

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

Council Chamber  
City Hall  
Halifax, Nova Scotia  
19 March 1990  
8:00 p.m.

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

**PRESENT:** His Worship Mayor Wallace, Chairman; Deputy Mayor Ducharme; and Aldermen D. Grant, Fitzgerald, Downey, Meagher, O'Malley, Pottie, R. Grant, Hanson, Jeffrey, Flynn, and Stone.

**ALSO PRESENT:** Mr. Donald F. Murphy, Q.C., Acting City Manager; Mr. Wayne Anstey, Q.C., Acting City Solicitor; City Clerk; and other members of City staff.

The meeting was called to order with members of Council joining in the recitation of the Lord's Prayer.

**Recognition - Jane MacLellan and Committee -  
World Figure Skating Championships**

His Worship Mayor Wallace recognized Jane MacLellan and her Committee on the World Figure Skating Championships and expressed, on behalf of members of City Council, appreciation for the tremendous effort of these volunteers and the outstanding success they achieved.

**MINUTES**

Minutes of the special meeting of Halifax City Council held on 21 February 1990 and of the regular meeting held on 1 March 1990 were approved on a motion by Alderman Fitzgerald, seconded by Alderman Downey.

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

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

- 2.1 Recognition - Jane MacLellan and Committee - World Figure Skating Championships
- 2.2 Proclamation - International Day for the elimination of Racial Discrimination - March 21, 1990

COUNCIL  
19 MARCH 1990

- 20.1 Case No. 4157: Development Agreement - 5750 Spring Garden Road
- 20.2 Design and Construction Agreement - Interchange to Service Bayers Lake Industrial Park
- 20.3 Extension for Setting the 1990 Tax Rate

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

- 20.4 Private Meetings of Council

MOVED by Alderman Fitzgerald, seconded by Alderman Meagher that the agenda, as amended, be approved.

Motion passed.

Proclamation - International Day for the Elimination of Racial Discrimination - 21 March 1990

His Worship Mayor Wallace informed members of City Council that March 21, 1990, has been proclaimed as the International Day for the Elimination of Racial Discrimination in Halifax.

DEFERRED ITEMS

Development Agreement - 6163 Lawrence Street

A public hearing on the above matter was held 7 February 1990.

A supplementary staff report dated 13 March 1990 was submitted.

MOVED by seconded by Alderman Meagher, seconded by Alderman Pottie that Council approve the application for a development agreement pursuant to Section 83 of the Land Use Bylaw for the property at 6163 Lawrence Street to allow a subdivision creating Lots 30A and 30B, as shown on survey Plan No. P200/17396 (attached to the supplementary staff report dated 13 March 1990), and allow the construction of a single family dwelling on Lot 30B in accordance with Plan No. P200/17397 with revisions, as shown on Plan No. P200/17695 (attached to the supplementary staff report dated 13 March 1990).

Motion passed with Alderman D. Grant abstaining due to nonattendance at the public hearing.

AMENDED

COUNCIL  
19 MARCH 1990

Case No. 5562: Development Agreement - 6205 Pepperell St.

This matter was deferred to this meeting from the last meeting of City Council held on 1 March 1990.

Alderman Fitzgerald addressed the matter and noted that it was his impression that a number of details i.e. hours, parking, etc., were yet to be worked out in the contract and, therefore, MOVED by Alderman Fitzgerald, seconded by Alderman Downey that this matter be deferred to the next regular Committee of the Whole Council meeting scheduled for Wednesday, 20 March 1990.

Motion passed.

Case No. 5766: Amendment to the MPS, 5481-85 Victoria Road

This matter was deferred to this meeting from the last meeting of City Council held on 1 March 1990.

MOVED by Alderman D. Grant, seconded by Alderman R. Grant that this matter be referred to the Planning Advisory Committee for a report.

Motion passed.

Case No. 5796: Development Agreement - Block C-1B, Agricola, Russell, and Macara Streets

This matter was deferred to this meeting from the last meeting of City Council held on 1 March 1990.

MOVED by Alderman O'Malley, seconded by Alderman Pottie that City Council authorize staff to issue any necessary permits to alter the size of the basement area for the new radio station (C.H.U.M) to be constructed at the corner of Russell and Agricola Streets, on the basis that no substantial change would result regarding the development agreement approved by City Council on 8 November 1989.

Motion passed.

Date for Halifax Natal Day - 1990

This matter was last discussed at a special meeting of City Council held on Wednesday, 7 March 1990.

Alderman R. Grant addressed the matter and advised that it was the wish and desire of the Halifax Natal Day Committee for Council to endorse Monday, 6 August 1990, as the date for the Civic Holiday for Natal Day. He explained

COUNCIL  
19 MARCH 1990

Case No. 5562: Development Agreement - 6205 Pepperell St.

This matter was deferred to this meeting from the last meeting of City Council held on 1 March 1990.

Alderman Fitzgerald addressed the matter and noted that it was his impression that a number of details i.e. hours, parking, etc., were yet to be worked out in the contract and, therefore, MOVED by Alderman Fitzgerald, seconded by Alderman Downey that this matter be deferred to the next regular Committee of the Whole Council meeting scheduled for Wednesday, \* 21 March 1990 \*.

Motion passed.

Case No. 5766: Amendment to the MPS, 5481-85 Victoria Road

This matter was deferred to this meeting from the last meeting of City Council held on 1 March 1990.

MOVED by Alderman D. Grant, seconded by Alderman R. Grant that this matter be referred to the Planning Advisory Committee for a report.

Motion passed.

Case No. 5796: Development Agreement - Block C-1B, Agricola, Russell, and Macara Streets

This matter was deferred to this meeting from the last meeting of City Council held on 1 March 1990.

MOVED by Alderman O'Malley, seconded by Alderman Pottie that City Council authorize staff to issue any necessary permits to alter the size of the basement area for the new radio station (C.H.U.M) to be constructed at the corner of Russell and Agricola Streets, on the basis that no substantial change would result regarding the development agreement approved by City Council on 8 November 1989.

Motion passed.

Date for Halifax Natal Day - 1990

This matter was last discussed at a special meeting of City Council held on Wednesday, 7 March 1990.

Alderman R. Grant addressed the matter and advised that it was the wish and desire of the Halifax Natal Day Committee for Council to endorse Monday, 6 August 1990, as the date for the Civic Holiday for Natal Day. He explained

COUNCIL  
19 MARCH 1990

that many businesses and persons have already prepared for August 6 as a holiday.

Alderman R. Grant noted that it was the intent of the Natal Day Committee to provide Council in October or November of this year with an assessment of all the events of the 1990 festival and to get a commitment from Council with respect to the dates for next year. The Alderman also noted that he had a 14 minute video highlighting some of the festival events which could be shown to Council at this time or at a future Committee of the Whole meeting.

A discussion followed with respect to the Sunday parade and with respect to a ten day festival.

Alderman Flynn expressed his opposition to holding the Natal Day Parade on a Sunday.

Deputy Mayor Ducharme also commented on the parade date expressing the concern that the parade was scheduled to take place ten days prior to the actual Natal Day holiday. She further noted that she could not support such a lengthy Natal Day Festival and suggested that reconsideration should be given to holding a ten day festival.

Alderman Fitzgerald reiterated the concern with respect to holding the parade ten days before the holiday and stretching the festival over ten days. He voiced his opinion that a ten day festival would be too costly and expressed the concern that Council has not been provided with a clear and precise plan for the event.

For clarification purposes, the Acting City Manager pointed out that Council had approved a resolution with respect to holding the Natal Day Parade on Sunday and had deferred a decision with respect to a date for the Natal Day civic holiday to this meeting. The Acting City Manager noted that it would appear, if Council approved the civic holiday for August 6, that approval is given to the ten day program. The Acting City Manager further noted that last year's Natal Day budget was increased from approximately \$120,000 to \$157,000 for this year. Mr. Murphy commented that roughly \$87,000 will be required for services to facilitate the ten day program i.e. approximately \$53,000 for police, \$26,000 for works, \$1250 for fire, and \$7200 for recreation activities.

MOVED by Alderman Flynn, seconded by Alderman Fitzgerald that this matter be deferred to a future Committee of the Whole Council meeting for a full report from the Acting City Manager and a presentation from the Halifax Natal Day Committee on the Festival and an explanation for holding a ten day Natal Day Festival.

Motion of deferral defeated.

COUNCIL  
19 MARCH 1990

After some further discussion, it was MOVED by Alderman R. Grant, seconded by Alderman Hanson that City Council declare Monday, 6 August 1990, as the date for the Civic Holiday for Halifax Natal Day.

Motion passed.

It was agreed that the video on the Natal Day Festival be presented to Council at the Committee of the Whole Council meeting scheduled for Wednesday, 4 April 1990 as well as a discussion on the Natal Day program.

**MOTIONS OF RECONSIDERATION**

**Motion Alderman Flynn Re: Reconsideration of City Council Resolutions of 1 March 1990 Re: 1990 Legislation - Decision on Public Meeting and Aldermanic Office**

A submission dated March 1990 from Allan O'Brien was received.

Alderman Flynn addressed the matter and referred to a number of editorials which have been printed with respect to the establishment of an autonomous Aldermen's Office since Council had dealt with the matter almost three weeks ago.

Referring to Mr. Allan O'Brien's submission, Alderman Flynn noted that Mr. O'Brien states that "elected and appointed people have different roles but they work together to manage the City's affairs. When they do, a level of trust and respect can develop ... the elected people can serve the public by making good use of their highly qualified staff instead of trying to get round them through an autonomous, collective aldermanic office with its own manager."

In view of the most recent editorials and the submission from Mr. O'Brien, it was MOVED by Alderman Flynn, seconded by Alderman Fitzgerald that Council reconsider its motion of March 1, 1990 on not to hold a public hearing on the Legislation change to the Administrative Order for the Establishment of an Autonomous Aldermanic Office.

The motion was put and lost with five (5) members of Council voting for it and seven (7) voting in opposition as follows:

**FOR:** Aldermen D. Grant, Fitzgerald, Pottie, Flynn, and Deputy Mayor Ducharme (5)

COUNCIL  
19 MARCH 1990

AGAINST: Aldermen Downey, Meagher, O'Malley, R. Grant,  
Hanson, Jeffrey, and Stone (7)

PUBLIC HEARINGS, HEARINGS, ETC

Heritage Hearing - 1641 Fairfield Road - St. Mary's Boat  
Club (Adjourned from City Council meeting of 17 Jan 1990)

A staff report dated 13 March 1990 was submitted.

A letter dated 14 March 1990 from the Archbishop  
of Halifax, James M. Hayes, was also submitted.

MOVED by Alderman Fitzgerald, seconded by Alderman  
Pottie that this matter be deferred pending further  
information.

Motion passed.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and  
Executive Committee meeting held on 7 March 1990 as follows:

Victims of Violence

A supplementary staff report dated 14 March 1990  
was submitted.

Alderman Pottie indicated that after speaking with  
Mr. Bert Dixon, Director, Victims of Violence, it was his  
understanding that the matter will be considered by the Tax  
and Grants Committee.

MOVED by Alderman Pottie, seconded by Deputy Mayor  
Ducharme that this matter be referred to the Tax and Grants  
Committee.

Alderman Meagher suggested that the documentation  
on this item be provided to the Director of Finance for  
consideration by the Tax and Grants Committee at their  
meeting scheduled for Friday, \* 23 March 1990 \*.

The motion was put and passed.

File #910097 - Stationery Systems Contracting for  
the City of Halifax and Halifax School Board

This matter is forwarded to Council without  
recommendation.

COUNCIL  
19 MARCH 1990

AGAINST: Aldermen Downey, Meagher, O'Malley, R. Grant,  
Hanson, Jeffrey, and Stone (7)

PUBLIC HEARINGS, HEARINGS, ETC

Heritage Hearing - 1641 Fairfield Road - St. Mary's Boat  
Club (Adjourned from City Council meeting of 17 Jan 1990)

A staff report dated 13 March 1990 was submitted.

A letter dated 14 March 1990 from the Archbishop  
of Halifax, James M. Hayes, was also submitted.

MOVED by Alderman Fitzgerald, seconded by Alderman  
Pottie that this matter be deferred pending further  
information.

Motion passed.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and  
Executive Committee meeting held on 7 March 1990 as follows:

Victims of Violence

A supplementary staff report dated 14 March 1990  
was submitted.

Alderman Pottie indicated that after speaking with  
Mr. Bert Dixon, Director, Victims of Violence, it was his  
understanding that the matter will be considered by the Tax  
and Grants Committee.

MOVED by Alderman Pottie, seconded by Deputy Mayor  
Ducharme that this matter be referred to the Tax and Grants  
Committee.

Alderman Meagher suggested that the documentation  
on this item be provided to the Director of Finance for  
consideration by the Tax and Grants Committee at their  
meeting scheduled for **Friday, 22 March 1990.**

The motion was put and passed.

File #910097 - Stationery Systems Contracting for  
the City of Halifax and Halifax School Board

This matter is forwarded to Council without  
recommendation.

AMENDED



COUNCIL  
19 MARCH 1990

Noting that some questions have arisen with respect to this tender, it was MOVED by Alderman R. Grant, seconded by Alderman Flynn that this matter be deferred.

Motion passed.

**Resolution - City of Montreal Re: Ban on Military or Para-Military Weapons on Canadian Soil**

This matter is forwarded to Council without recommendation.

MOVED by Deputy Mayor Ducharme, seconded by Alderman Fitzgerald that City Council concur with the resolution adopted in Montreal urging the Federal Government to enact measures that would prohibit civilians from having military and paramilitary weapons in Canada.

Motion passed.

**Resolution - City of Windsor, Ontario Re: Canadian Dollar, Automobile Industry and Incentives for Canadian Industry**

MOVED by Deputy Mayor Ducharme, seconded by Alderman Pottie that, as recommended by the Finance and Executive Committee, the above matter be tabled.

Motion passed.

**Haltrans Industries**

An information report dated 13 March 1990 was submitted.

MOVED by Alderman Fitzgerald, seconded by Alderman Downey that, the Director of the City's Social Planning Department, Mr. Crowell, monitor the situation and keep Council advised of any further developments with regard to the operation of Haltrans Industries.

Motion passed.

**Maintenance Agreement - RAPID (PRC Software & DEC Hardware Only)**

This matter was forwarded to Council without recommendation.

MOVED by Deputy Mayor Ducharme, seconded by Alderman Pottie that authority be granted to execute a contract for the maintenance services with PRC this year and in future at rates negotiated in conjunction with the company and other major municipalities operating these

COUNCIL  
19 MARCH 1990

systems, funds are provided for these services in Account 122504.B0143 titled RAPID Maintenance for 1990 and will be budgeted for these services in future, (the total payment is cost shared by other participants in the RAPID System on the basis of the formula previously established i.e. Halifax 63.5%, Dartmouth 31.6% and Bedford 4.9%), and Council authorize staff to enter into an agreement with PRC Limited for \$72,996.10 with 31.6% and 4.9% of this amount to be recovered from Dartmouth and Bedford respectively.

Alderman Pottie noted that he has been informed that this item has been budgeted for 1990.

The motion was put and passed.

Social Planning Office #2 - Lease Renewal  
(6061 Young Street)

This matter is forwarded to Council without recommendation, pending receipt of a supplementary staff report.

Staff reports dated 9 March and 11 March 1990 were submitted.

MOVED by Alderman Pottie, seconded by Alderman Fitzgerald that staff continue with the existing month-to-month lease arrangement at 6061 Young Street for the next two months or so, until staff has had a chance to respond with alternative proposals.

On the recommendation of the City Manager, Council agreed to discuss the matter with respect to alternative proposals at the Committee of the Whole Council meeting scheduled for **Wednesday, 4 April 1990**.

For clarification purposes, Alderman Flynn noted that it was his understanding that the School Board and the Social Planning Department were planning a meeting with the Recreation Department to discuss alternative proposals.

The motion was put and passed.

Price Agreement #910027 - Manhole Frames and Covers

MOVED by alderman Fitzgerald, seconded by alderman Hanson that, as recommended by the Finance and Executive Committee, authority be granted to purchase manhole frames and covers from L. E. Shaw Limited, the lowest bidder meeting specifications, on an as and when required basis, at the following rates:

Cover/Frame (5") - \$295.00  
Cover/Frame (7") - \$326.00

Motion passed.

North End Day Care

Alderman O'Malley addressed the matter and noted that, since the time she had raised this matter at the last meeting of the Finance Committee, the emergency funding has been received for the North End Day Care and, therefore, she noted that it was not necessary to proceed with her motion to forward a letter to the Minister of Community Services.

Acquisition - Parcels H-217 and H-217A  
(Lands Abutting Herring Cove Road)

This matter is forwarded to Council without recommendation.

MOVED by Alderman Hanson, seconded by Deputy Mayor Ducharme that an amount of \$1,000 for legal fees be added to the previous amount of \$14,700 authorized by Council for the purchase of Parcels H-217 and H-217A as identified on Plan No. TT-41-29942 (attached to the confidential supplementary staff report of 26 February 1990), from Commercial Developments (Maritimes) Limited, for a total sum of \$15,700 as settlement in full (funds to be made available from Account No. 226111 Z0330 CJ012 - the Herring Cove Road Widening Account).

Motion passed.

McCully House - Purchase and Sale Agreement

MOVED by alderman Downey, seconded by Alderman D. Grant that, as recommended by the Finance and Executive Committee, the amendments proposed to the McCully House purchase and sale agreement (pertaining in particular to the timing of payments), as put forward by Salter Street Films Limited and as contained in the staff report dated 23 February 1990, be approved.

Motion passed.

CN Railways - Letters to the Director of  
Engineering and Works

An information report dated 12 March 1990 was submitted.

MOVED by Alderman Jeffrey, seconded by Alderman Hanson that the Director of the Engineering and Works Department be requested to contact the Regional Director of CN Rail in Moncton with a request that CN fulfil their obligation as a good corporate citizen and continue to clear their sidewalks abutting their railway cut, as a normal

abutter is required to do, and be responsible for brush cutting, grass cutting, and removal of cut materials.

Motion passed.

**Selection of Consultant - City Manager**

Deputy Mayor Ducharme addressed the matter and indicated that she had some concern with respect to the Committee's recommendation which recommends that Council set a date by which time it will appoint a consultant with regard to the selection of a new City Manager. She expressed the concern that it could take until 1991 to select a new manager which could mean that the new Council would make the selection. The Deputy Mayor also expressed concern about advertising for a City Manager while Council is in a state of flux with respect to the operation of the Aldermanic Office.

MOVED by Deputy Mayor Ducharme, seconded by Alderman Flynn that Council defer the decision on setting a date for the selection of a consultant until Council meets to develop a process with respect to how Council is going to select a consultant and the duties of the consultant, and that an early meeting be arranged for this purpose.

MOVED by Alderman Meagher, seconded by Alderman Fitzgerald that this matter be deferred to the Committee of the Whole Council meeting scheduled for Wednesday, 21 March 1990.

Motion to defer was passed.

**Metropolitan Authority - Transit Funding Formula**

This matter is forwarded to Council without recommendation.

An information report dated 5 March 1990 was submitted.

Alderman Flynn asked that this item be added to the **Committee of the Whole Council agenda for Wednesday, 4 April 1990** or as soon staff can provide Council with a report showing what the conditions were when Council had passed the motion on the assessment formula as compared to the conditions which now exist, to which Council agreed.

Alderman Pottie indicated that he would like staff to provide an explanation with regard to the 19.2 percent increase from 1989 to 1990 in the metro transit bill. The Alderman also noted that he would like to have a list of the reductions in bus routes in the City of Halifax for 1990 as

COUNCIL  
19 MARCH 1990

compared to 1989 when the City was paying 19 percent less for transit services.

10:35 p.m. - His Worship Mayor Wallace retires from the meeting with Deputy Mayor Ducharme assuming the Chair.

2548 Sherwood Street

MOVED by Alderman Flynn, seconded by Alderman Fitzgerald that, as recommended by the Finance and Executive Committee, that the City Solicitor be authorized to undertake legal action against the owner of Civic Number 2548 Sherwood Street, Halifax, Nova Scotia, to ensure compliance with the Nova Scotia Planning Act, City of Halifax Land Use Bylaw, the Nova Scotia Building Code Act, and City of Halifax Ordinance 131.

Motion passed.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on Wednesday, 7 March 1990, as follows:

Award of Tender #90-14: Rosemeade Avenue  
- S/W Renewal, Sewer Renewal and Paving Renewal

MOVED by Alderman O'Malley, seconded by Alderman Jeffrey that, as recommended by the Committee on Works, Tender #90-14 (pertaining to the sidewalk, sewer and paving renewal of Rosemeade Avenue) be awarded to Seaport Contractors for the project, materials and services listed and the unit prices quoted, a tender price of \$279,811.00, and a total cost of \$336,000.00.

The motion was put and passed.

Signage - Capital Projects

MOVED by Alderman Richard Grant, seconded by Alderman Stone that, as recommended by the Committee on Works, the signage for major new capital projects in the City of Halifax display the City's contribution and, where applicable, the contribution from other cost-sharing agencies.

The motion was put and passed.

Winter Parking Ban

MOVED by Alderman Fitzgerald, seconded by Alderman Downey that, as recommended by the Committee on Works, this matter be referred to the Snow Committee for review and recommendation.

The motion was put and passed.

Tender #89-178(R): One 1990 4x4 Truck with Plow and Crane

MOVED by Alderman Pottie, seconded by Alderman Flynn that, as recommended by the Committee on Works, authority be granted to purchase under Tender #89-178(R) one 1990 4x4 truck with plow and crane from MacLellan Lincoln Mercury Sales for a tender price of \$30,012.00 (funds to be made available from Account Number 126104.X1710 entitled "Motor Equipment Fixed Assets - Works Vehicles").

The motion was put and passed.

Returnable Bottles

MOVED by Alderman Meagher, seconded by Alderman Fitzgerald that, as recommended by the Committee on Works, a response with regard to the proposed regulations relevant to the Litter Abatement Act (previously adopted by the Province of Nova Scotia) be prepared by the Solid Waste Management Advisory Committee in conjunction with the Committee on Recycling for submission to the appropriate Provincial department; and further, that comments also be forwarded to the Province by His Worship the Mayor on behalf of Halifax City Council.

In putting forward this motion, Alderman Meagher asked that the matter be retained on future agendas of Committee of the Whole Council, and that, if possible, the Committee be provided with an update on the recycling issue during its meeting **scheduled for WEDNESDAY, 4 APRIL 1990.**

The motion was put and passed.

COUNCIL  
19 MARCH 1990

REPORT - COMMITTEE OF THE WHOLE COUNCIL,  
BOARDS AND COMMISSIONS

Motion Alderman Flynn Re: Amendment to  
Ordinance 149, The Petty Trades Ordinance  
- SECOND READING

This matter had been given First Reading during a regular meeting of Halifax City Council held on Thursday, 15 February 1990 and had been considered during a regular meeting of the Finance and Executive Committee held on Wednesday, 7 March 1990.

MOVED by Alderman Flynn, seconded by Alderman Pottie that City Council give **SECOND READING** to the amendment to Ordinance No. 149, the Petty Trades Ordinance (attached as Appendix "A" to the staff report dated 22 January 1990) to permit the Police Department to take a set penalty in payment of a ticket in lieu of prosecution of infractions of this Bylaw, where the issuing officer has identified the ticket as appropriate for payment in this way.

The motion was put and passed.

Report - Election Procedures Committee Re:  
Advanced Poll Days and Election Office Space

A report, dated 28 February 1990, was submitted from Alderman Richard Grant, Chairman of the Election Procedures Committee.

MOVED by Alderman Richard Grant, seconded by Alderman Downey that, as recommended by the Election Procedures Committee:

1. a letter be forwarded on behalf of Halifax City Council to the Union of Nova Scotia Municipalities and to the Provincial Department of Municipal Affairs requesting that cities in Nova Scotia be given the option under the Municipal Elections Act of increasing the number of advance poll days in addition to those provided for in the Act;
2. the space consisting of the two office spaces to the south of the Grand Parade entrance on the main floor of City Hall, traditionally used for election purposes, be designated for the administration of the 1990 Special Election and of the 1991 Election, following which the space can revert back to its present use as meeting room space.

COUNCIL  
19 MARCH 1990

On another but related matter, Alderman Grant also noted that the Elections Procedures Committee will be meeting shortly to consider the date of the 1990 Special Election and the appointment of a Returning Officer. He indicated that a recommendation on these matters will hopefully be available for Council's consideration at its 29 March meeting.

Alderman Flynn expressed concern that a use for the space in question might already have been designated, and urged that the Elections Procedures Committee discuss the matter with the City Manager so that, if necessary, other arrangements for the Election Office can be made either in City Hall or in an adjacent area.

The motion was put and passed.

9:50 p.m. - His Worship Mayor Wallace returns to the meeting, with Deputy Mayor Ducharme assuming her usual seat on Council.

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on Wednesday, 7 March 1990, as follows:

Case No. 6033: 12 and 14 Vimy Avenue  
- Rezoning from R-2 to R-2AM

Deputy Mayor Ducharme addressed this matter, observing that, in her opinion, Council could be perceived to have acted unjustly if it decided to prevent the properties at 12 and 14 Vimy Avenue from being rezoned to R-2AM.

It was therefore moved by Deputy Mayor Ducharme, seconded by Alderman Flynn that staff be requested to prepare a Plan amendment to accommodate the request put forward by Mr. and Mrs. Arthur Blumsum for consideration by Council, and that that Plan amendment also be forwarded to the Planning Advisory Committee for review and recommendation.

Alderman Jeffrey expressed his opposition to the motion, emphasizing the efforts of area residents to prevent the intrusion of any additional apartment buildings into their neighborhood.

Concurring with Alderman Jeffrey's remarks, Alderman Pottie emphasized that Council had only recently



COUNCIL  
19 MARCH 1990

made a motion to preclude further R-2AM rezonings, and that, in his opinion, to reopen the matter would only be futile.

After some discussion, the motion was put and resulted in a tie vote. His Worship Mayor Wallace broke the tie, by voting in favor of the motion, emphasizing that the request was merely for a staff report on the matter.

The Acting City Manager asked (and it was so agreed) that staff also be authorized to include in its report a summary of the situation as it presently exists, together with its recommendations vis a vis the suggested Plan amendment.

Report from PAC: Amendments to Section 1(ff), Peninsula Portion, and Section 2(tt) of the Mainland Portion - Land Use Bylaw

This matter had been forwarded to Council without recommendation.

MOVED by Alderman Fitzgerald, seconded by Alderman Meagher that, as recommended by the Planning Advisory Committee, City Council:

- 1) refuse the application to amend the Land Use Bylaw to add "psychologist" to Section 1(ff) of the Peninsula portion and 2(tt) of the Mainland portion of the Land Use Bylaw; and
- 2) set a date for a public hearing to amend the Land Use Bylaw to repeal the "office of a professional person" as a permitted use in the R-1 and H Zones, and adding "home occupation" as a permitted use in the H Zone.

The motion was put and passed.

The City Clerk advised that the requested public hearing would be scheduled for **WEDNESDAY, 18 APRIL 1990** at 7:30 p.m. in the Council Chamber, Halifax City Hall.

**Case No. 5902: Development Agreement -  
5657 North Street - SET DATE FOR PUBLIC HEARING**

MOVED by Alderman Downey, seconded by Alderman Meagher that, as recommended by the City Planning Committee, Council schedule a date for a public hearing to consider the proposed development agreement with Moisson Investments Limited to permit use of 5657 North Street for any of the

following uses: art gallery, artists' studios, auditorium, church, cinematographic studio, or dwelling units.

The motion was put and passed.

The City Clerk advised that the requested public hearing would be scheduled for **WEDNESDAY, 18 APRIL 1990** at 7:30 p.m. in the Council Chamber, Halifax City Hall.

**Report from PAC Re: Proposed Amendments to the Municipal Development Plan, Peninsula Centre Plan, and Land Use Bylaw Re:**

- (a) Police Club Property (6680 South Street)
- (b) Policy 1.8
- (c) Policy 8.2.3

**- SET DATE FOR PUBLIC HEARING**

MOVED by Alderman Deborah Grant, seconded by Alderman O'Malley that, as recommended by the City Planning Committee:

- 1) the Municipal Development Plan and Land Use Bylaw be amended to allow single-family development by right on the Police Club property;
- 2) the Municipal Development Plan be amended to exclude the ability to consider townhousing by agreement in the Northwest Arm Sub-Area (as shown in Appendix IV of the 14 February staff report); and that
- 3) no steps be taken to acquire or otherwise secure the Police Club property for only recreation use.

The motion was put and passed.

With reference to Sections (1) and (2) of the above motion, the City Clerk advised that the necessary public hearing would be scheduled for **WEDNESDAY, 18 APRIL 1990** at 7:30 p.m. in the Council Chamber, Halifax City Hall.

#### Front Yard Parking in Residential Areas

MOVED by Alderman Deborah Grant, seconded by Alderman Meagher that, as recommended by the City Planning Committee, a special meeting of Committee of the Whole Council be scheduled (subsequent to the completion of the 1990 budget review) to receive a staff presentation on this matter; and further, that, in the interim, the matter be referred to the Planning Advisory Committee for review and recommendation.

In seconding this motion, Alderman Meagher expressed concern regarding the number of cars being parked

COUNCIL  
19 MARCH 1990

on front lawns throughout the City and urged that this matter be dealt with as quickly as possible. He also stated that, in his opinion, the report previously received from staff of the Development and Planning Department does not consider the widespread use of smaller car models, but noted that he would address this concern in greater detail at the forthcoming meeting.

The motion was put and passed.

Driveway - 2515 Beech Street

This matter had been forwarded to Council without recommendation.

Alderman Meagher expressed the opinion that this matter should be dealt with in conjunction with the overall problem of front yard parking in residential areas.

It was therefore agreed that this matter be deferred to a special meeting of Committee of the Whole Council (to be scheduled subsequent to the completion of the 1990 budget review) at which time it will be included with the discussion of "Front Yard Parking in Residential Areas."

MOTIONS

Motion Alderman Jeffrey Re: Ordinance 116,  
the Taxi Ordinance (Limousines) - FIRST READING

Notice of Motion with regard to this matter had been given by Alderman Jeffrey during a regular meeting of Halifax City Council held on Thursday, 14 December 1989.

A report, dated 15 February 1990, from Alderman Tom Jeffrey, Chairman of the Halifax Taxi Commission, was submitted.

MOVED by Alderman Jeffrey, seconded by Alderman Richard Grant that Council give FIRST READING to amendments proposed for Ordinance 116, the Taxi Ordinance, intended to incorporate the regulation of limousine services (as described in Appendix "B" of the 15 February report submitted from the Halifax Taxi Commission); and further, that the amendments, as proposed, be forwarded to the next regular meeting of Committee of the Whole Council (scheduled for Wednesday, 21 March 1990) for consideration and report.

Alderman Richard Grant made reference to Section 2(h)(b) of the proposed amendments (i.e., "Definitions"), and asked for clarification from the Taxi Commission as to

why air conditioning has not been proposed as a requirement for limousine vehicles.

The motion was put and passed.

**MISCELLANEOUS BUSINESS**

**Resignation - Alderman Deborah Grant (Ward One)**

Correspondence, dated 1 March 1990, was received from Alderman Deborah Grant, Ward One.

MOVED by Alderman Flynn, seconded by Alderman Stone that Alderman Deborah Grant's letter of resignation as an Alderman of the City of Halifax be officially accepted by Halifax City Council.

The motion was put and passed.

**Appointments**

A memorandum, dated 15 March 1990, was submitted from His Worship Mayor Ron Wallace.

MOVED by Alderman Flynn, seconded by Alderman Meagher that the following appointments be approved by Halifax City Council:

**Heritage Advisory Committee**

Ms. Joan Malay  
(Term to expire 31 January 1992)

**Downtown Halifax BIDC**

Mr. Craig Sievert  
(Term to expire 31 January 1992)

**Advisory Committee on Concerns of Ageing**

Ms. Jean MacPherson, representing the  
Council of Churches)  
(Term to expire 31 January 1992)

**Planning Advisory Committee**

Alderman Graham Downey

COUNCIL  
19 MARCH 1990

why air conditioning has not been proposed as a requirement for limousine vehicles.

The motion was put and passed.

**MISCELLANEOUS BUSINESS**

**Resignation - Alderman Deborah Grant (Ward One)**

Correspondence, dated 1 March 1990, was received from Alderman Deborah Grant, Ward One.

MOVED by Alderman Flynn, seconded by Alderman Stone that Alderman Deborah Grant's letter of resignation as an Alderman of the City of Halifax be officially accepted by Halifax City Council.

The motion was put and passed.

**Appointments**

A memorandum, dated 15 March 1990, was submitted from His Worship Mayor Ron Wallace.

MOVED by Alderman Flynn, seconded by Alderman Meagher that the following appointments be approved by Halifax City Council:

**Heritage Advisory Committee**

Ms. Joan Malay  
(Term to expire 31 January 1992)

**Downtown Halifax BIDC**

Mr. Craig Sievert  
(Term to expire 31 January 1992)

**Advisory Committee on Concerns of Ageing**

Ms. Jean MacPherson, representing the  
Council of Churches)  
(Term to expire 31 January 1992)

**Planning Advisory Committee**

Alderman Graham Downey

COUNCIL  
19 MARCH 1990

Alderman Pat Pottie  
(Terms to expire when City Council deals  
with the PAC Review Committee report)

The motion was put and passed.

Location for Public Meeting - Store Hours

This matter was last discussed during a regular meeting of Halifax City Council held on 1 March 1990.

A report, dated 14 March 1990, was submitted from the City Clerk.

A discussion ensued with Alderman Flynn suggesting (and it being subsequently agreed) that the advertisement pertaining to this public meeting also make mention that Council will consider presentations with regard to the timing of Sunday store hours (that is, whether stores should be permitted to open, for example, between 9:00 a.m. - 9:00 p.m.).

Concerns were also raised with regard to the suitability of the Council Chamber as the site of this public meeting. Several members of Council (and Aldermen Pottie and Fitzgerald in particular) expressed the opinion that the City Hall facilities would be overly small for the number of people that can be expected to attend.

It was subsequently agreed that the City Clerk be instructed to investigate the availability of other meeting places, such as a high school auditorium or a church hall, and, in particular, those with access for the handicapped and adequate parking.

QUESTIONS

Question Alderman Jeffrey Re: Expropriation of  
Property on Dutch Village Road

Alderman Jeffrey made reference to an Information Report, dated 2 March 1990 and submitted from Mr. Wayne Anstey, Acting City Solicitor, which outlined the City's recent difficulty in obtaining an appraisal of the property in question.

After some discussion and questioning of Mr. Anstey, Alderman Jeffrey urged that the approach referred to in the Information Report as the "second option" be undertaken as quickly as possible so that the matter can be resolved in a timely fashion.

**Question Alderman Jeffrey Re:**  
**Dismissal of City of Halifax Employee**

Alderman Jeffrey observed that in December 1989 an employee of the City Field Division was dismissed owing to an altercation with his supervisor. The Alderman expressed concern that while the matter had later been referred to arbitration, several months have now gone by without a decision being reached. He therefore asked for information from staff as to why this matter has not yet been resolved.

**Question Alderman Richard Grant Re:**  
**Grade Reduction (Carnation Crescent and Leiblin Drive)**

Alderman Richard Grant made reference to the recent deaths of several teenagers as a result of "airplaning" their van on Leiblin Drive. He expressed concern that, because of the steep inclines which characterize several of the roadways in this area, motorists are indulging more and more frequently in this kind of hazardous driving. Alderman Grant therefore requested information from staff as to whether anything could be done as a short-term measure to reduce the grades on both Carnation Crescent and Leiblin Drive.

**Question Alderman Richard Grant Re:**  
**Expropriation of Property - Herring Cove Road**

Alderman Richard Grant brought to Council's attention that, under the provisions of the Mainland South Secondary Planning Strategy, efforts were to be made by the City to acquire lands abutting the McIntosh Run (for recreational purposes) if they at any time became available. The Alderman made reference to recent acquisitions by the City of lands adjacent to the Herring Cove Road, emphasizing that, in his opinion, efforts could have simultaneously been made to acquire an access from Herring Cove Road to B.C. Silver Junior High and to Pinegrove.

Alderman Grant therefore asked for information from staff of the City's Real Estate Division as to whether such potential for land acquisition did, in fact, exist, and if so, why the matter was not pursued.

**Question Alderman Richard Grant Re:**  
**Flooding - Corner of Vernon Street and Jubilee Road**

Alderman Richard Grant made reference to a flooding problem at the corner of Vernon Street and Jubilee Road which would appear to have arisen only after some playground equipment was installed on a nearby property owned by the Halifax District School Board but used by the

COUNCIL  
19 MARCH 1990

City's Recreation Department. The Alderman asked for information from staff as to whom would be liable for damages in this instance.

Question Alderman Stone Re: Blue Mountain Quarry

Alderman Stone referred to concerns expressed at previous Council meetings on behalf of the residents of Ward 12 with regard to the Blue Mountain Quarry, and observed that the Town of Bedford, the County of Halifax, and area residents have all made submissions concerning this project.

The Alderman further noted that it is his understanding that 2 April has been set as the deadline for submissions. Under the circumstances, therefore, he requested that staff circulate any available information they might have on this project to members of Council so that, in turn, direction can be given to staff with regard to an appropriate submission on the City's behalf.

Question Alderman O'Malley Re: Winter Parking Ban

With reference to a question from Alderman O'Malley, Alderman Downey advised that the winter parking ban now in effect will be lifted on 31 March.

Question Alderman O'Malley Re: Farmers Market

Alderman O'Malley made reference to a report recently received concerning a new location for the Farmers Market which indicated that there would appear to a difference of opinion as to whether the Market should be moved to the Halifax Forum or remain at the Brewery.

On the recommendation of His Worship the Mayor, Alderman O'Malley asked that the matter be added to the agenda of the next regular meeting of Committee of the Whole Council **scheduled for 21 March 1990.**

Question Alderman O'Malley Re:  
Halifax Taxi Commission

Alderman O'Malley asked for information from the Halifax Taxi Commission with regard to their Driver Education Course, particularly with regard to the number of applicants who have written the exams and the number who have passed.



COUNCIL  
19 MARCH 1990

City's Recreation Department. The Alderman asked for information from staff as to whom would be liable for damages in this instance.

**Question Alderman Stone Re: Blue Mountain Quarry**

Alderman Stone referred to concerns expressed at previous Council meetings on behalf of the residents of Ward 12 with regard to the Blue Mountain Quarry, and observed that the Town of Bedford, the County of Halifax, and area residents have all made submissions concerning this project.

The Alderman further noted that it is his understanding that 2 April has been set as the deadline for submissions. Under the circumstances, therefore, he requested that staff circulate any available information they might have on this project to members of Council so that, in turn, direction can be given to staff with regard to an appropriate submission on the City's behalf.

**Question Alderman O'Malley Re: Winter Parking Ban**

With reference to a question from Alderman O'Malley, Alderman Downey advised that the winter parking ban now in effect will be lifted on 31 March.

**Question Alderman O'Malley Re: Farmers Market**

Alderman O'Malley made reference to a report recently received concerning a new location for the Farmers Market which indicated that there would appear to a difference of opinion as to whether the Market should be moved to the Halifax Forum or remain at the Brewery.

On the recommendation of His Worship the Mayor, Alderman O'Malley asked that the matter be added to the agenda of the next regular meeting of Committee of the Whole Council **scheduled for 21 March 1990.**

**Question Alderman O'Malley Re:  
Halifax Taxi Commission**

Alderman O'Malley asked for information from the Halifax Taxi Commission with regard to their Driver Education Course, particularly with regard to the number of applicants who have written the exams and the number who have passed.

**Question Alderman Downey Re:**  
**VON Service - Sunrise Manor**

Alderman Downey brought to Council's attention the concerns being expressed by residents of Sunrise Manor with regard to the possible cessation of VON services to the complex owing to a lack of funds. The Alderman therefore asked that the matter be placed on the agenda of the next regularly meeting of the Tax Concessions and Grants Committee (**scheduled for Friday, 23 March**), and that Mr. B. G. Smith, the City's Director of Finance, be prepared to offer his recommendations at that time.

**Question Alderman Downey Re: Potholes**

Alderman Downey expressed concern that the condition of the City's streets (particularly with regard to potholes) was in some respects worse than usual this Spring. He therefore asked that every effort be made to have repair crews assigned to this work as quickly as possible.

**Question Alderman Pottie Re: Recent Provincial  
Announcement - Sunday Store Hours**

Responding to a question from Alderman Pottie, Mr. Wayne Anstey, Acting City Solicitor, indicated that efforts would be made as soon as possible to provide members of Council with whatever information is available with regard to the recent announcement by the Provincial Attorney General's Office on the matter of Sunday store hours.

**Question Deputy Mayor Ducharme Re:**  
**Snow Removal From Sidewalks**

Deputy Mayor Ducharme made reference to a question raised during the 15 February meeting of City Council as to whether the fines for failure to adhere to the City's snow removal regulations could be graduated according to the size of the property abutting the sidewalk. The Deputy Mayor indicated that she had received a reply from the Chief of Police who had suggested that this proposal should be more appropriately pursued through the City Solicitor's Department.

Under the circumstances, therefore, Deputy Mayor Ducharme asked that the Legal Department be requested to consider amendments to Ordinance 180 which would address this problem.

**Question Deputy Mayor Ducharme Re: "No Smoking"  
Signs - Halifax Taxi Vehicles**

---

Deputy Mayor Ducharme indicated that she had received a call from a local taxi driver who had been ordered to remove a "No Smoking" sign from his vehicle by members of the Halifax Police Department. The Deputy Mayor observed that, in her opinion, the taxi driver has every right to restrict his vehicle to non-smoking passengers, and asked for comments in this regard from the Halifax Taxi Commission and from the Halifax Police Department.

**Question Alderman Meagher Re: Negotiations  
- Provincial Rental of the Halifax Civic Hospital Facility**

---

Responding to a question from Alderman Meagher, Mr. Wayne Anstey, Acting City Solicitor, advised that a meeting between City staff and representatives of the Halifax Civic Hospital will be held on 20 March in order to formulate their position in terms of the forthcoming negotiations with the Province.

Alderman Meagher expressed concern that the suggested \$5,000 monthly rental fee will also pertain to the use of the furniture and equipment owned by the Hospital and asked that this point be particularly addressed during the negotiations.

**Question Alderman Fitzgerald Re:  
Budgetary Information**

---

Alderman Fitzgerald expressed concern that Council has been unable to continue its deliberations concerning the City's 1990 budget owing to the lack of information from the Province concerning social assistance and education funding.

With reference to the Alderman's comments, His Worship Mayor Wallace advised that his office had been in contact with Provincial representatives who had suggested to him that the information required by the City of Halifax would be forthcoming within the next several days. His Worship emphasized, however, that there is no guarantee that the information would be received within that timeframe.

**Question Alderman Fitzgerald Re:  
Tax-Free Properties**

---

Alderman Fitzgerald made reference to the various tax-free properties within the City, and asked for estimates from staff as to what it would cost to supply those buildings with "services to property;" e.g., sidewalks, police and fire services, snow removal, and general repairs.

COUNCIL  
19 MARCH 1990

In putting forward this request, the Alderman emphasized that the properties to which he was referring do not include those for which the City receives a grant in lieu of taxes, but only those which pay no municipal taxes whatsoever.

**Question Alderman Hanson Re:**  
**Sewer Development Charge for Auxiliary Buildings**

Alderman Hanson asked for information from staff as to why a property owner would be required by the City to pay a sewer development charge relevant to the construction of an auxiliary building such as a garage.

The Acting City Manager advised that, theoretically, the charge is intended to offset the increases in water runoff from the property.

**Question Alderman Flynn Re: Provincial Funding**

Responding to a question from Alderman Flynn, His Worship Mayor Wallace advised that information from the Province is expected later this week with regard to its funding formulas for the 1990 fiscal year.

Alderman Flynn expressed concern that this information has not yet been made available, emphasizing that the Halifax School Board, in particular, has been severely hampered in the preparation of its budget owing to the fact it cannot reasonably estimate what its total revenue will be.

**NOTICES OF MOTION**

**Notice of Motion Alderman Flynn Re: Proposed Amendments  
to Ordinance Number 130, Respecting Electrical Wiring  
and the Use of Electrical Energy**

Alderman Flynn gave Notice of Motion that at the next regular meeting of Halifax City Council, **scheduled for Thursday, 29 March 1990**, he proposes to introduce various amendments to Ordinance Number 130, Respecting Electrical Wiring and the Use of Electrical Energy, the purpose of which is to adopt the 1990 edition of the Canadian Electrical Code.

**Notice of Motion Alderman Flynn Re:**  
**Halifax Natal Day Parade Date (1990)**

Alderman Flynn gave Notice of Motion that at the next regular meeting of Halifax City Council **to be held on Thursday, 29 March 1990** he intends to introduce a motion to rescind the motion, made during a special meeting of City Council held on Wednesday, 7 March 1990, pertaining to the date of the 1990 Halifax Natal Day Parade (namely, Sunday, 29 July).

**Notice of Motion Deputy Mayor Ducharme Re:**  
**Proposed Amendments to the Provincial Motor Vehicle Act**

Deputy Mayor Ducharme gave Notice of Motion that at the next regular meeting of Halifax City Council **to be held on Thursday, 29 March 1990** she intends to introduce a motion that Halifax City Council request the Province to (1) amend the Motor Vehicle Act in order to increase the minimum fine for trucks using non-truck routes; and (2) introduce the use of prohibitive signs for trucks on residential streets with traffic volumes of more than 5,000 per day.

The Deputy Mayor indicated that the purpose of this motion is to introduce more realistic fines designed to preserve the residential nature of certain streets.

**ADDED ITEMS**

**Case No. 4157: Development Agreement**  
**- 5750 Spring Garden Road**

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

A staff report, dated 12 March 1990, was submitted.

MOVED by Alderman Downey, seconded by Alderman Jeffrey that City Council authorize staff to issue the necessary permits to allow the re-use of the commercial space at 5750 Spring Garden Road as a "mens and ladies clothing store and tailor shop."

The motion was put and passed.

**Design and Construction Agreement -**  
**Interchange to Service Bayers Lake Industrial Park**

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

COUNCIL  
19 MARCH 1990

A staff report, dated 12 March 1990, was submitted.

MOVED by Alderman Richard Grant, seconded by Alderman Jeffrey that:

- 1) Council authorize the Mayor and City Clerk to sign the Agreement attached to the staff report of 12 March 1990 for the construction of a Connector Road from Lacewood Interchange to Chain Lake Drive Extension (funding to be authorized from Capital Account ZZ006); and
- 2) Council authorize, in conjunction with the Halifax Industrial Commission, cost-sharing for the oversizing of Chain Lake Drive Extension with Clayton Developments Limited, at an estimated cost of \$250,000.00 (funds to be made available from Capital Account ZZ006).

The motion was put and passed.

**Extension for Setting the 1990 Tax Rate**

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

A staff report, dated 19 March 1990, was submitted.

MOVED by Alderman Jeffrey, seconded by Deputy Mayor Ducharme that Council approve a resolution which requests the Minister of Municipal Affairs to seek, on behalf of the City of Halifax, an Order-in-Council extending the time within which the City may establish a tax rate for the 1990 year to 12 April 1990, in accordance with Section 189 and 594 of Chapter 52 of the Statutes of Nova Scotia, 1963, the Halifax City Charter.

The motion was put and passed.

**Private Meetings - Halifax City Council (Alderman Flynn)**

This matter was added to the agenda at the request of Alderman Flynn who requested a report (to be discussed at a future meeting of Committee of the Whole Council) from the City Solicitor's Department as to when it is appropriate for Council to meet in private.

COUNCIL  
19 MARCH 1990

There being no further business to be discussed,  
the meeting was adjourned at approximately 10:50 p.m.

HIS WORSHIP MAYOR RON WALLACE  
AND  
DEPUTY MAYOR MOIRA DUCHARME  
CHAIRMEN

mmd\*K

EDWARD A. KERR  
CITY CLERK

HEADLINES FOR CITY COUNCIL MINUTES  
of 03/19/90

Recognition - Jane MacLellan and Committee - World Figure Skating Championships	....169
MINUTES	....169
APPROVAL OF ORDER OF BUSINESS	....169
DEFERRED ITEMS	
Development Agreement - 6163 Lawrence Street	....170
Date for Halifax Natal Day	....170
Case No. 5796: Development Agreement - Block C-1B, Agricola Russell, and Macara Streets	....170
Case No. 5766: Amendment to the MPS, 5481-85 Victoria Road	....170
Case No. 5562: Development Agreement - 6205 Pepperell St.	....170
MOTIONS OF RECONSIDERATION	
Motion Alderman Flynn Re: Reconsideration of Council Res. of 1 March 1990: 1990 Legislation - Decision on P.H.	....170
PUBLIC HEARINGS, HEARINGS, ETC	
Heritage Hearing - 1641 Fairfield Road - St. Mary's Boat Club (Adj. from City Council meeting of 17 Jan 1990)	....174
REPORT - FINANCE AND EXEC COMM	
Request - Victims of Violence	....174
File 910097 - Stationery Systems Contracting for the City of Halifax and Halifax School Board	....174
Resolution - City of Montreal Re: Ban on Military or Para-Military Weapons on Canadian Soil	....175
Resolution - City of Windsor, Ontario Re: Canadian Dollar, Automobile Industry & Incentives for Canadian Industry	....175
Haltrans Industries	....175
Maintenance Agreement - RAPID (PRC Software and DEC Hardware Only)	....175
Social Planning Office 2 - Lease Renewal (6061 Young Street)	....176
Price Agreement 910027 - Manhole Frames and Covers	....176
McCully House - Purchase and Sale Agreement	....177
CN Railways - Letters to the Director of Engineering and Works	....177
North End Day Care	....177
Acquisition - Parcels H-217 and H-217A (Lands Abutting	



HEADLINES FOR CITY COUNCIL MINUTES  
of 03/19/90

Herring Cove)	....177
Selection of Consultant - City Manager	....178
Metropolitan Authority - Transit Funding Formula	....178
2548 Sherwood Street	....179
Question Alderman Downey Re: Potholes	....190
 REPORT - COMMITTEE ON WORKS	
Signage - Capital Projects	....179
Award of Tender 90-14 Rosemeade Avenue - S/W Renewal, Sewer Renewal, and Paving Renewal	....179
Returnable Bottles	....180
Winter Parking Ban	....180
Tender 89-178(R): One 4X4 Truck with Plow and Crane	....180
 REP.- COMM. OF WHOLE COUNCIL	
Report - Election Procedure Committee Re: Advanced Poll Days and Election Office Space	....181
Motion Alderman Flynn Re: Amendment to Ordinance No. 149, The Petty Trade Ordinance - SECOND READING	....181
 REPORT - CITY PLANNING COMM.	
Case No. 5902: Development Agreement - 5657 North Street SET DATE FOR PUBLIC HEARING	....182
Case No. 6033: 12 & 14 Vimy Avenue - Rezoning from R-2 & R-2AM	....182
Report from PAC: Amendments to Section 1(ff), Peninsula Portion, and Section 2(tt) of the Mainland Portion LUB Front Yard Parking in Residential Areas	....184
Report from PAC: Proposed Amendments to the Municipal Development Plan, Peninsula Centre Plan, and Land Use Bylaw....	184
Driveway - 2515 Beech Street	....185
 MOTIONS	
Motion Alderman Jeffrey Re: Ordinance 116, The Taxi Ordinance - FIRST READING	....185
 MISCELLANEOUS BUSINESS	
Resignation - Alderman Deborah Grant - Ward 1	....186
Appointments	....186
Location for Public Meeting - Store Hours	....187

HEADLINES FOR CITY COUNCIL MINUTES  
of 03/19/90

QUESTIONS

Question Alderman Jeffrey Re: Expropriation of Property on Dutch Village Road	....187
Question Alderman Jeffrey Re: Dismissal of City of Halifax Employee	....188
Question Alderman R. Grant Re: Expropriation of Property - Herring Cove Road	....188
Question Alderman R. Grant Re: Flooding - Corner of Vernon Street and Jubilee Road	....188
Question Alderman Richard Grant Re: Grade Reduction (Carnation Crescent and Leiblin Drive)	....188
Question Alderman Stone Re: Blue Mountain Quarry	....189
Question Alderman O'Malley Re: Winter Parking Ban	....189
Question Alderman O'Malley Re: Farmers Market	....189
Question Alderman O'Malley Re: Halifax Taxi Commission	....189
Question Alderman Downey Re: VON Service - Sunrise Manor	....190
Question Alderman Pottie Re: Recent Provincial Announcement - Sunday Store Hours	....190
Question Deputy Mayor Ducharme Re: Snow Removal From Sidewalks	....190
Question Deputy Mayor Ducharme Re: "No Smoking" Signs - Halifax Taxi Vehicles	....191
Question Alderman Fitzgerald Re: Tax-Free Properties	....191
Question Alderman Meagher Re: Negotiations - Provincial Rental of the Halifax Civic Hospital Facility	....191
Question Alderman Fitzgerald Re: Budgetary Information	....191
Question Alderman Hanson Re: Sewer Development Charge for Auxiliary Buildings	....192
Question Alderman Flynn Re: Provincial Funding	....192

NOTICE OF MOTIONS

Notice of Motion Alderman Flynn Re: Proposed Amendments to Ord 130, Re Electrical Wiring and Use of Electrical Energy	....192
Notice of Motion Alderman Flynn Re: Halifax Natal Day Parade Date (1990)	....193
Notice of Motion Deputy Mayor Ducharme Re: Proposed Amendments to the Provincial Motor Vehicle Act	....193

ADDED ITEMS

Design and Construction Agreement - Interchange to Service Bayers Lake Industrial Park	....193
Case No. 4157: Development Agreement - 5750 Spring Garden Rd	....193
Private Meetings - Halifax City Council (Alderman Flynn)	....194
Extension for Setting the 1990 Tax Rate	....194

**SPECIAL COUNCIL  
PUBLIC HEARINGS  
MINUTES**

Council Chamber  
Halifax City Hall  
Halifax, NS  
21 March 1990  
7:30 p.m.

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

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

**PRESENT:** Deputy Mayor M. Ducharme, Chairman; Alderman Fitzgerald, Alderman Downey, Alderman Meagher, Alderman O'Malley, Alderman Pottie, Alderman Hanson, Alderman Flynn, and Alderman Stone.

**ALSO PRESENT:** Beatrice M. Renton, representing the City Solicitor; City Clerk, and other members of City staff.

At the request of the City Clerk, the following item regarding Award of Tender #90-70, Duke Street Outfall Extension was added to the agenda:

**Award of Tender #90-70, Duke Street Outfall Extension**

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

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

- a. City Council award tender #90-70 Duke Street Outfall Extension to Dominion Diving Ltd., for the bid price of \$554,609.00 and at quoted unit prices for materials and labor;
- b. Council approve the appointment of CBLC Ltd. to provide site supervision and inspection during construction at an estimated cost in an amount of \$40,000; and
- c. Council authorize funds for payment for this project from Capital Account #DD030, at a total project cost of \$665,500.00.

Motion carried.

**SPECIAL COUNCIL  
PUBLIC HEARINGS  
MINUTES**

Council Chamber  
Halifax City Hall  
Halifax, NS  
21 March 1990  
7:30 p.m.

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

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

**PRESENT:** Deputy Mayor M. Ducharme, Chairman; Alderman Fitzgerald, Alderman Downey, Alderman Meagher, Alderman O'Malley, Alderman Pottie, Alderman Hanson, Alderman Flynn, and Alderman Stone.

**ALSO PRESENT:** Beatrice M. Renton, representing the City Solicitor; City Clerk, and other members of City staff.

At the request of the City Clerk, the following item regarding Award of Tender #90-70, Duke Street Outfall Extension was added to the agenda:

**Award of Tender #90-70, Duke Street Outfall Extension**

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

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

- a. City Council award tender #90-70 Duke Street Outfall Extension to Dominion Diving Ltd., for the bid price of \$554,609.00 and at quoted unit prices for materials and labor;
- b. Council approve the appointment of CBLC Ltd. to provide site supervision and inspection during construction at an estimated cost in an amount of \$40,000; and
- c. Council authorize funds for payment for this project from Capital Account #DD030, at a total project cost of \$665,500.00.

Motion carried.

Public Hearings  
21 March 1990

Council then continued with the regularly scheduled items on the agenda as follows:

Public Hearing Re: Case No. 6017: 4 Pioneer Avenue Minor Variance Appeal

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

A staff report, dated 5 February 1990, was submitted.

Mr. Paul Dunphy, Planner, addressed Council and, using diagrams, outlined the reasons why the application for a minor variance of the front yard requirements for the property located at 4 Pioneer Avenue was refused.

Mr. Dunphy responded to questions from Council.

Mrs. Celia Britt, a resident of 12 Forest Hill Drive, addressed Council and advised that she was speaking on behalf of the applicant, Mr. N. Ryles.

Mrs. Britt advised that when Mr. Ryles hired an independent contractor to replace the porch on his property, he was not aware that a permit from the City was required and, therefore, the application should not be refused on the basis of intentional disregard for the Land Use Bylaw. She pointed out that the main reason Mr. Ryles replaced his porch was to provide a safe outside access to the cellar of his house since there was no inside access to the cellar. Mrs. Britt also noted that, during the construction of the porch, no objections were raised by the neighbours, and she added that, to date, Mr. Ryles has not received any complaints regarding the porch.

A resident of the area in question addressed Council and spoke in favour of the applicant's request for a minor variance. He expressed concern that he was not aware that a permit was required for the type of property improvements discussed at this hearing, and he suggested that many property owners would also be unaware of this requirement.

Alderman Fitzgerald addressed the matter and suggested that it may be beneficial for the Planning Department to periodically put notices in the newspaper informing the general public to check with the City before proceeding with property improvements in the event that a permit may have to be issued.

Mr. Rod Beaton, a resident of 21 Foresthill Drive, addressed Council and indicated that he supported the applicant's request for a minor variance.

Public Hearings  
21 March 1990

There were no further persons wishing to address Council on this matter.

MOVED by Alderman Stone, seconded by Alderman Pottie that the decision of the Development Officer to refuse a minor variance at 4 Pioneer Avenue be overturned and the appeal be granted.

Motion carried.

Public Hearing Re: Case No. 6016: 12 Foresthill Drive Minor Variance Appeal

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

A staff report, dated 1 February 1990, was submitted.

Mr. Paul Dunphy, Planner, addressed Council and, using diagrams, outlined the reasons why the application for a minor variance of the yard requirements of the Land Use Bylaw for the property located at 12 Foresthill Drive was refused.

Mr. Dunphy responded to questions from Council.

Mrs. Celia Britt, the applicant, addressed Council and advised that the deck in question was not constructed with intentional disregard of City regulations, but rather, it was done out of ignorance of the requirement for a permit. Mrs. Britt pointed out that the deck was rebuilt in order to make it more secure and enhance the utility of the house, and that she complied with the City when they requested her to cease construction. She pointed out that there were no objections from the neighbours now or during the time the deck was constructed.

Mrs. Britt responded to questions from Council.

A resident of the area addressed Council and indicated that he supported the applicant's request for a minor variance. He pointed out that, like the applicant, he was also not aware that a permit from the City was necessary for these type of property repairs.

Mr. Rod Beaton, a resident of 21 Forest Hill Drive, addressed Council and indicated his support for the applicant's request for a minor variance.

There were no further persons wishing to address Council on this matter.

Public Hearings  
21 March 1990

MOVE by Alderman Stone, seconded by Alderman Pottie that the decision of the Development Officer to refuse a minor variance at 12 Forest Hill Drive be overturned and that the appeal be granted.

Motion carried.

Public Hearing Re: Case No. 6008: Development Agreement - 3182 Agricola Street

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

Mr. Paul Dunphy, Planner, addressed Council and, using diagrams, outlined the application by Mr. Robert W. Carmichael for a development agreement at 3182 Agricola Street. Mr. Dunphy advised that the applicant was proposing to convert a two storey, single-unit dwelling to a two-unit duplex and that the conversion involves a two storey expansion at the rear of the house. He added that staff was recommending refusal of this application, and he then outlined staff's reasons for refusal (as illustrated in the staff report of 19 December 1989).

Mr. Dunphy advised that the applicant has indicated that he would like to construct an addition to the building, and at some time in the future, convert it to a duplex. He suggested that if Council grants approval of this application tonight, the conversion to a duplex and construction of an addition could take place immediately.

Mr. Dunphy suggested that if Council liked the proposal for a single-family addition but not the duplex conversion, then this application should be refused and staff could deal with the single-family addition through the minor variance process. He added that if Council opposes the duplex conversion, notwithstanding the single family addition, then application has to be refused.

Mr. Robert W. Carmichael, the applicant, addressed Council and, referring to his submission, dated 19 March 1990, outlined his reasons why the application should be approved. He advised that it was his view that the renovations to the building would not be justifiable and that he would not get his return on his investment if the house was to remain a single-family dwelling.

Mr. Carmichael indicated that although his immediate intention was to use the property as a single-family dwelling, he intended to convert the building to two units at some point in the future. He advised that if Council did not approve the conversion to a duplex, then he would not proceed with the expenditure of the expansion. He added that he would not proceed with the expansion unless he

Public Hearings  
21 March 1990

had the assurance that at some time in the future he would be permitted to convert the building into two units.

Mr. Carmichael suggested that his request would result in an appropriate development for the area and that it would add to the value of the neighbourhood and would not adversely affect the character of the neighbourhood. He added that, upon questioning most of the neighbours, they appear to be in support of his request.

In summary, Mr. Carmichael advised that, in his opinion, his situation was unique and Council needn't be overly concerned about setting a future precedent in the area. He added that, in order to develop the building appropriately, he needs the ability to convert it to two units in the future.

Mr. Carmichael responded to questions from Council.

There were no further persons wishing to address Council on this matter.

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

Motion carried.

**Public Hearing Re: Case No. 5822: Chebucto/North/Elm:  
Future Land Use Designation**

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

Bianca Bielski, Planner, addressed Council and, using diagrams, outlined the proposed amendment to the Generalized Future Land Use Map in the area of North and Elm Streets along Chebucto Road (as illustrated in the staff reports dated 03 January 1990 and 28 November 1990).

Ms. Bielski advised that the reason for the proposed amendments as recommended by the Planning Advisory Committee was to establish a Commercial land use designation which coincides with the existing Commercial uses and zoning.

Mr. Gary Craig, a resident of Beech Street addressed Council and requested clarification regarding the Commercial zoning of the proposed amendment.

Ms. Beleski responded to Mr. Craig's request.



Public Hearings  
21 March 1990

Mr. Norval Collins, Chairman of the Community Planning Association, addressed Council and indicated his support for the proposed amendments. He noted that, in his opinion, this appears to be a very significant step in the completion of one of the major programs by the City of Halifax. On a final note, Mr. Collins advised that he supports the proposed amendment but disagree's with the comment that they are necessary housekeeping amendments.

Mr. Alan Hayman, solicitor, addressed Council and advised that his client, Atlantic Land Dealers, were concerned with the proposed amendment because of the effect it will have, if approved, on their property along the north side of North Street and Chebucto Road. He added that the amendment proposes that this area be rezoned to R-2 and that would impede his client's ability to redevelop their properties. Mr. Hayman advised that he was proposing, as a compromise, that the areas owned by his clients be rezoned R-3.

Using photographs and maps of the area in question, Mr. Hayman outlined the reasons why his clients object to the proposed amendment. He pointed out that downzoning their properties would have a negative financial impact on his clients, noting that it would result in a reduction of the property land value and it would limit the type of redevelopment. Mr. Hayman, referring to his photographs of several properties on the north side of North Street and Chebucto Road suggested that much of the residential development in the area was very dilapidated and should be redeveloped.

Mr. Hayman advised that if the area was rezoned to R-2, then it would not be financially feasible for his clients to redevelop the area as low density housing, and therefore, he was suggesting that the area be rezoned to R-3, thus, enabling the development of small apartment buildings of four storeys or less. On another note, Mr. Hayman pointed out that Chebucto Road had one of the busiest intersections in the City and was, itself, one of the busiest streets. He added that many of the buildings in this area extend to the sidewalks resulting in poor visibility for automobile drivers. Mr. Hayman indicated that redevelopment of this area would enable new properties to be set back properly from the sidewalk.

Mr. Hayman advised that he had sent a letter to the residents of the North Street and Chebucto Road Area informing them that he would be recommending to Council that the lands of Atlantic Land Dealers in this area be considered for an R-3 use and urged the residents to contact him if they did not support the idea of the lands being zoned R-2 or if they had an alternate suggestion ( a copy of this letter, dated March 20, 1990, was submitted and can

Public Hearings  
21 March 1990

be found in the official file of this meeting). Mr. Hayman noted that he received two telephone calls, one from Scott Digdon, a resident of 6446 Seaforth Street and one from Graham Reid, a resident of 2586 Beech Street. He added that both were in support of his recommendation and that Mr. Reid had suggested that the areas be zoned Commercial as City staff originally recommended.

In summary Mr. Hayman advised that to rezone his client's properties to R-3, Council must first reject the proposed plan as it relates to land on the north side of Chebucto and North Street. He noted that this would allow the local landowners to meet with their Alderman to form a strategy to develop the lands in an R-3 zone. Mr. Hayman indicated that although he realizes that Council could not rezone the lands to R-3 until a further public hearing was held on the matter, he advised that he was informed that it may be possible for Council to approve part of a plan and suggested, therefore, that Council could approve the south side of Chebucto Road and North Street and not approve the north side.

Mr. Robert Grant, Solicitor for Pat King Group Ltd., addressed Council and indicated that his concerns were with respect to three properties in the area in question owned by his clients.

Mr. Grant advised that the properties owned by Pat King were an insurance office at 2585 Beech Street, a real estate office at 6466-70 Chebucto Road, and a residential property (rental accommodation) at 6456-58 Chebucto Road. He advised that under the proposed amendment, the residential property would remain residential and this is in opposition to the future plans his client has for the property. Mr. Grant noted that the residential property has been an expense for his client to maintain and in order to make the property financially viable they had planned to turn the property into a commercial use. Mr. Grant noted that the rental accommodation, which is currently zoned R-2, is designated as commercial on the Generalized Future Land Use Map. He added that the proposed modifications to the future land-use designation would change the future land-use designation for this property from commercial to residential.

Mr. Grant advised that his second reason for opposing the proposed amendment was that the proposed amendment was in opposition to the intent of the Municipal Planning Strategy. He noted that under the policies of the Municipal Planning Strategy, his Clients properties on Chebucto Road should be designated as minor commercial uses.

Mr. Grant pointed out that his third reason for opposing was that, in his opinion, the proposed change in designation on the Generalize Future Land Use Map doesn't

Public Hearings  
21 March 1990

make sense from a land use planning perspective. He noted that Chebucto Road was a very busy street, and therefore, properties facing Chebucto Road would be inappropriate for residential development.

In summary, Mr. Grant advised that he was requesting that Council refuse to change the Generalized Future Land Use Map as it applies to his clients property to designate it residential and retain it as commercial use on the Generalized Future Land Use Map. He advised that he was proposing that his client retain the existing zone of C-1 for the insurance office, downzone the real estate office from C-2A to a C-1 use, and upgrade the R-2 residential building to a C-1 use.

Mr. Grant advised that his client has commissioned Mr. Dan Goodspeed, an architect, to prepare plans with respect to his client's future intentions of the three lots in the event that the rezoning application was granted. He then requested that Mr. Goodspeed to come forward to make a brief submission to Council regarding these plans.

A discussion ensued regarding Mr. Goodspeed's presentation, and the Chairman pointed out that it would not be an appropriate time for such a presentation because it pertained to another public hearing and members of the general public were not informed of Mr. Goodspeed's intention to address Council. It was also noted that an item relating to the subject referred to by Mr. Grant had been deferred from today's earlier meeting of the City Planning Committee as a result of the public hearing held on the subject of the Future Land Use Designation for the Chebucto, North, and Elm Street areas.

It was agreed that the appropriate time for Mr. Goodspeed to address Council on this matter would be at the Public Hearing dealing with Pat King's proposal to develop the site.

Mr. Grant responded to this and advised that he objected to the Chairman's ruling. He advised that, in his opinion, by refusing his request to hear future plans with respect to this property, Council could not make a fully informed decision with respect to the appropriate future land-use designation for this site without having before it all information respecting his client's plans for the site. He suggested that Council was denying natural justice for his client at this public hearing.

Mr. Patrick Connors, a resident of 2569 Oxford Street addressed Council and suggested that Council would be wise to listen to its staff who have listened to the residents concerns on this matter. He added that the residents of the area in question desire the slowdown of commercial development in a residential area. He requested

Public Hearings  
21 March 1990

Council's refusal on any request for changing the area to multiple use.

Mr. Murray Langille, a resident of 6477 Seaforth Street addressed Council and advised that he had been a resident of the area for approximately 40 years. Mr. Langille expressed concern that rezoning the area in question would result in more traffic problems for the area. Referring to the letter Mr. Hayman circulated in the area, Mr. Langille suggested that he or other residents of the area did not have sufficient time to respond to Mr. Hayman. Mr. Langille advised that he support the rezoning of the Chebucto Road area to R-2.

Mr. John Wright, a resident of Seaforth Street addressed Council and advised that he supported the restricting of the spread of commercial development as is proposed before Council tonight. He expressed concern about an increase in traffic and indicated that he opposed any change which would add to the current traffic flow of Chebucto Road and North Street.

There were no further persons wishing to address Council on this matter.

The following correspondence was submitted:

A letter dated March 23, 1990, opposing the proposed the proposed modifications to the future land use designation, from Mr. Robert G. Grant, Stewart, MacKeen & Covert, Barristers and Solicitors.

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

Motion carried.

**Public Hearing Re: Case No. 5829: Proposed Amendments to the Municipal Planning Strategy and the Land Use Bylaw (Peninsula Area) for the South End and Peninsula Centre Areas**

---

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

At 10:00 p.m. Alderman Flynn retired from the meeting.

Mr. Stephen Feist, Planner II, addressed Council and, using diagrams, outlined the request to rezone an area between South Bland Street and Young Avenue, from R-2A (General Residential Conversion and Townhouse) Zone to R-2

Public Hearings  
21 March 1990

(General Residential) Zone (as illustrated in the supplementary staff report, dated 5 January 1990).

He advised that the staff recommendation was that the medium-density residential designation and R-2A zoning for the area between South Bland Street and Young Avenue be maintained. He added that the recommendation was based on the city-wide policy that the South End area plan encourage infill and redevelopment along the Peninsula. Mr. Feist then referred to the 5 January 1990 staff report and indicated that option 3 of the report is being considered tonight.

Mr. Archie Kaiser, a resident of 5543 Atlantic Street addressed Council and advised that he was representing his neighbours as well as himself at this hearing and was requesting Council's support on this matter.

Mr. Kaiser indicated that he supported the downzoning of the R-2 designation in this area. He suggested that if Council approved the R-2 designation, it would ensure that the neighbourhood would maintain its primarily single-family residential atmosphere. He suggested that if the area remains R-2A, then this would discourage single family residential investors to enter the area and it would promote the construction of dwellings which would be incompatible with the area.

Mr. Kaiser pointed out that residents of other areas of the City, when seeking protection of their neighbourhoods, have been granted similar requests.

Mr. Kaiser then read and submitted a letter from Mr. George A. Chisholm, a resident of the area in question, supporting the proposal.

Judy Wells, a resident of 934 McLean Street, addressed Council and indicated that she supported the petition to rezone the area from R-2A to R-2. Ms. Wells advised that she has lived in the same house for 30 years and would like to remain there but is concerned about the property value of her home and the quality of the neighbourhood if the medium-density residential development, which is currently permitted, continues.

Ms. Wells then presented a video of the area in question illustrating various residential developments and the concerns of several of the residents of the area regarding medium-density residential zoning in the area.

Ms. Sandra Foley, a resident of 933 McLean Street addressed Council and indicated her support for rezoning the area in question to R-2 from R-2A. She advised that, recently, in her neighbourhood single-family homes have been converted to apartments and that, currently, there were six

Public Hearings  
21 March 1990

single-family homes in the area for sale. She expressed concern that homes in the area will continue to be sold and converted to apartments.

Ms. Anna Robaczewski, a resident of 918 McLean Street, addressed Council, read and submitted a report supporting the residents request to rezone the area to R-2 (a copy of this submission may be found in the official file of this meeting).

In her submission, Ms. Robaczewski suggested that R-2A development was not compatible with the mainly single family residential atmosphere of the neighbourhood and she advised that there would be development potential under R-2 zoning which would be more appropriate and maintain the area as a stable community.

Mr. Chris Murphy, a resident of the area in question addressed Council and indicated his support for the rezoning.

Mr. Michael Sherar, a resident of 948 Brussels Street, addressed Council and advised that most of the buildings were built approximately 50 years ago. He added that the very central part of the area in question is covered by restrictive covenant and that the deeds of these properties restrict them to the development of a single or duplex type of construction. Mr. Sherar suggested that by Council approving the proposed rezoning, then the downzoning would be compatible with the restrictive covenant which have been in existence in the area for approximately 50 years.

There were no further person's wishing to address Council on this matter.

The following correspondence was submitted:

A letter in support of the rezoning dated March 20, 1990 from Linda English, Vice-President, Lamplight Housing Co-operative, and Mary Reardon, President, Lamplight Housing Co-operative, P. O. Box 844 Station M, Halifax, NS B3J 2V2.

A letter in support of the rezoning, dated March 19, 1990, from Heather and Bob Hayes 913 Brussels Street, Halifax, NS.

A letter in support of the rezoning, received in the City Clerk's Office March 21, 1990, from Judith Purcell, Linda English, Cheryl Ann Dolan, 920 South Bland Street, Apts. 1 and 2, Halifax, NS, B3H 2S5.

A letter in support of the rezoning, dated February 6, 1990, from Mrs. L. A. Ginsburg, 980 McLean Street, Halifax, NS, B3H 2V1.

Public Hearings  
21 March 1990

A letter in support of the rezoning, dated March 20, 1990, from Debora Pollock Post, 5650 Atlantic Street, Halifax, NS, B3H 1G7.

A letter opposing the rezoning dated March 20, 1990, from Ms. Joy M. Hanlon, 5537 Atlantic Street, Halifax, NS, B3H 1G6.

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

Motion carried.

There being no further business to discuss, the meeting adjourned at 10:45 p.m.

DEPUTY MAYOR M. DUCHARME  
CHAIRMAN

/sm

HEADLINES FOR CITY COUNCIL MINUTES  
of 03/21/90

PAGE 1

Award of Tender #90-70, Duke Street Outfall Extension	....199
Public Hearing Re: Case No. 6017: 4 Pioneer Avenue Minor Variance Appeal	....200
Public Hearing Re: Case No. 6061: 12 Foresthill Drive Minor Variance Appeal	....201
Public Hearing Re: Case No. 6008: Development Agreement - 3082 Agricola Street	....202
Public Hearing Re: Case No. 5822: Chebucto/North/Elm: Future Land Use Designation	....203
Public Hearing Re: Case No. 5829: Proposed Amendments to the MPS and the LUB (Peninsula Area) for South End & Pen. Area	....207