neighboring municipalities, and had ascertained that in Dartmouth, Bedford and the County, the maximum number of children permitted to attend any one day care facility is 14.

Emphasizing that the proposed amendments do not in any way represent a lack of interest on Council's part in the establishment of additional day care facilities for the City, Alderman Leiper observed that, when the existing regulations were initially established, they were intended to promote the development of day care centres to address community/neighborhood needs. She pointed out, however, that this privilege has been widely abused to the point that there are now many people using Halifax day cares who are not even residents of the City, let alone members of the neighborhood in which the facility is situated.

It was therefore moved by Alderman Leiper, seconded by Alderman Stone that Halifax City Council amend the Land Use Bylaw to remove the ability for day care centres to accommodate more than 16 children in R-1 Zones; and to require separation distances of at least 500 feet between each day care centre.

While concurring with the latter half of Alderman Leiper's motion, Alderman Jeffrey emphasized that, in his opinion, limiting day care enrollment to 16 children would place existing facilities in jeopardy. The Alderman went on to note that this is an age in which affordable day cares are a necessity for many parents, and expressed very deep concern that should the proposed amendment be approved, both the number and quality of the City's day care facilities would diminish.

Alderman Jeffrey emphasized, however, that, as a compromise, he would support a motion proposing that existing facilities be made legal non-conforming uses with greater protection (from large day care facilities) being developed for R-1 Zones in the future.

City Council  
28 September 1989

Alderman Hanson expressed concern regarding the "magic" number of 16 children, suggesting instead that consideration be given to the slightly larger figure of 21. He further proposed that, because day care facilities represent such a necessary part of our existence in the 80's (particularly for single parent families), staff might undertake to devise a method by which R-1 neighborhoods could be notified in advance when an application to open a day care facility is received. In this context, the Alderman indicated that a large part of the current problem with day care facilities in this residential zone is that, in many cases, their establishment came as a "surprise" to existing residents. Alderman Hanson suggested that, if residents could be notified in advance, an opportunity for discussion and negotiation would be created.

At the request of Aldermen Jeffrey and Hanson, it was agreed that the two parts of Alderman Leiper's motion be separated.

(1) MOVED by Alderman Leiper, seconded by Alderman Stone that a separation distance of at least 500 feet be required between each day care facility.

The City Clerk advised that Aldermen Deborah Grant and Fitzgerald were not in attendance during the 20 September public hearing.

The motion was put and passed, with Aldermen Deborah Grant and Fitzgerald abstaining.

(2) MOVED by Alderman Leiper, seconded by Alderman Stone that Halifax City Council amend the Land Use Bylaw to remove the ability for day care centres to accommodate more than 16 children in R-1 Zones.

Echoing Alderman Leiper's comments that no one on Council wishes to discourage the establishment of additional day care facilities, Alderman Stone emphasized that, in his opinion, several day care operations have been transformed into full-scale "businesses" operating in residential areas and catering, in many instances, to non-residents. He pointed out that the "surprise" element referred to earlier by Alderman Hanson and the fact that in Mainland North day care facilities are permitted to be of considerable size (accommodating up to 50 children) has exacerbated the problem.

Alderman Stone strongly recommended that day care centres in the City of Halifax be promoted and encouraged, suggesting, for example, that this is a valid use for such

City Council  
28 September 1989

surplus school classrooms as can be found in the Titus Smith School.

In closing, Alderman Stone reassured the parents of children presently attending the City's larger day care facilities that the amendments (if approved) would have no effect on these centres, other than preventing them from expanding.

Following a brief discussion, Alderman Leiper closed the debate by expressing the opinion that all levels of government should take an active interest in promoting and encouraging the creation of affordable day care facilities. She emphasized that day cares are particularly important on a neighborhood basis, so that parents will not be forced to send their children out of their community in order to obtain such services.

The City Clerk advised that Aldermen Deborah Grant and Fitzgerald were not in attendance during the 20 September public hearing.

The motion was put and resulted in a tie vote  
(Aldermen Deborah Grant and Fitzgerald abstaining).

His Worship broke the tie, by voting in favor of the motion and declared the motion to be passed.

In his remarks, Mayor Wallace indicated that he had cast his vote in favor of the motion because, in his opinion, while the proposed amendment does not place the children at a disadvantage, it does respect and protect the rights of R-1 residents, therefore effecting an appropriate balance between the two sides of the issue.

The following correspondence was received subsequent to the 20 September public hearing:

- Letter, dated 15 September 1989, from Lori J. McIsaac, 62 Wedgewood Avenue, Halifax, B3M 2B5;
- Letter, dated 16 September 1989, from Diane Hache, 30 Douglas Avenue, Halifax, B3M 3E2;
- Letter, dated 20 September 1989, from Monique Richard, La Garderie de Wedgewood (Wedgewood's Little School), 55 Kearney Lake Road, Halifax, B3M 2S6;
- Letter, dated 21 September 1989, from T. J. Leslie, 18 Evans Avenue, Halifax, B3K 2X0;
- Letter, dated 21 September 1989, from Louise Mullins;

City Council  
28 September 1989

- Letter, dated 22 September 1989, from Ms. Cheryl Walker, 10 Plymouth Street, Halifax, B3M 2S2;
- Letter, dated 22 September 1989, from Mr. and Mrs. J. Roach, 66 Sunnybrae Avenue, Halifax, B3N 2G5;
- Letter, dated 23 September 1989, from David and Theresa Smith, 23A Forest Hill Drive, Halifax, B3M 1X2;
- Letter, dated 23 September 1989, from J. K. MacDonald, 6 Terrington Drive, Halifax, B3M 1Y2;
- Letter, dated 23 September 1989, from Mr. Graham P. Poirier, 1 Plymouth Street, Halifax, B3M 2S1;
- Letter, dated 23 September 1989, from Shari Frizzell, 21 Chartwell Lane, Halifax, B3M 3S7;
- Letter, dated 24 September 1989, from Mr. Vance L. MacDonald, 131 Evans Avenue, Halifax, B3M 1C8;
- Letter, dated 24 September 1989, from Paulette Cormier Duncan, 47 Briarwood Crescent, Halifax, B3M 1N7;
- Letter, dated 25 September 1989, from Irma B. Brown, 8 Hillcrest Street, Halifax, B3N 2W8;
- Letter, dated 25 September 1989, from Mrs. Anne MacDonald, 127 Evans Avenue, Halifax, B3M 1C8;
- Letter, dated 25 September 1989, from Mr. Graham Sweett, 6175 Lady Hammond Road, #2, Halifax, B3K 2R9;
- Letter, dated 25 September 1989, from Bianca A. Lauria-Horner, MD, 265 Sackville Drive, Lower Sackville, B4C 2R5;
- Letter, dated 25 September 1989, from Belma J. Hawkins, 15 MacPherson Road, Fall River, B0N 2V0;
- Letter, received on 26 September 1989, from Ms. Daisy Goodall, 20 Margaret Road, Halifax;
- Letter, dated 26 September 1989, from Bob and Mary Barton, 61 Deepwood Crescent, Halifax, B3M 2Y5;
- Letter, received on 26 September 1989, from Mr. Logan Fleck;
- Letter, received on 26 September, from Mr. A. Grantham, 6241 Charles Street, Halifax, B3L 1N6;

City Council  
28 September 1989

- Anonymous letter, dated 26 September 1989, in support of the proposed amendments
- Letter, received on 26 September 1989, from Mrs. Jean L. Jess, 130 Evans Avenue, Halifax;
- Letter, received on 26 September 1989, from Mr. and Mrs. C. Romans, 15 Plymouth Street, Halifax, B3M 2S1;
- Letter, dated 26 September 1989, from Louise Mullins, Owner, Happy Tots Pre-School and Nursery, 7 Plymouth Street, Halifax, B3M 2S1;
- Letter, dated 27 September 1989, from Mrs. Anne E. MacMillan, President (Ward 12 Community Association);
- Letter, dated 27 September 1989, from Anne and Boyd Donald, 126 Evans Avenue, Halifax, B3M 1C9;
- Letter, received on 27 September 1989, from Patricia Simpson, University Childrens Centre, 1094 Wellington Street, Halifax, B3H 2Z9;
- Letter, dated 27 September 1989, from Swapan DasGupta, 56 Covington Way, Halifax, B3M 3K2;
- Letter, received on 27 September 1989, from John and Jean Wrin, 6573 London Street, Halifax, B3L 1X7;
- Letter, received on 28 September 1989, from A. MacDonald, 42 Bayview Road, Halifax, B3M 1N9;
- Letter, received on 28 September 1989, from Mrs. Pamela Gasparetto, 95 Deepwood Crescent, Halifax, B3M 2H5.

**PETITIONS AND DELEGATIONS**

Petition Alderman O'Malley Re:  
Closure of Fleet Club Access

Alderman O'Malley submitted a petition (signed by approximately 36 residents of Russell Street) requesting the closure of the Fleet Club access gate between the hours of 6:00 p.m. and 6:00 a.m. seven days a week.

The Alderman requested that copies of the petition be distributed to all members of City Council, as well as to staff, and that the matter be placed on the agenda of the



City Council  
28 September 1989

next regular meeting of Committee of the Whole Council  
scheduled for Wednesday, 4 October.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on Wednesday, 28 September as follows:

Presentation: Canadian Christian Festival III

Expressing Council's support in principle for this event, it was moved by Alderman Deborah Grant, seconded by Alderman Stone that the matter be referred to staff for review and report (including the costs which will pertain) as to how the City can be of assistance in the organization of the Canadian Christian Festival III.

The motion was put and passed.

Elevator: Bloomfield Seniors Resource Centre

A supplementary report, dated 26 September 1989, was submitted by Mr. D. F. Murphy, Q.C., City Solicitor.

MOVED by Alderman O'Malley, seconded by Alderman Jeffrey that, as recommended by the Finance and Executive Committee, an elevator be installed in Bloomfield School for an amount of \$150,000 at a predetermined site, with funds to be transferred from the Alexandra Centre (in conformance with Attachments "D" and "E" of the 26 September supplementary report); and further, that, this larger elevator be tendered immediately and installed at the earliest possible date.

The motion was put and passed.

Application to Reproduce the City's Coat of Arms: R. H. Davis & Company Limited

MOVED by Deputy Mayor Grant, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, this matter be referred to staff for review and recommendation.

City Council  
28 September 1989

In putting forward this motion, the Deputy Mayor also suggested that staff may wish to discuss this matter further with the applicant.

The matter was put and passed.

Ordinance No. 14, Respecting the Regulation of  
Vehicles Used for Transporting Goods for  
Hire - PROPOSED REPEAL

MOVED by Alderman Meagher, seconded by Alderman  
Fitzgerald that, as recommended by the Finance and Executive  
Committee, Ordinance Number 14, respecting the Regulation of  
Vehicles Used for Transporting Goods for Hire, be repealed.

The motion was put and passed.

William Thomson - Settlement of Claim

MOVED by Alderman Fitzgerald, seconded by Alderman  
Stone that, as recommended by the Finance and Executive  
Committee, Council settle Mr. William Thomson's claim for the  
amount of \$12,000 as general damages, all inclusive.

The motion was put and passed, with Alderman  
Meagher in opposition.

H. W. Corkum Construction Co. Limited  
v. City of Halifax

MOVED by Alderman Fitzgerald, seconded by Alderman  
Hanson that, as recommended by the Finance and Executive  
Committee, a total of \$87,990.00 (all inclusive) be paid to  
H. W. Corkum Construction Co. Limited in settlement of its  
claim against the City.

After some discussion, 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, 20 September as follows:

City Council  
28 September 1989

Ordinance No. 12, Camp Hill Cemetery

This matter was forwarded to Council without recommendation.

Concerns were expressed by Alderman Fitzgerald pertaining to the proposal to restrict access to the Camp Hill Cemetery (between 15 December and 1 April) to the hours of 4:30 p.m. and 9:00 a.m. In his remarks, the Alderman emphasized that the site is heavily used, for instance, by joggers and walkers, especially during the early morning hours, a pastime that would be considerably curtailed by the hours proposed in the 8 September staff report.

Alderman Fitzgerald reiterated that, in his opinion, the proposed amendments are overly restrictive, adding that he felt the public, who use the Cemetery for "park" purposes, should be accommodated as much as possible in this regard.

On that basis, therefore, it was moved by Alderman Fitzgerald, seconded by Alderman Hanson that the matter be deferred, with a request that staff bring back a report concerning the amount of estimated overtime which would be required by keeping the Camp Hill Cemetery open in the following manner:

Summer months - 9:00 p.m. - 7:00 a.m.  
Beginning on 15 December - 5:00 p.m. - 8:00 a.m.

The motion to refer was put and passed.

Curb Cut - 6280 Chebucto Road

This matter had been forwarded to Council without recommendation.

MOVED by Alderman Meagher, seconded by Alderman O'Malley that this item be deferred, pending receipt of a staff report on the matter.

The motion to defer was put and passed.

Taxi Stand - Almon Street

MOVED by Alderman Jeffrey, seconded by Alderman Meagher that, owing to the disruptions and inconvenience caused to the taxi industry by the removal of the Almon

City Council  
28 September 1989

Street common stand, the City Traffic Authority be requested to replace the stand as quickly as possible.

In seconding the motion, Alderman Meagher noted that it would appear only one complaint had been received regarding the stand at its former location, and urged that it be replaced because of the service it offers to the public.

Alderman O'Malley spoke in support of the motion, advising that she had received numerous calls from taxi drivers in her ward who had been extremely upset by the removal of this long-term stand.

After some discussion, the motion was put and passed.

#### REPORT - SAFETY COMMITTEE

Council considered the report of the Safety Committee, from its meeting held on Wednesday, 20 September, as follows:

##### Fire Department Recruitment

An Information Report, dated 26 September 1989, was received from Chief Thomas M. Power, Halifax Fire Department.

MOVED by Alderman Meagher, seconded by Alderman Pottie that, as recommended by the Safety Committee, the Qualifications for Firefighter recruits, as set out in the report of 14 September 1989, be approved as required by Administrative Order No. 2 respecting the Fire Department; and further, that a general information session for interested applicants be arranged.

In putting forward the motion, Alderman Meagher commended Chief Power on his efforts in this regard, and asked that a letter expressing Council's appreciation be forwarded to the Chief from the Office of the Mayor.

Alderman Pottie observed that the requested information session has been scheduled for Saturday, 13 January 1990 at the Queen Elizabeth High School Auditorium.

The motion was put and passed.

City Council  
28 September 1989

Natal Day Fireworks Display

This matter had been forwarded to Council without recommendation.

Alderman Jeffrey advised that he had received a number of calls regarding the 1989 Natal Day Fireworks Display, and asked for a report from the Natal Day Committee regarding the weather conditions on the evening in question and the safety precautions that were taken during this event. He also asked for the Committee's views on the feasibility of holding this event in an alternate location (for example, George's Island) in the years to come.

While noting that he would ensure that a report responding to Alderman Jeffrey's concerns is forthcoming, Deputy Mayor Richard Grant, a member of the Natal Day Committee, emphasized that all safety precautions were taken, and that all alleged incidents have been thoroughly investigated. He added that another, more comprehensive report is presently being prepared (to be submitted to Council in late October) pertaining to the Committee's suggestions for the 1990 Natal Day festivities.

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

**Report - PAC Review Committee:  
Submission of Final Report**

A document entitled Report of the Planning Advisory Committee Review Committee, dated 28 September 1989 (and including a covering letter from Mrs. Brenda Shannon, Committee Chairman), was submitted.

**MOVED by Alderman Fitzgerald, seconded by Alderman Meagher that the report from the Planning Advisory Committee Review Committee be tabled by Halifax City Council; and further, that the matter be placed on the agenda for the next regular meeting of Committee of the Whole Council scheduled for Wednesday, 4 October.**

In putting forward this motion, Alderman Fitzgerald requested that the Chairman of the Review Committee be invited to be present during the 4 October meeting.

The motion was put and passed.

City Council  
28 September 1989

REPORT - CITY PLANNING COMMITTEE

Report - Planning Advisory Committee Re: Case No 5789 -  
Mainland South Holding Zone

MOVED by Deputy Mayor R. Grant, seconded by  
Alderman Hanson that, as recommended by the City Planning  
Committee, Council defer a decision on the Planning Advisory  
Committee's recommendation (as contained in the Committee's  
report of 15 September 1989) for a period of three months,  
pending review of the Stanley Park development proposal.

Motion passed.

Report - Planning Advisory Committee Re: Case No. 5903 -  
Review of Mainland South Holding Zone (Allen's Mobile Home  
Park) -SET DATE FOR A PUBLIC HEARING

Deputy Mayor R. Grant addressed the matter and explained for clarification purposes that Council had agreed, during discussions on the secondary planning strategy, to deal with the above item as a separate matter. The Deputy Mayor also pointed out that the name "Allen's Mobile Home Park" was causing some misconception. He explained that "Allen's Mobile Home Park" was the name of the land.

MOVED by Deputy Mayor R. Grant, seconded by  
Alderman Hanson that, as recommended by the City Planning  
Committee, Council set a date for a public hearing to  
consider the rezoning of the properties located east of  
Herring Cove Road and west of the McIntosh Run (as indicated  
on the map attached to the PAC's report of 15 September  
1989), from "H" (Holding), to "RDD" (Residential Development  
District); as well as the amendment of Zoning Maps ZM-4 and  
ZM-6 as appropriate.

Motion passed.

The City Clerk advised that the date for the public hearing would be scheduled for **Wednesday, 8 November 1989**, beginning at 7:30 p.m. in the Council Chamber.

Deputy Mayor R. Grant asked that the hearing date be scheduled for the **22 November 1989** rather than the 8 November, to which the City Clerk and Council agreed.

City Council  
28 September 1989

Case No. 5006 - Clayton Park West (Side Yards) -  
SET DATE FOR A PUBLIC HEARING

MOVED by Alderman Stone, seconded by Alderman Leiper that, as recommended by the City Planning Committee, Council set a date for a public hearing to consider an amendment to the Clayton Park West development agreement (executed on 19 October 1988) to replace Clause 5(d) with the following:

Single detached dwelling uses shall meet the requirements of the Land Use Bylaw, Mainland Area, Single Family Dwelling (R-1) Zone, with the exception that minimum side yards of 4 feet shall be permitted, provided that a minimum distance of 12 feet is provided between dwellings.

Motion passed.

The City Clerk advised that the public hearing would be scheduled for **Wednesday, 18 October 1989**, beginning at 7:30 p.m. in the Council Chamber.

Case No. 4285: Peninsula North Secondary Planning Strategy

MOVED by Alderman O'Malley, seconded by Alderman Leiper that, as recommended by the City Planning Committee, the draft Peninsula North Secondary Planning Strategy be referred to the Planning Advisory Committee for review, public meeting and recommendation.

Motion passed.

#### MOTIONS

Motion - Alderman Jeffrey Re: Administrative Order for the Position of Manager - The Office of Aldermanic Services -  
FIRST READING

MOVED by Alderman Jeffrey, seconded by Alderman Leiper that this matter be deferred to the City Council meeting scheduled for 12 October 1989.

Motion passed.



City Council  
28 September 1989

Motion - Alderman O'Malley Re: Proposed Amendment to the  
Bylaw Respecting Parking Meters - FIRST READING

Notice of Motion on this item was given at the City Council meeting held on 11 September 1989.

MOVED by Alderman O'Malley, seconded by Alderman Pottie that City Council give FIRST READING to an amendment to the Parking Meter Regulations the purpose of which will permit the use of parking meters with digital readings.

Motion passed.

Motion - Alderman Fitzgerald Re: Ordinance No. 12 - Camp Hill Cemetery Ordinance - FIRST READING

Notice of Motion on this item was given at the City Council meeting held on 11 September 1989.

Alderman Fitzgerald asked that this matter be deferred at this time, to which Council agreed.

#### QUESTIONS

Question Deputy Mayor R. Grant Re: Mainland South Community Centre Lands

Deputy Mayor R. Grant advised that he had received a response from Mr. Allen respecting the Mainland South Community Centre lands. The Deputy Mayor went on to note that the letter he received indicated that Mr. Marentette would receive a copy of the exact lands which are the responsibility of the Mainland South Community Centre Corporation. Deputy Mayor R. Grant noted that Mr. Marentette had not received the information to date and therefore requested that the Real Estate Division or the Engineering and Works Department investigate the matter and provide the information requested.

Question Deputy Mayor R. Grant Re: Relocation of a Particular Club

Deputy Mayor R. Grant advised that a number of residents in his Ward have expressed major concern about the relocation of a particular club in the area. Following a meeting with the residents, the Deputy Mayor informed that their concerns had been alleviated. However, he noted that he has since received a number of calls concerning an article in the newspaper alleging that drug related offenses were

COUNCIL  
28 SEPTEMBER 1989

occurring at the establishment in question. Deputy Mayor R. Grant asked that the Police Department provide him with a report on the matter.

9:30 p.m. His Worship Mayor Wallace retires from the meeting with Deputy Mayor R. Grant assuming the seat of the Chair.

Question Alderman Leiper Re: Street Signs at the Corner of Main Avenue and Dunbrack Street

Alderman Leiper advised that it has been brought to her attention that there were no street signs at the corner of Main Avenue and Dunbrack Street. The Alderman asked that staff investigate this matter.

Question Alderman Leiper Re: Meeting with Province - Social Assistance Cutbacks

Alderman Leiper asked that staff report on the status of the meeting which was to have occurred between staff, citizen groups, and the Province with respect to social assistance cutbacks.

Question Alderman Jeffrey Re: Train Whistles - Springvale/Fairmount area

Alderman Jeffrey advised that sometime ago he had raised a question with respect to the Whistle Blowing Ordinance and the problem occurring in the Springvale/Fairmount area. The Alderman went on to refer to the report he had received from the Legal Department in response to his question. Alderman Jeffrey noted that Mr. Anstey, in his report, advised that the excess number of trains in this area was caused by the Industrial Park. Alderman Jeffrey indicated that a request had already been forwarded to the Vice-President of the Canadian National Railway asking that the blowing of train whistles be prohibited during the night.

Alderman Jeffrey expressed the concern that the situation still exists and asked that a letter be sent to the President of the Canadian National Railway and to the MP for the area on behalf of members of Council asking that the problem be dealt with as soon as possible. Alderman Jeffrey also asked that City Council appeal to the businesses in the area, i.e. the Bayers Lake Industrial Park, asking that they refrain from getting overnight shipments.

COUNCIL  
28 SEPTEMBER 1989

Question Alderman Jeffrey Re: Bottle Exchange -  
3326 Dutch Village Road

Alderman Jeffrey advised that he had raised the matter with respect to the bottle exchange at 3326 Dutch Village Road on a number of occasions. Alderman Jeffrey expressed the concern that the business remains in operation illegally. Alderman Jeffrey questioned why the operation of this business cannot be ceased immediately.

The City Solicitor advised that the owners of this business have already been charged and that the matter was before the Courts.

Alderman Jeffrey asked for a report from the City Solicitor indicating when the matter might be rectified so that he could inform the residents concerned.

Question Alderman Jeffrey Re: Expropriation of  
3694 Dutch Village Road

Alderman Jeffrey referred to the staff report he had received indicating that the expropriation papers with regard to 3694 Dutch Village Road could not be filed until sometime around 31 October. Alderman Jeffrey went on to note that he had been informed that this particular house should be torn down no later than September 1989. The Alderman asked that action be taken as quickly as possible with regard to this matter.

Question Alderman Pottie Re: CNR Property on Kempt Road

Alderman Pottie expressed concern with regard to the CNR property on Kempt Road which contains mounds of soil that are contaminated with lead. Alderman Pottie noted that the large plastic coverings have blown off the mounds. The Alderman went on to ask that staff communicate with the Canadian National Railway in an effort to get rid of the contaminated lead soil. Alderman Pottie suggested that perhaps staff could report back on the matter before the next Committee of the Whole Council meeting scheduled for 4 October 1989.

Question Alderman Pottie Re: Area Bounded by Memorial Drive,  
Robie Street, and the Lady Hammond Road

Alderman Pottie expressed the opinion that there are too many units permitted in the R-2 zone bounded by Memorial Drive, Robie Street, and Lady Hammond Road. The

COUNCIL  
28 SEPTEMBER 1989

Alderman indicated that he would like to see this zone restricted to a maximum of two units per lot. Alderman Pottie went on to ask that staff report on the rezoning of all the properties which contain one or two dwellings in the residential zone which would permit a maximum of two residential units in the area bounded by Memorial Drive, Robie Street, and Lady Hammond Road. Alderman Pottie noted that it is intended that the zoning for all other properties within these boundaries remain unchanged.

Alderman Pottie asked that the matter be referred to the Planning Advisory Committee (PAC) immediately and that a staff report be prepared for the 17 October 1989 meeting of the PAC. Alderman Pottie noted that staff are presently addressing the question he had asked approximately one month ago with respect to the development potential for the area bounded by Memorial Drive, Robie Street, and Lady Hammond Road.

Alderman Pottie further asked that the PAC provide a recommendation on the matter at the Committee of the Whole Council meeting scheduled for 18 October 1989.

Question Alderman Stone Re: Establishment of a Crossing Guard  
at the Corner of Willett and Dunbrack Streets

Alderman Stone asked that the Halifax Police Department investigate the possibility of establishing a crossing guard at the corner of Willett and Dunbrack Streets. The Alderman noted that the traffic in this area has increased along with the number of children crossing at this location.

Question Alderman Stone Re: Bylaw Respecting the Parking of  
Tractor Trailers in Residential Areas

Alderman Stone noted that Alderman Jeffrey had raised the matter with respect to the parking of tractor trailer vehicles in residential areas. He noted that it was his understanding that regulations did not exist respecting the parking of these vehicles. Alderman Stone went on to ask that the Legal Department investigate the possibility of establishing a bylaw to restrict tractor trailer vehicles from parking on City streets particularly in the residential areas.

In response to a question raised by the City Solicitor, Alderman Stone advised that these trucks do not usually remain any longer than 24 hours at a time.

COUNCIL  
28 SEPTEMBER 1989

Question Alderman Stone Re: Proposed Quarry - Halifax County

Alderman Stone referred to a recent newspaper article with regard to a proposed quarry that is to be located in Halifax County. The Alderman noted that although the proposed quarry was not in the City of Halifax, he would like staff to investigate the situation to determine the ramifications it could have on the City of Halifax. Alderman Stone indicated that it was his understanding that the County and the Town of Bedford were concerned about the potential traffic hazards and environmental dangers the development could have on the area. Alderman Stone also expressed the concern that the development was very close to the water supply for the City of Halifax. He suggested that it was important for the City of Halifax to study the proposal.

Question Alderman O'Malley Re: Federal Dept. of Fisheries Building - corner of Robie Street and Normandy Drive

Alderman O'Malley noted that she had not received a response to her question which was raised at a previous meeting of City Council regarding the building owned by the Federal Department of Fisheries at the corner of Robie Street and Normandy Drive. Alderman O'Malley noted that she had also requested that the report describe the zoning of this property.

Question Alderman O'Malley Re: Rezoning of Seaview Park

Alderman O'Malley advised that she had asked staff sometime to investigate the possibility of rezoning the Seaview Park area to Parks and Institutional. The Alderman asked for a report on the matter.

Question Alderman O'Malley Re: Animal Shelter on McCully Street

Alderman O'Malley referred to an article recently in the newspaper stating that the McCully Street Animal Shelter was about to close or had closed. Alderman O'Malley noted that it raises a question with regard to what will happen to all the stray animals in the City.

Addressing the concern of Alderman O'Malley, the City Solicitor advised that stray animals including cats was the responsibility of the Animal Control Officer.

COUNCIL  
28 SEPTEMBER 1989

Alderman O'Malley questioned whether or not there were any plans to establish another facility for the shelter of animals in the City.

The City Manager advised that he had read recently in the newspaper that the SPCA was planning a joint metro area facility.

9:50 p.m. His Worship Mayor Wallace returns to the meeting with Deputy Mayor R. Grant taking his usual seat in Council.

Question Alderman D. Grant Re: Concerns - Local 143 -  
Mileage Reimbursement

Alderman D. Grant asked that Council be advised in a staff report of the concerns that Local 143 have with respect to reimbursement for mileage.

Question Alderman D. Grant Re: Store Closing Hours

Alderman D. Grant questioned whether or not the item with respect to Ordinance 121 governing the Retail Store Hours would be on the next Committee of the Whole Council agenda for 4 October 1989.

His Worship Mayor Wallace confirmed that the item would be on the next Committee of the Whole Council agenda for 4 October 1989.

Question Alderman D. Grant Re: Task Force on Drugs

Alderman D. Grant congratulated Mayor Wallace on his initiative with respect to The Task Force on Drugs. Alderman D. Grant suggested that on-going reports of the Task Force would be helpful.

Alderman D. Grant asked that the Task Force, while reviewing the concerns of drugs and youth, also bear in mind that there are other concerns with respect to youth which may not be within their jurisdiction but in which they might be able to provide advice on.

Question Alderman D. Grant Re: VIA Rail Cuts

Alderman D. Grant referred to the comments by Mayor Wallace respecting VIA Rail cuts in today's newspaper. Alderman D. Grant asked for a report on the results of the

COUNCIL  
28 SEPTEMBER 1989

conference in Saint John with respect to VIA Rail. The Alderman asked that the matter be placed on the next Committee of the Whole Council agenda for 4 October 1989.

His Worship Mayor Wallace advised that a full report on the conference in Saint John would be provided to Council.

Question Alderman Fitzgerald Re: U.N.S.M. Resolutions

Alderman Fitzgerald asked that a report on the resolutions from the U.N.S.M. meeting be provided by the next Committee of the Whole Council meeting scheduled for 4 October 1989. The Alderman indicated that he was desirous to see what support the City was receiving from other municipalities with respect to its resolutions.

Question Alderman Fitzgerald Re: Garden Crest Apartments

Alderman Fitzgerald asked that staff provide him with a status report on the Garden Crest Apartments located on Summer Street.

Question Alderman Fitzgerald Re: Budget Update

Alderman Fitzgerald asked for a budget update from the Director of Finance possibly by the next Committee of the Whole Council meeting scheduled for 4 October 1989.

Question Alderman Fitzgerald Re: Temporary Speed Bumps

Alderman Fitzgerald questioned whether or not staff intended to experiment with temporary speed bumps.

The City Manager advised that Council would be provided with a report on Traffic Control tomorrow which would also address the matter of speed bumps.

Question Alderman Fitzgerald Re: Manholes

Alderman Fitzgerald expressed concern with regard to the amount of dollars spent each year to repair manholes.

Alderman Fitzgerald asked that staff continue to try different methods of installing manholes in an effort to find ways of making them last longer.



COUNCIL  
28 SEPTEMBER 1989

Question Alderman Fitzgerald Re: Crossing Guard Corner of  
Norwood and Beech Streets

Alderman Fitzgerald asked that staff investigate the possibility of establishing a crossing guard at the corner of Norwood and Beech Streets.

The City Manager advised that Council would have the opportunity during budget deliberations to establish crossing guard locations.

Question Alderman Meagher Re: Speed Limit

Alderman Meagher expressed concern with regard to the lack of enforcement of the 50 kilometer speed limit in the City of Halifax. The Alderman reiterated his concern with regard to speeding in the City.

The City Manager advised that the traffic report to be circulated to Council tomorrow would also address the matter with respect to the City's speed limits.

Question Alderman Meagher Re: Resurfacing of Oak Street  
from Oxford Street through to Connaught Avenue

Alderman Meagher questioned whether or not he could expect the resurfacing or touch up of Oak Street from Oxford Street through to Connaught Avenue this year.

The City Manager advised that Oak Street could be sealed this year but indicated that he could not guarantee its resurfacing this year.

The Alderman indicated that he would be satisfied if the street was sealed this year.

Question Alderman Hanson Re: Installation of Bus Shelters

Alderman Hanson asked that staff help expedite the installation of bus shelters which had been approved by City Council.

COUNCIL  
28 SEPTEMBER 1989

NOTICES OF MOTION

Notice of Motion Alderman O'Malley Re: R-2 Zones (Peninsula)

Alderman O'Malley gave Notice of Motion that at the next regular meeting of Halifax City Council, scheduled for 12 October 1989, she proposed to introduce a motion to:

- a) Change the development potential of R-2 Zones on the Peninsula by deleting Section C thereof which permits the construction of 4 unit apartment buildings on R-2 lots over 6,000 square feet and limit the development possibilities on such R-2 lots under 6,000 square feet to two units and require R-2 lots to have a square footage of 8,500 square feet for the building of four unit apartment buildings;
- b) Create a new zone R-2(4) and
- c) Rezone all existing R-2 lots on the Peninsula containing 4 unit apartment buildings to the newly designated R-2(4) zone.

Notice of Motion Alderman Pottie Re: Increase in Various Fees

Alderman Pottie gave Notice of Motion that at the next regular meeting of Halifax City Council, scheduled for 12 October 1989, he proposes to introduce a motion to amend various Ordinances, the purpose of the amendments being to make provision for the increase in various fees approved in principle by City Council on 11 September 1989.

ADDED ITEMS

Case No. 5929 - Development Agreement - 2507 Brunswick Street  
(McCully House)

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

A report from the Heritage Advisory Committee dated 25 September 1989 was submitted.

In the absence of Alderman Downey, it was MOVED by Alderman D. Grant, seconded by Alderman Fitzgerald that a date be set for a public hearing to consider the application by Salter Street Films Ltd. for a development agreement to permit the use of 2507 Brunswick Street as offices and post production sound studio and, FURTHER, to consider rescinding

COUNCIL  
28 SEPTEMBER 1989

its motion of 12 February 1989 approving the entering into of a development agreement to permit heritage offices, library and related uses including a residential/caretakers suite at 2507 Brunswick Street.

In moving the staff recommendation, Alderman D. Grant noted that many long hours of work have gone into preparing the report of the Heritage Advisory Committee. She went on to note that the applicant, Salter Street Films Ltd., had been very much involved in the process and worked very hard to meet the concerns of the Heritage Advisory Committee with respect to renovations. Alderman D. Grant commended the owners for their hard work in working with the Heritage Advisory Committee to present a report that is acceptable.

The motion was put and passed.

The City Clerk advised that the public hearing would be scheduled for **Wednesday, 18 October 1989**, beginning at 7:30 p.m. in the Council Chamber.

Appointments

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

A report from His Worship Mayor Wallace dated 28 September 1989 was submitted.

MOVED by Alderman D. Grant, seconded by Alderman Fitzgerald that the following appointments be approved:

WASTE MANAGEMENT COMMITTEE - Diane Palmeter  
Shama Vethamany

HALIFAX INDUSTRIAL COMMISSION - John Riley  
(Term to expire 30 January 1991)

INVESTMENT COMMITTEE - Robin Stuart Kotze

Motion passed.

Rooming Houses - Alderman Fitzgerald

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

Alderman Fitzgerald asked that a staff report be submitted in the near future, possibly from the Legal

COUNCIL  
28 SEPTEMBER 1989

Department, on the status of rooming houses. He asked that the report address the question with respect to what is allowable in residential districts with regard to rooming houses.

Heritage Designation on Tax Bills and Assessment Notices -  
Alderman Fitzgerald

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

Alderman Fitzgerald noted that the City is continually recognizing the importance of the historic buildings in the City of Halifax. The Alderman went on to ask that staff consider the possibility of identifying on tax bills and assessment notices if a property is registered as a heritage property. Alderman Fitzgerald noted that the Heritage Advisory Committee concurs with this idea.

Year 2000 - Alderman Meagher

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

Alderman Meagher indicated that many groups and organizations were beginning to plan for the Year 2000. The Alderman questioned whether or not the City of Halifax would be forming a Committee to plan for the Year 2000.

His Worship Mayor Wallace advised that Council would receive an information report in the very near future on plans for the Year 1999 which is the 250th anniversary of the founding of the City.

10:30 p.m. There being no further business to discuss, the meeting adjourned.

HIS WORSHIP MAYOR RON WALLACE  
AND  
DEPUTY MAYOR R. GRANT  
CHAIRMEN

EDWARD A. KERR  
CITY CLERK

K\*MMD

READINGS FOR CITY COUNCIL MINUTES  
of 09/28/89

Presentation: Long Service Award - Hilda Sherman Finance Department	.... 580
MINUTES	.... 581
APPROVAL OF ORDER OF BUSINESS	.... 581
DEFERRED ITEMS	.... 582
Case No. 5781: Day Care Centres (Amendments to LUB)	.... 582
Case No. 5328: Minor Variance Appeal - 2107 Oxford Street	.... 582
PETITIONS AND DELEGATIONS	
Petition Alderman O'Malley Re: Closure of Fleet Club Access	.... 587
	.... 587
REPORT - FINANCE AND EXEC COMM	
Application to Reproduce City's Coat of Arms: R.H. Davis & Company Limited	.... 588
Presentation: Canadian Christian Festival III	.... 588
Elevator: Bloomfield Seniors Resource Centre	.... 588
William Thomson - Settlement of Claim	.... 589
Ordinance No. 14, Respecting the Regulation of Vehicles Used for Transporting Goods for Hire - Proposed Repeal	.... 589
H.W. Corkum Construction Co. Limited v. City of Halifax	.... 589
REPORT - COMMITTEE ON WORKS	
Curb Cut - 6280 Chebucto Road	.... 590
Ordinance No. 12, Camp Hill Cemetary	.... 590
Taxi Stand - Almon Street	.... 596
REPORT - SAFETY COMMITTEE	
Fire Department Recruitment	.... 591
Natal Day Fireworks Display	.... 592

HEADLINES FOR CITY COUNCIL MINUTES  
of 09/28/89

REP.- COMM. OF WHOLE COUNCIL

Report - PAC Review Committee - Submission of Final Report . . . . 592

REPORT - CITY PLANNING COMM.

Report - Planning Advisory Committee Re: Case No. 5789 -  
Mainland South Holding Zone . . . . 593

Report - Planning Advisory Committee Re: Case No. 5903 -  
Review of Mainland South Holding Zone (Allen's Mobile Pk) . . . . 593

Case No. 5006 - Clayton Park West (Side Yards) - SET DATE  
FOR PUBLIC HEARING . . . . 594

Case No. 4285: Peninsula North Planning Strategy . . . . 594

MOTIONS

Motion - Alderman Jeffrey Re: Administrative Order for the  
Position of Manager - The Office of Aldermanic Services . . . . 594

Motion - Alderman Fitzgerald Re: Ordinance No. 12 -  
Camp Hill Cemetary Ordinance - FIRST READING . . . . 595

Motion - Alderman O'Malley Re: Proposed Amendment to the  
Bylaw Respecting Parking Meters - FIRST READING . . . . 595

QUESTIONS

Question Deputy Mayor R. Grant Re: Relocation of a  
Particular Club . . . . 595

Question Deputy Mayor R. Grant Re: Mainland South  
Community Centre Lands . . . . 595

Question Alderman Leiper Re: Street Signs at the Corner  
of Main Avenue and Dunbrack Street . . . . 596

Question Alderman Jeffrey Re: Train Whistles -  
Springvale/Fairmount area . . . . 596

Question Alderman Leiper Re: Meeting with Province -  
Social Assistance Cutbacks . . . . 596

Question Alderman Jeffrey Re: Expropriation of  
3694 Dutch Village Road . . . . 597

Question Alderman Pottie Re: CNR Property on Kempt Road . . . . 597

Question Alderman Pottie Re: Area Bounded by Memorial Drive,  
Robie Street, and the Lady Hammond Road . . . . 597

Question Alderman Jeffrey Re: Bottle Exchange -  
3326 Dutch Village Road . . . . 597

Question Alderman Stone Re: Establishment of a Crossing  
Guard at the Corner of Willett and Dunbrack Streets . . . . 598

Question Alderman Stone Re: Bylaw Respecting the Parking of  
Tractor Trailers in Residential Areas . . . . 598

Question Alderman O'Malley Re: Rezoning of Seaview Park . . . . 599

Question Alderman O'Malley Re: Animal Shelter on McCully St . . . . 599

Question Alderman Stone Re: Proposed Quarry - Halifax County . . . . 599

Question Alderman O'Malley Re: Federal Dept. of Fisheries  
Building - corner of Robie Street and Normandy Drive . . . . 599

Question Alderman D. Grant Re: Concerns - Local 143 -  
Mileage Reimbursement . . . . 600

Question Alderman D. Grant Re: Store Closing Hours

HEADLINES FOR CITY COUNCIL MINUTES  
of 09/28/89

Question Alderman D. Grant Re: Task Force on Drugs	.... 600
Question Alderman D. Grant Re: VIA Rail Cuts	.... 600
Question Alderman Fitzgerald Re: U.N.S.M. Resolutions	.... 600
Question Alderman Fitzgerald Re: Manholes	.... 601
Question Alderman Fitzgerald Re: Garden Crest Apartments	.... 601
Question Alderman Fitzgerald Re: Budget Update	.... 601
Question Alderman Fitzgerald Re: Temporary Speed Bumps	.... 601
Question Alderman Fitzgerald Re: Crossing Guard Corner of Norwood and Beech Streets	.... 602
Question Alderman Meagher Re: Speed Limit	.... 602
Question Alderman Meagher Re: Resurfacing of Oak Street from Oxford Street through to Connaught Avenue	.... 602
Question Alderman Hanson Re: Installation of Bus Shelters	.... 602
NOTICE OF MOTIONS	
Notice of Motion Alderman O'Malley Re: R-2 Zones (Peninsula)	.... 603
Notice of Motion Alderman Pottier Re: Increase in Various Fees	.... 603
ADDED ITEMS	
Case No. 5929 - Development Agreement - 2507 Brunswick Street (McCully House)	.... 603
Rooming Houses - Alderman Fitzgerald	.... 604
Appointments	.... 604
Heritage Designation on Tax Bills and Assessment Notices - Alderman Fitzgerald	.... 605
Year 2000 - Alderman Meagher	.... 605

Record Copy

**SPECIAL COUNCIL  
PUBLIC HEARINGS  
MINUTES**

Council Chamber  
Halifax City Hall  
Halifax, NS  
04 October 1989  
7:30 p.m.

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

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 Richard Grant and Aldermen Deborah Grant, Fitzgerald, Downey, Meagher, O'Malley, Pottie, Hanson, Jeffrey, Flynn, and Stone.

**ALSO PRESENT:** Mr. Paul Calda, City Manager; Mr. Gerry Goneau, representing the City Solicitor's Office; Acting City Clerk, and other members of City staff.

At the request of the Acting City Clerk, the following item regarding Bottle Exchange - 3326 Dutch Village Road was added to the agenda:

**Bottle Exchange - 3326 Dutch Village Road**

This matter was forwarded to this meeting from the Finance and Executive Committee meeting held earlier on this date.

MOVED by Alderman Jeffrey, seconded by Alderman Pottie that as recommended by the Finance and Executive Committee, the City Solicitor be authorized to approach the Supreme Court of Nova Scotia to seek an injunction restraining the operators of the bottle exchange at 3326 Dutch Village Road from continuing their bottle exchange operation.

Deputy Mayor Richard Grant addressed the matter and requested staff to investigate the particular firm that has been running a bottle exchange out of a truck on the Herring Cove Road. He noted that this truck was parked on private property that was zoned nonconforming commercial use.

The motion was put and passed.



Public Hearings  
04 October 1989

Public Hearing Re: Case No. 5784: Amendment to Height  
Precinct Map (ZM-16) - Mitchell Property, Tower Road

Mr. Michael Hanusiak, Planner II, addressed Council and outlined, using diagrams, the application to amend the City's Height Precinct Map (ZM-17) as it relates to the "Mitchell Property" - 2.1 acre parcel of land located at the intersections of Wellington Street, Inglis Street and Tower Road as illustrated in the report dated 20 April 1989 (a copy of this report may be found in the official file of this meeting). In conclusion, Mr. Hanusiak advised that staff was recommending approval on this matter.

Mr. Hanusiak then responded to questions from members of Council.

Mr. Robert Grant addressed Council and advised that he had been requested by the Mitchell Family to represent them at this public hearing. He advised that before he would give his presentation, Mr. Charlie Mitchell would address Council and present a petition in support of his application.

Mr. Mitchell circulated a petition in support of the application to amend the height precinct map (ZM-17) - Mitchell Property, Tower Road (a copy of this petition may be found in the official file of this meeting). Mr. Mitchell, referring to a map of the area in question, explained that the reason for this petition was because he did not feel the true indication of the public's opinion on this matter was coming out through the Planning Advisory Committee Meetings.

Mr. Mitchell then read the petition and advised that 255 people have signed in support of his application. In conclusion, Mr. Mitchell suggested that the general response to his petition was extremely favorable and that most people prefer his application to the way the land could be developed under the present height restrictions.

Mr. Robert Grant, representing the applicant addressed the matter and indicated that when Council makes its decision on this proposed amendment, it should base its decision upon the intent of the Municipal Planning Strategy. He suggested that this proposed amendment to the height precinct map makes the most sense from a planning perspective. Mr. Grant also suggested that Council ought not to be persuaded by suggestions that there is wide spread opposition on this issue. He advised that he reviewed the letters submitted to the City Clerk's office on this matter, and found there were a large number of letters in support of Mr. Mitchell's application.

Public Hearings  
04 October 1989

Mr. Grant then pointed out to Council that his client was not seeking a change in use of the property, in the density, the zoning, or seeking change in the Municipal Planning Strategy. He suggested that Council should measure this application against the intent of the Municipal Planning Strategy and advised that if Council feels that the intent has not been met, then it would be their duty to reject his client's application. Mr. Grant suggested that the real issue is the form of the building to be constructed and advised that this proposed amendment will permit the developer of the property to reduce the lot coverage and maintain open space and landscaping.

Mr. Grant pointed out that the Mitchell property was identified as a site for redevelopment as early as the start of the Municipal Planning Strategy. He noted that the neighborhood that the Mitchell property was in was of mixed density development. He pointed out that the dominant feature of the Mitchell property now was the open area, the landscaping, and trees, and advised that his client's proposal presents the best opportunity to preserve these attributes in the neighborhood.

Mr. Grant then referred to the Planning Advisory Committee's report dated 26 September 1989 which recommended against staff's report. He pointed out that for the following two reasons he believes that the Planning Advisory Committee's recommendation should not be given as much consideration by Council as staff's recommendation:

1. Mr. Grant advised that at a September 19, 1989 meeting of the Planning Advisory Committee a debate ensued for approximately one hour on Section 44F LUB, which was a very minor part of the Mitchell property hearing, and approximately 15 minutes was spent on the critical portion, that is the proposed amendment to the Height Precinct Map.

2. Mr. Grant pointed out that at the September 19, 1989 meeting of Planning Advisory Committee, two members, who were not present at either of the public meetings, voted on the matter and four members of Planning Advisory Committee, who were present at both public meetings, did not participate at all.

Mr. Grant then addressed the concerns that some people have stated as to why Council should refuse this application. Mr. Grant advised that some people oppose the proposed amendment because they believe it will amend the Municipal Planning Strategy. He suggested that these people misunderstand the nature of the application because the application has nothing to do with the Municipal Planning Strategy. He advised that his client is seeking an amendment

Public Hearings  
04 October 1989

to the Land Use Bylaw and this must be consistent with the intent of the Municipal Planning Strategy.

Mr. Grant advised that some people are suggesting that this application be refused because the property in question has been upzoned in recent years and that a further upzoning ought not to be permitted. He pointed out that this was a misunderstanding of facts because since 1950 the property was zoned R-3 or its equivalent and in 1983 a portion of the Mitchell property was downzoned from R-3 to R-2A.

On a third point, Mr. Grant advised that concerns were expressed that if Council accepts this proposal then Council will have no control over the location or amount of open space. Mr. Grant pointed out that if his client's proposal was accepted and developed to its maximum density, a developer would have to utilize the full 90 ft. height restrictions. He added that if a developer uses the 90 ft. height precinct, then he is required by the Land Use Bylaw to have an open space comparable to that shown in the staff report.

Mr. Grant advised that a fourth point of concern was that this proposal, if accepted, would result in a high tower on the property of largely bachelor apartments and transient people and this would result in an increase in the crime rate. Mr. Grant pointed out that, as a building was built higher, there is greater potential for the developer to introduce two and three bedroom apartments, which under the Land Use Bylaw have greater requirements in terms of open space.

Mr. Grant pointed out that one concern raised regarding this issue was that the height precinct of 35 ft. was embedded in the Municipal Planning Strategy and should not be changed. Mr. Grant indicated that Mr. Fred Medjuck, who at one time was co-chairman of the Area Planning Committee when the South End detailed area plan was developed, indicated that the 35 ft. height restriction was intended as a sort of holding zone which could be reconsidered by Council at some point in the future and would simply require an application to Council for reconsideration.

On a final point, Mr. Grant advised that concerns were expressed that the only useful purpose of this application was to increase the value of the Mitchell land. Mr. Grant suggested that value was not a factor that Council ought to consider when looking at the intent of the Municipal Planning Strategy. He added that if value was the only reason that was put forth for accepting this proposal, then Council should reject it. Mr. Grant pointed out that the

Public Hearings  
04 October 1989

decision should be governed by the intent of the Municipal Planning Strategy and what makes most sense in the neighborhood.

Mr. Grant then referred to a letter regarding demolition of a heritage property on Mitchell lands. He advised that the Mitchell house was never designated or eligible as a heritage property and that due to the poor condition of the house, it became apparent to the trustees of the estate that for public liability reasons the house should be demolished.

Mr. Grant then addressed the matter of the Planning Advisory Committee's recommendation for Carriage Lane style townhouses on the property in question. He advised that the Carriage Lane was designated medium density residential (R-2A) under the generalized future land use map. Mr. Grant added that the Mitchell property was always zoned high density residential (R-3), and that the Mitchell property was located in a neighborhood with other high rise apartment buildings.

In summary, Mr. Grant advised that no plans have been prepared on behalf of his client for this site. He advised that the expense of doing so was deemed not to be appropriate given that it was not required under the planning legislation. He indicated that if the proposed amendment was approved and the property developed using the maximum height permitted of 90 ft, the type of building constructed would be comparable to that shown in staff's report.

At 9:00 p.m. the Chairman retired from the meeting with the Deputy Mayor assuming the Chair.

Mr. Ian Lancaster, a resident of 1089 Tower Road, addressed Council and advised that he had been a member of the Committee which developed the detailed area plan which had been referred to by Mr. Grant. He advised that one of the primary objectives of the Committee was to preserve the character of the neighborhood and with this objective in mind, their recommendation was that the development in the South End should relate to and enhance the neighborhood.

Mr. Lancaster suggested that increased crime in a neighborhood can often be attributed to the construction of high rise apartment buildings. He explained that people who live in high rise apartments do not get the same sense of community as people who live in single family dwellings. In summary, Mr. Lancaster suggested that Council should really consider if the neighborhood would be better off with a high rise building than a low rise building, and he urged Council to refuse this application.

Public Hearings  
04 October 1989

Ms. Janice Raymond, a resident of 1600 Henry Street, addressed the Committee and advised that she was attending tonight's meeting to speak in favour of the proposed amendment to the height precinct map. Ms. Raymond advised that she lived across the street from a high density development and, in her opinion, it was an attractive building and suited the neighborhood. Ms. Raymond added that further down the street there was a low density building built in such a way that it covered most of the land area and left very little green space. She suggested that it would be more appropriate for the neighborhood to have the open green space area.

Mr. David Murphy, a resident of 1043 Tower Road, addressed Council and read a brief opinion statement. He advised that City Council has done much to preserve the heritage neighborhoods in the past and suggested that it was time for Council to do so again. He suggested that the real issue Council has to deal with is whether to allow development of a high rise apartment building or a low rise apartment building. He advised that, if a development had to occur on this property, he would prefer a low rise building because it would bring the people closer to the neighborhood, thus, they would feel more inclined to participate in the community. In conclusion, Mr. Murphy requested Council to refuse this application.

Ms. Elizabeth Crocker, a resident of 940 Ivanhoe Street, addressed Council and advised that she has given this issue a lot of thought and attended two Planning Advisory Committee meetings on this matter.

**At 9:15 His Worship returns to the Chair with the Deputy Mayor assuming his usual seat in Council.**

Ms. Crocker pointed out that at one of the Planning Advisory Committee meetings on this issue, someone had asked Mr. Hanusiak the question that, if this proposed amendment was approved, could a developer and architect build an apartment building that would conform to the requirements of a 90 ft. height precinct and a 35 ft. height precinct, thus, creating a high rise building built very close to the street. Ms. Crocker expressed concern that this type of situation could very well occur if the proposed amendments were approved.

Ms. Crocker then pointed out reasons why she believed that the proposed amendment should be refused by Council. In summary, Ms. Crocker advised that she has not yet heard any new information that would convince her that the plan should be changed.

Public Hearings  
04 October 1989

Mr. Michael Hanusiak addressed Council in response to Ms. Crocker's comment and advised that any development of the site in question would be subject to the controls of the R-3 zone. Mr. Hanusiak advised that the most important controls with regard to this application would be the separation distances between opposing walls, and the open space requirement. He indicated that with the potential of 480 people on the site, a considerable amount of open space would be required. Mr. Hanusiak noted that, a building as suggested by Ms. Crocker, would violate the Land Use Bylaw and would be stopped immediately. On a final note, Mr. Hanusiak advised that there are different configurations the development would be able to take, but not to the extreme as was suggested at the Planning Advisory Committee meeting Ms. Crocker was referring to.

Ms. Mary Hess, a resident of 1066 Tower Road, addressed Council and advised that she was representing the tenants in her building and they were in opposition to the proposed amendment. She advised that should Council approve this application, and a 90 ft. building constructed, then her building would be in the shadow of this development. Ms. Hess suggested that the applicant's assurance of maintaining the trees in the area may not be correct because the proposed development may have an underground garage. She advised that if this was the case, it was her opinion that the trees would not survive the blasting required to build an underground garage. On a final point, Ms. Hess suggested that the property does not have to be developed for maximum density.

Mr. Philip Jefferson, a resident of 1122 South Park Street, addressed Council and indicated that he opposed the proposed application. Mr. Jefferson advised that one of the characteristics of his neighborhood was the closeness and openness of the dwellings which gives a sense of community and belonging. He advised that at one time he was involved in a study of high rise apartment buildings and the study determined that for every floor up that one goes in a high rise building, there is a diminishment of the sense of awareness of the street level and this tends to make these people isolated from the community in which they live.

In conclusion, Mr. Jefferson advised that in his opinion, low density construction would be in accordance to the character of the neighborhood, and therefore requested Council to refuse this application.

Ms. Ann West, a resident of 1161 South Park Street, addressed Council, read and submitted a letter in opposition to the proposed amendment to the height precinct map from Dr. Joseph Parent of the Karma Dzong Buddhist Church of Halifax.

Public Hearings  
04 October 1989

Attached to this letter was a petition of 61 signatures from the members of the Karma Dzong Buddhist Church (a copy of this letter and petition may be found in the official file of this meeting).

Ms. West advised that this evening they have been told that a high central building maximizes the availability of land to people. She advised that Council should remember that around Halifax there were many traditional homes built close to the street, with the open space located behind the building to afford maximum privacy for the residents.

Mr. Bill Black, a resident of Studley Avenue, addressed Council and advised that he was concerned with this issue because he grew up at 1041 Tower Road, which was immediately across the street from the property in question. Mr. Black advised that although he would prefer either single family dwellings on this property or Carriage Lane style townhouses, the fact remains that the property was zoned R-3 and it was his opinion that a high rise building with open green space surrounding would be the more suitable alternative.

Ms. Beverly Miller, a resident of 6128 South Street, addressed Council and advised that she was representing the Executive of the Ward 1 Residents' Association. Ms. Miller read and submitted a report in opposition to the proposed amendment to the height precinct map (a copy of this report may be found in the official file of this meeting).

Ms. Miller then responded to questions from Council.

Ms. Joanne Cook, Executive Director of the Community Planning Association of Canada and Nova Scotia, addressed Council and advised that she was addressing the question of process rather than the merits or nonmerits of this application.

Ms. Cook advised that not all site specific bylaw changes were undesirable but this case was a different matter because this site specific application seeks to exempt a certain property from the legal limits which apply to all other properties. She suggested that this appears to be discrimination against other property owners in similar situations. Ms. Cook advised that it was her contention that such changes to land use bylaw provisions to accommodate individual development plans would lead to chaos and uncertainty in the planning of the City.

Public Hearings  
04 October 1989

Ms. Cook also advised that it was not clear to her that this proposal was in accordance with the Municipal Planning Strategy. She added that Council has not heard from anyone indicating that the existing limits were inconsistent with the Plan as it now stands. Ms. Cook suggested that more planning rationale was needed, and she noted that even if the proposal was consistent with the MPS, it was her opinion that making this change would send a clear signal that Council was not going to regulate development in the City any more, but that zoning controls would be up for grabs. On a final point, Ms. Cook suggested that if Council was going to change the Land Use Bylaw for one property owner and one development, then it will have to do the same for all property owners in similar situations.

Ms. Ann Petley-Jones, a resident of 1047 Tower Road addressed Council and advised that she was speaking tonight against the proposed amendment.

Ms. Petley-Jones then outlined her reasons why she opposed the proposal in question. She expressed concern with regard to the potential development which could occur on the property in question. She advised that the neighborhood has never been opposed to development and would welcome an appropriate development on the Mitchell property. Ms. Petley-Jones pointed out that she was convinced that a quality development would be feasible for the Mitchell property under the existing guidelines and that she was concerned about the impact and scale of a high rise development on the neighborhood.

At this time, Ms. Petley-Jones presented photographs of the heritage streetscape of the neighborhood in question, and of low rise developments which have been consistent with the neighborhood. She suggested that if the rules are bent in this instance for a developer, they will have to be bent for others in similar situations.

In summary, Ms. Petley-Jones requested Council to stand by the laws and regulations established in the Municipal Development Plan and refuse the proposed application.

There were no further persons wishing to speak on this matter.

MOVED by Alderman Deborah Grant, seconded by Alderman Walter Fitzgerald that this matter be forwarded to Council without recommendation.

The motion was put and passed.



Public Hearings  
04 October 1989

Public Hearing Re: Case No. 5840: Proposed Amendment to  
Section 44F of the Land Use Bylaw (Peninsula)

Mr. Michael Hanusiak, Planner II, addressed Council and outlined the application to amend Section 44F of the Peninsula portion of the Land Use Bylaw as outlined in the staff report dated 20 April 1989. Mr. Hanusiak advised that staff was recommending approval of this matter.

Mr. Hanusiak responded to questions from Council.

In response to concerns expressed by Alderman Deborah Grant, Mr. Hanusiak advised that this proposed amendment would not have any effect on development. He added that Staff has not been able to identify one scenario where this type of change would impact on the development.

Mr. Van Penick addressed Council and advised that he was speaking on behalf of Evan Petley-Jones, a resident of 1047 Tower Road.

Using diagrams, Mr. Penick outlined the reasons why, in his opinion, the proposed amendment would not be a clarification of the bylaw, but would make a dramatic change to the bylaw.

Mr. Penick circulated and submitted a summary of public meetings regarding the Mitchell property with attached were petitions, containing 70 signatures.

Mr. Penick suggested that if the proposed amendment were approved then, in his estimation, the situation of a through-lot would be permitted.

Mr. Penick advised that, in his opinion, when Council passed 44F they were not taking into consideration that more than one building could be built on an R-3 block. He added that the intent was to preserve the unity of a block from the blockbusting provision, and yet to recognize that when you have a large lot at the end of the block, then you wouldn't need to preserve the block because the development that goes on at one end would not bisect or divide the block.

Mr. Penick advised that a developer, under present regulations, can build along the end of one block but he can't subdivide it. He suggested that City staff recognizes that the developers can get around the provisions and the intent of the bylaw now, and are suggesting that this practice should become legitimate by subdividing off all the various lots so he can make his development more saleable. Mr. Penick concluded that the result would be that what was

Public Hearings  
04 October 1989

previously not permitted, blockbusting, would now be allowed.

In summary, Mr. Penick suggested that staff was looking at this issue from the developer's point of view and for the reasons given, he was requesting that Council keep the Planning Advisory Committee's recommendation in mind when making their decision, and refuse the application to weaken the blockbusting provisions in section 44F.

Mr. Penick responded to questions from Council.

Mr. Robert Grant addressed Council on behalf of the Mitchell Family and pointed out that this application was not made on behalf of the Mitchell Family, but rather that, it was made on behalf of City Staff. He advised that the impact of this application was nonexistent on his client in terms of the manner in which the site may be developed, but that it would have an impact on the manner in which the site may be subdivided, and, subsequently, in selling parcels of the site.

Mr. Grant pointed out that this very issue was raised by Mr. Mitchell before Council in 1982 when the South End detailed area plan was brought before Council for approval. He then read a letter dated October 8, 1982 to Mr. Charles Mitchell from Simpson McLeod, Acting Planning Director. Mr. Grant advised that, at this time, Mr. Mitchell was informed that in staff's view this section was not applicable to the property in question and recommended that no action was necessary with respect to this submission. Mr. Grant suggested that Council's intention and staff's recommendation was clearly stated in 1982.

Ms. Beverly Miller, a resident of 6128 South Street, addressed Council and advised that, in her opinion, the defense on this proposed change to 44F of the Land Use Bylaw seems to focus on this particular piece of property and what it means in relation to this property. She noted that she hoped that Council, when considering this issue, would remember that an amendment to 44F of the Land Use Bylaw would not only change this piece of property but would result in a change for all R-3 pieces of property in the future.

Ms. Joanne Cook addressed Council and suggested that if Council approves this proposed amendment, it could lead to lot consolidations.

Mr. Hanusiak advised that, at the present time, this situation can occur and has existed since 1982. He indicated that the difficulty was that the lots could be consolidated and two buildings placed on the lot, but that they could not be registered as two separate properties. He

\* AMENDED PAGE \*

Public Hearings  
04 October 1989

added that a developer can consolidate and build two buildings and that they can exist on one lot but under present regulations they cannot be registered on two lots.

Mr. Hanusiak pointed out that 44F has no impact on development but that it has an impact on subdivision of lots. He also noted that the bylaw clearly exempts corner lots. On a final note, Mr. Hanusiak advised that it was staff's recommendation that if Council was going to allow development of this nature to proceed, then the lots should be allowed to be subdivided.

Mr. Hanusiak responded to further questions.

Mr. Evan Petley-Jones, a resident of 1047 Tower Road, addressed Council and suggested that his main concern regarding this proposed amendment was altering of the regulations that were implemented to specifically stop blockbusting. He suggested that it would be better to deal with this situation on an exceptional basis.

Mr. Graham Hicks, a resident of 5335 Young Street, addressed Council and advised that he agreed with staff's recommendation to amend Section 44F of the Land Use Bylaw (Peninsula).

There were no further persons wishing to speak on this matter.

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

\* The motion was put and passed.

The following correspondence opposing the proposed amendments was submitted:

04 October 1989, Ann and John Rapson, 5873 Inglis Street, Halifax, NS.

02 October 1989, Pauline Langille, 1066 Tower Road, Halifax, NS B3H 2Y5.

Public Hearings  
04 October 1989

29 September 1989, Joan I. Coolen, 1122 Lucknow Street, Halifax, NS B3H 2T6.

28 September 1989, Ian Muncaster, 1089 Tower Road, Halifax, NS B3H 2Y7.

02 October 1989, C. Abbott, 5845 Inglewood Drive, Halifax, NS B3H 1B2.

29 September 1989, David A. Murphy and Sonia Salisbury-Murphy, 1043 Tower Road, Halifax, NS B3H 2Y6.

01 October 1989, Nancy Bird and Robert Unger, 951 Lindola Place, Halifax, NS B3H 4M1.

28 September 1989, Mrs. Ann Muncaster, 1089 Tower Road, Halifax, NS B3H 2Y7.

03 October 1989, Sean Kelly, 5964 Spring Garden Road, Halifax, NS B3H 1Y7.

02 October 1989, T.M.F. Roberts, 5915 Inglis Street, Halifax, NS B3H 1K7.

01 October 1989, Anne West, 1161 South Park Street, Halifax, NS B3H 2W9.

02 October 1989, Louise M. Kimber, 6369 Coburg Road, Halifax, NS.

02 October 1989, Harold A. Renouf, 6369 Coburg R., Apt. 1605, Halifax, NS B3H 4J7.

02 October 1989, Eva and John Munro, 1502-6369 Coburg Rd., Halifax, NS B3H 4J7.

24 August 1989, F. V. W. Penick, McInnes Cooper & Robertson, 1601 Lower Water Street, Halifax, NS B3J 2V1.

29 August 1989, Ruth and Philip Jefferson, 1122 South Park St., Halifax, NS B3H 2W7.

12 September 1989, Bernadette Macdonald, 5732 Victoria Road, Halifax, NS B3H 1N2.

27 September 1989, Philip Jefferson, 1122 South Park St., Halifax, NS B3H 2W7.

28 September 1989, Pual Reynold, 5763 Inglis St., Halifax, NS B3H 1K5.

Public Hearings  
04 October 1989

26 September 1989, Evan Petley-Jones, 1047 Tower Road, Halifax, NS.

30 June 1989, Linda Publicover, 879 Bridges Street, Halifax, NS B3H 2Z6.

07 July 1989, Hilda and Allan Edwards, 1074 Wellington St. #203, Halifax, NS B3H 2Z8.

30 June 1989, Ward One Residents Association, Halifax, NS.

05 July 1989, Marie MacInnes, 867 Robie St., Halifax, NS.

24 July 1989, Carol Ann Lockhart and Robert Wolf, 5764 Atlantic Street, Halifax, NS B3H 1G9.

17 July 1989, Brian Molloy, 1325 Dresden Row, Halifax, NS.

12 June 1989, Sonia Salisbury, 1043 Tower Road, Halifax, NS B3H 2Y6.

29 September 1989, F. V. W. Penick, McInnes Cooper & Robertson, 1601 Lower Water Street, Halifax, NS B3J 2V1.

27 September 1989, Mrs. R. Sinclair, 5750 Inglis Street, Halifax, NS B3H 1K6.

02 October 1989, R. Nahrebecky, 1074 Wellington St., Apt. 501, Halifax, NS B3H 2Z8.

02 October 1989, Mr. & Mrs. Harold LeBlanc, 5851 Inglis Street, Halifax, NS.

03 October 1989, Layth Lorin Matthews, 1036 Bland St., Apt. 6, Halifax, NS B3H 2S8.

29 September 1989, Dr. Curtis A. Steele & Dr. Nancy Porter-Steele, 1110 Wellington Street, Halifax, NS B3H 2Z8.

02 October 1989, Gavin Giles, Murrant Brown, P. O. Box 2067, Halifax, NS B3J 2Z1.

The following correspondence was submitted in support of the proposed amendments:

29 September 1989, Ralston E. MacDonnell, 6049 Inglis Street, Halifax, NS.

Public Hearings  
04 October 1989

04 October 1989, D. Kevin Latimer, 1119 Tower Road,  
Apt. 502, Halifax, NS B3H 4H5.

27 September 1989, G. Phil Backman, 976 Greenwood  
Ave., Halifax, NS B3H 3K9.

02 October 1989, Krista and Chris Jangaard, 1083  
Wellington Street, Halifax, NS B3H 1A3.

29 September 1989, R. M. Rodriguez, 995 Mitchell  
Street, Halifax, NS B3H 2R7.

02 October 1989, Ann M. Billard, 30 Montgomery  
Court, Halifax, NS B3M 4G3.

01 October 1989, Rob Logan and Collena Zacharzuk-  
Logan, 976 Ivanhoe Street, Halifax, NS B3H 2X1.

27 September 1989, James A. Stairs, 5959 Spring  
Garden Road, Halifax, NS.

26 September 1989, Jean Addison, 6253 Oakland Road,  
Halifax, NS. B3H 1P4

28 September 1989, Peter W. Gurnham, 1034 Bellevue  
Avenue, Halifax, NS B3H 3L9.

25 July 1989, Winston P. Bradley, 5747 Atlantic  
Street Halifax, NS B3H 1H1.

07 September 1989, Terry Keyes, 581 Young Avenue,  
Halifax, NS.

08 September 1989, Donald F. Ripley, P. O. Box  
2539, Halifax, NS B3J 3N5.

08 September 1989, Barrie Romkey, Barrian  
Enterprises Limited and Developments Limited, 160 Thornhill  
Drive, Dartmouth NS B3B 1S3.

14 September 1989, Richard G. Bishop, 5770 Spring  
Garden Rd., Halifax, NS.

18 September 1989, George M. Mitchell, 860 Young  
Avenue, Halifax, NS B3H 2V7.

12 September 1989, J. Walter Thompson, 910 Ivanhoe  
Street, Halifax, NS.

15 September 1989, Mrs. Henry M. Romans, 5661 Point  
Pleasant Drive, Halifax, NS B3H 1B4.

Public Hearings  
04 October 1989

18 September 1989, Peter Kleronomos, 5692 Spring Garden Road, Halifax, NS B3J 1H5.

16 September 1989, F. J. Donahoe, 6307 Oakland Road, Halifax, NS B3H 1P4.

18 September 1989, J. David Mack, 1470 Summer Street, Suite 305, Halifax, NS B3H 3A3.

20 September 1989, Roy M. Campbell, 1326 Lower Water Street, Suite 418, Halifax, NS B3J 3R3.

21 September 1989, Claire Noftle, 23 Canary Crescent, Halifax, NS.

21 September 1989, R. Noftle, 23 Canary Crescent, Halifax, NS.

20 September 1989, Marjorie E. Gillis, 1017 Beaufort Avenue, Halifax, NS B3H 3Y1.

22 September 1989, T. K. Guildford, 5930 Rogers Drive, Halifax, NS B3H 1G1.

18 September 1989, Howard Moffatt, 961 Ivanhoe Street, Halifax, NS.

20 September 1989, H. E. Dickson, Apt. 302, 1470 Summer Street, Halifax, NS B3H 3A3.

25 September 1989, M. Heather Robertson, 5663 Inglis Street, Halifax, NS.

20 September 1989, H. R. Guildford, 922 Ivanhoe Street, Halifax, NS.

23 September 1989, John J. MacCormick, 1374 Robie Street, Halifax, NS.

20 September 1989, H. P. Dickson, Norgate Company Limited, 861 McLean Street, Halifax, NS B3H 2J9.

21 September 1989, Thomas C. Guy, 921 Tower Road, Halifax, NS B3H 2Y2.

15 September 1989, Greg Gallivan Harvey Street, Halifax, NS.

25 September 1989, Diet Mader, 7 McLennan Avenue, Halifax, NS B3P 2A5.

Public Hearings  
04 October 1989

24 September 1989, John Scribnaek, McLean Street,  
Halifax, NS.

25 September 1989, Walter M. Carmichael, 841  
Bridges Street, Halifax, NS B3H 2Z6.

24 September 1989, Mr. and Mrs. D. S. Armstrong,  
Apt. 602, 990 MacLean Street, Halifax, NS B3H 2V1.

25 September 1989, Harry Vineberg, 595 Young  
Avenue, Halifax, NS B3H 2V6.

26 September 1989, J. M. Smith, Halifax, NS.

22 September 1989, Steve Russo, 960 Bland Street,  
Halifax, NS B3H 2S5.

26 September 1989, Clare Lake, 3025 Olivet St. Apt.  
433 Halifax, NS B3L 4A2.

25 September 1989, John McElmon, 3260 Barrington  
Street, Suite 200, Richmond Place, Halifax, NS B3K 2X7.

20 September 1989, Daniel M. Campbell, 6064 Oakland  
Road, Halifax, NS B3H 1N8.

25 September 1989, Burton Howell, Halifax, NS.

26 September 1989, Leslie A. and Margaret M.  
Foster, 5883 Inglis Street, Halifax, NS B3H 1K7.

25 September 1989, Sandra LaRocque, 1041 Tower  
Road, Apt. 4, Halifax, NS B3H 2Y6.

26 September 1989, Robert J. Richardson, 588 Young  
Avenue, Halifax, NS B3H 2V6.

25 September 1989, R. D. MacDonald, 1793 Armview  
Terrace, Halifax, NS B3H 4H3.

20 September 1989, A. G. Grant, 1139 Wellington  
Street, Halifax, NS B3H 1A3.

27 September 1989, G. Phil Backman, 976 Greenwood  
Avenue, Halifax, NS B3H 3K9.

26 September 1989, Dr. Patrick E. Conen, 1188  
Wellington Street, Halifax, NS B3H 2Z8.

27 September 1989, M. H. Frank Harrington, FRAIC,  
5248 Morris Street, Halifax, NS B3J 1B4.



Public Hearings  
04 October 1989

26 September 1989, David C. Fennell, 5826 Pinehill Drive, Halifax, NS B3H 1E5.

28 September 1989, C. E. Caines, 981 Beaufort Avenue, Halifax, NS B3H 3X9.

26 September 1989, 7075 Bayers Rd., Halifax, NS.

28 September 1989, William A. Stewart, S.J., Jesuits of Halifax, 1061 Wellington Street, Halifax, NS B3H 3A1.

26 September 1989, W. B. Greenwood, 6361 Oakland Road, Halifax, NS B3H 1P5.

03 October 1989, Robert G. Grant, Stewart MacKeen & Covert, P. O. Box 997, Halifax, NS B3J 2X2.

02, October 1989, Lindita and Charles Walker, 909 Young Avenue, Halifax, NS B3H 2V9.

The following correspondence opposing the proposed amendment was submitted prior to the public hearing date being set:

13 June 1989, Isaac Chernin, 5670 Atlantic Street, Halifax, NS B3H 1G7.

25 June 1989, Ernest and Kathryn Plane, 1109 Wellington Street, Halifax NS.

16 June 1989, Liz Crocker, Halifax, NS.

05 June 1989, Dr. James A. Stewart, IWK Children's Hospital, 5850 University Avenue, Halifax, NS B3J 3G9.

06 June 1989, A. B. Bayers, 1618 Vernon Street, Halifax, NS B3H 3N1.

31 May 1989, Jolien Barresi, 1159 Wellington Street, Halifax, NS B3H 3A2.

31 May 1989, John Barresi, 1159 Wellington Street, Halifax, NS B3H 3A2.

05 June 1989, Harold Renouf, 6369 Coburg Road, Apt. 1605, Halifax, NS B3H 4J7.

30 May 1989, T. M. F. Roberts, 5915 Inglis Street, Halifax, NS B3H 1K7.

\* AMENDED PAGE \*

Public Hearings  
04 October 1989

24 May 1989, Anne Rapson, 5873 Inglis Street,  
Halifax, NS B3H 1K7.

19 May 1989, Ann Petley-Jones, 1047 Tower Road,  
Halifax, NS B3H 2Y6.

29 May 1989, Harold, Anne, and Andrew F. LeBlanc,  
Halifax, NS.

26 May 1989, Frederick A. J. Mathews, 5784 Tower  
Terrace, Halifax, NS B3H 1R5.

At 10:55 the meeting adjourned.

HIS WORSHIP MAYOR WALLACE  
DEPUTY MAYOR RICHARD GRANT

CHAIRMEN

/sm

HEADLINES FOR CITY COUNCIL MINUTES  
of 10/04/89

Bottle Exchange 3326 Dutch Village Road	.... 609
Public Hearing Re: Case 5784: Amendment to Height Precinct Map (AM-16) - Mitchell Property, Tower Road	.... 610
Public Hearing Re: Case No. 5840: Proposed Amendment to Section 44F of the Land Use Bylaw (Peninsula)	.... 618