

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

Council Chamber
City Hall
Halifax, Nova Scotia
29 March 1990
8:00 P. M.

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

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

ALSO PRESENT: Mr. D. 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 and those present in the public gallery joining His Worship the Mayor in the recitation of the Lord's Prayer.

MINUTES

Minutes of the special meeting of Halifax City Council held on Wednesday, 7 March and of a regular meeting held on Monday, 19 March 1990 were approved on a motion by Alderman Downey, seconded by Alderman Fitzgerald.

Alderman Richard Grant made reference to the Minutes previously distributed for the **1 March** regular meeting of City Council, and in particular to that item dealing with the 1990 Legislation (pp. 151-156). The Alderman emphasized the importance of the matter under debate at that time, and asked that the City Clerk be requested to amend the Minutes to include the arguments put forward by all members of Council who had spoken on the issue to which Council agreed.

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

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

20.1 Victims of Violence

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20.1 Victims of Violence

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

20.2 Appointment of City Manager

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

20.3 Corrections Canada

20.4 Metropolitan Authority -
Assessment Formula

At the request of Alderman Richard Grant, Council
agreed to delete:

10.6 Selection of Consultant - City Manager

The agenda, as amended, was approved on a motion
by Alderman Flynn, seconded by Deputy Mayor Ducharme.

**Special Presentation: Cst. Darrell Lysens, Halifax Police
Department Re: "Taxis on Patrol" Program**

Alderman Jeffrey introduced Cst. Darrell Lysens of
the Halifax Police Department who provided members of
Council with a brief overview of the "Taxis on Patrol"
program now underway in the City of Halifax. In his
remarks, Cst. Lysens emphasized that the almost 1,000
licensed taxi operators are making a valuable contribution
toward making the Halifax community a better place to live
through their participation in this program, and urged
members of Council to give the TOP project their utmost
support.

ADDED ITEMS

Appointment of City Manager

At Alderman Hanson's request, it was agreed that
the above matter would be dealt with at this time.

MOVED by Alderman Richard Grant, seconded by
Alderman Fitzgerald that Mr. Donald F. Murphy, Q.C., be
appointed City Manager for the City of Halifax for a period
of two years, and at that time the Council of the day review
the situation.

The motion was put and passed unanimously.

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His Worship Mayor Wallace offered his congratulations to the new City Manager, emphasizing that he and the other members of City Council are looking forward to working with Mr. Murphy for the overall good of the City.

Mr. Murphy addressed Council, indicating that he was accepting his appointment to City Manager with a sense of honor and pride, particularly since he had been born in Halifax and has spent most of life in this City. Mr. Murphy went on to note that, having worked in the City administration for over 32 years, he was particularly familiar with its problems. In this same context, he assured Council and all the citizens of Halifax that, in his opinion, the necessary tools (particularly with regard to manpower) are available to deal with the crises presently facing the City, and that Halifax will continue to be "the greatest little city in North America".

DEFERRED ITEM

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

This matter was deferred from a regular meeting of Halifax City Council held on Monday, 19 March 1990.

A supplementary staff report, dated 15 March 1990, was submitted.

MOVED by Alderman Richard Grant, seconded by Alderman Stone that authority be granted to award the stationery requirements (as noted in File #910097) on a systems contract basis to the lowest bidder, N. S. Stationers, 3695 Barrington Street, Halifax, Nova Scotia.

The motion was put and passed.

8:40 p.m. - Alderman Jeffrey retires from the meeting.

Case No. 6008: Lot Modification Agreement -
3182 Agricola Street

A public hearing to consider this matter had been held on Wednesday, 21 March 1990.

Alderman O'Malley reminded Council that the owner of the property in question is seeking permission to add a two-storey extension at the rear of his building in order to accommodate his present family. In addition, permission is being sought to convert the structure to a duplex (at some

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point in the future) in order that the applicant will be able to realize some return in terms of resale value on the expenses he will incur relevant to this extension.

Alderman O'Malley quoted from Section 15 of the Land Use Bylaw, and noted that, in her opinion, the proposed conversion would be consistent with the general character of the neighborhood, particularly since the immediate properties both to the north and to the south consist of multiple units. The Alderman also noted that the applicant has secured the signatures of all his neighbors, indicating that they are not in opposition to his proposal.

Alderman O'Malley went on to point out that at the present time the building in question consists only of 1 1/2 storeys, unlike the two-storey dwellings which are characteristic of the surrounding area. She added that the owner is proposing to add two bedrooms upstairs plus additional living space downstairs to produce a nine-room house appropriate for conversion into a duplex dwelling.

It was subsequently moved by Alderman O'Malley, seconded by Alderman Meagher that Council approve the application for a development agreement to permit a two-unit structure at 3182 Agricola Street.

The City Clerk advised that Alderman Richard Grant had been absent from the 21 March public hearing.

The motion was put and passed with Alderman Richard Grant abstaining.

Alderman R. Grant temporarily left the meeting.

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

A public hearing to consider this matter had been held on Wednesday, 21 March 1990.

Correspondence was submitted from Norval Collins and Joanne Cook representing the Community Planning Association, together with a CPAC press release, both dated 27 March 1990.

MOVED by Alderman Meagher, seconded by Alderman O'Malley that the Generalized Future Land Use Map be amended in the area of North and Elm Streets along Chebucto Road, as specified in Appendices I and II of the staff report, dated 3 January 1990.

In putting forward this motion, Alderman Meagher submitted a petition (signed by approximately 85

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individuals) advocating that the present zoning of the area be retained and that the Generalized Future Land Use Map be amended to reflect this zoning designation.

In his subsequent remarks, Alderman Meagher noted that he is in opposition to the proposal to rezone this area to R-3, primarily because, in his opinion, it will afford the neighborhood a minimum amount of protection in the years to come. The Alderman pointed out that many of the lots along Chebucto Road are extraordinarily deep, and added that should R-3 development be permitted, it would cause particular problems for the properties located along the south side of Seaforth Street. Alderman Meagher also quoted from Policies 2.2, 2.3.2, 2.4 and 2.4.1 of the Municipal Planning Strategy, and emphasized that the houses "of another generation" which line this portion of Chebucto Road must be preserved and maintained for the overall good of the neighborhood.

Noting that the area in question is well over 100 years old, Alderman Meagher suggested that it be considered for preservation by the City as a heritage streetscape. On another but related matter, the Alderman noted that efforts should also be made to decrease the heavy traffic volumes on Chebucto Road.

The motion was put and passed.

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 to consider this matter was held on Wednesday, 21 March 1990.

Alderman Fitzgerald made reference to comments made during the 21 March public hearing with reference to the problems which have developed in this area as a result of the R-2A zoning.

It was therefore moved by Alderman Fitzgerald, seconded by Deputy Mayor Ducharme that the area between South Bland Street and Young Avenue be rezoned from R-2A (General Residential Conversion and Townhouse) to R-2 (General Residential).

Aldermen Jeffrey and R. Grant returned to the meeting.

The City Clerk advised that Aldermen Richard Grant, Jeffrey and Flynn were absent from the 21 March public hearing.

The motion was put and passed with Aldermen Richard Grant, Jeffrey and Flynn abstaining, and with Alderman Downey voting in opposition.

MOTIONS OF RESCISSION

Motion Alderman Flynn Re: Rescission of City Council
Resolution of 7 March 1990 Re: Date for the
1990 Halifax Natal Day Parade

MOVED by Alderman Flynn, seconded by Deputy Mayor Ducharme that Council rescind its resolution of 7 March 1990 regarding the date for the 1990 Halifax Natal Day Parade (namely, Sunday 29 July 1990).

In his remarks, Alderman Flynn indicated that, in his opinion, the scheduling of the Natal Day Parade a full eight days prior to the civic holiday could have serious implications for the success of Natal Day weekend itself, and suggested that the expansion of the Natal Day festivities would also mean extra costs for the City. In addition, the Alderman expressed concern about the scheduling of such an event on a Sunday, and, in this context, made reference to letters dated 20 March 1990 received from the Archbishop of Halifax which indicated that, in the Archbishop's view, ". . . unless there are compelling reasons for making the change, the parade would be much better held on Saturday morning as in the past." Alderman Flynn therefore strongly urged that Council rescind its earlier resolution and reschedule the 1990 Natal Day Parade for the Saturday (4 August) of the holiday weekend.

Alderman Stone noted that he could not support the motion proposed by Alderman Flynn, indicating that, in his opinion, the Sunday parade (scheduled as it was for 2:00 p.m.) would not interfere with local church services and would instead represent an appropriate event for family attendance. He also emphasized that, as was indicated by the Natal Day Committee, there are various parade attractions which cannot be made available unless the event is scheduled for Sunday, 29 July.

Alderman Richard Grant spoke in opposition to the motion, noting that, on the basis of research undertaken with regard to various other major parades held throughout the country, the Natal Day Committee has recommended the Sunday date as being the most conducive to family attendance. On another but related matter, the Alderman emphasized that an ecumenical service has been scheduled for Sunday, 5 August as part of the Natal Day Weekend agenda.

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Alderman Fitzgerald suggested that by holding the Natal Day Parade a week in advance of the civic holiday, many people (particularly those from out of town) may not be encouraged to participate in the various other events scheduled for later in the week. He noted that he was particularly concerned by this possibility owing to the fact that the Monday following the proposed Parade would not be a civic holiday, but instead a regular working day.

Alderman Downey noted that he could not support the proposal for a Sunday parade, and strongly recommended instead that the Natal Day Committee discuss the situation with the City of Dartmouth in an attempt to work out a more cooperative arrangement.

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

9:35 p.m. - His Worship Mayor Wallace retires from the meeting, with Deputy Mayor Ducharme assuming the Chair.

PETITIONS AND DELEGATIONS

Petition Alderman Stone Re: Proposed Blue Mountain Resources Limited - Quarry, Asphalt and Cement Plant

Alderman William Stone submitted a petition prepared by the Ward Twelve Community Association in conjunction with the students of Grosvenor/Wentworth School, emphasizing that a total of 871 signatures opposing the proposed Blue Mountain Resources Limited Quarry, Asphalt and Cement Plant had been collected.

In his remarks, the Alderman noted that this petition would also be presented to the Provincial Minister of the Environment on 2 April and, on behalf of the Mayor and members of Council, thanked the residents and students for their efforts in this regard.

Blue Mountain Resources - Quarry in Halifax County

At Alderman Stone's request, it was agreed that the above matter would be dealt with at this point in the meeting's agenda.

A staff report, dated 28 March 1990, was submitted together with correspondence (dated 28 March 1990) from the Honorable John G. Leefe, Minister of the Environment.

MOVED by Alderman Stone, seconded by Alderman Fitzgerald that, as recommended by the City Planning

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Committee, Council formally support the concerns of the residents of Ward 12 and that staff prepare comments on behalf of City Council regarding the proposed quarry for submission to the Minister of the Environment prior to the closing date on the draft guidelines (2 April 1990); and further, that there be representation from the City of Halifax at the Public Hearing on the matter to present the City's concerns about the quarry proposal.

In putting forward this motion, Alderman Stone also asked that the recommendations recently developed by the City's Lakes and Waterways Advisory Committee be forwarded to staff for incorporation in their presentation to the Province.

The motion was put and passed.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on Wednesday, 21 March 1990:

City-Owned Lands (Stairs and Stanley Streets)

MOVED by Alderman Pottie, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, staff be authorized to negotiate the sale of Parcel #1 with B. D. Holdings Limited and Mr. Donald Knox, in the portions shown in Schedule "B" (attached to the staff report dated 1 March 1990), subject to existing R-2 zoning, with lot consolidation and conveyance at the purchasers' expense, proportioned according to the respective purchase prices.

The motion was put and passed.

Historic Properties Limited - Assignment of Lease

MOVED by Alderman Downey, seconded by Alderman Richard Grant that, as recommended by the Finance and Executive Committee, the Mayor and City Clerk be authorized to approve an Assignment of Lease between Historic Properties Limited and **the Armour Group Limited.**

Noting the slight variation between Alderman Downey's motion and that proposed by the Finance and Executive Committee, the Acting City Solicitor observed that it is staff's information that while Historic Properties Limited - Phase II would be managing the lease, the lessees

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should more appropriately be named as the Armour Group Limited.

The motion was put and passed.

Settlement of Claim Re: Flooding - 70 Thornhill Drive (Kaizer v. City of Halifax)

MOVED by Alderman Richard Grant, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, City Council authorize the Legal Department to finalize the settlement of the action (as described in the private and confidential staff report of 12 March 1990) by the payment to the Claimant, the owner of 70 Thornhill Drive, of the sum of \$13,994.05 inclusive of costs.

The motion was put and passed.

3 Charlton Avenue

MOVED by Alderman Richard Grant, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, the City Solicitor be authorized to undertake legal action against the owner of Civic No. 3 Charlton Avenue, Halifax, Nova Scotia, to ensure compliance with the Nova Scotia Planning Act, the City of Halifax Land Use Bylaw, the Nova Scotia Building Code Act, and City of Halifax Ordinance Number 131.

The motion was put and passed.

Park and Ride Service - Transit

Deputy Mayor Ducharme addressed the matter and explained that she had introduced this matter out of concern for the traffic volume and also out of concern for the environment.

MOVED by Deputy Mayor Ducharme, seconded by Alderman Pottie that City Council request the Metropolitan Authority to investigate the feasibility of introducing a park and ride service within the metropolitan area, and that the Metropolitan Authority ask the Province to show leadership towards the environment by showing a willingness to increase the funding that would be necessary in order to introduce such programs to reduce the number of cars travelling the City's streets at this time.

Motion passed.

Selection of Consultant - City Manager

This matter had been deleted during the setting of the Agenda.

Farmers Market Location/Committee

Following is the recommendation received from the Finance and Executive Committee at its meeting of 21 March 1990:

It is recommended that:

(a) Alderman O'Malley act as Chairman of the Farmers Market Committee and arrange a meeting to discuss the location for the Market, funding, etc.;

(b) Alderman Pottie replace Alderman Deborah Grant on the Farmers Market Committee; and

(c) that this item would be brought back to Council for discussion following the meeting of the Farmers Market Committee.

MOVED by Alderman O'Malley, seconded by Alderman Pottie that the matter be deferred pending receipt of a report from staff of the City's Real Estate Division.

The motion to defer was put and passed.

Location - Public Meeting on Store Hours

This matter had last been discussed during a regular meeting of Halifax City Council held on 19 March 1990.

A report, dated 26 March 1990, was submitted from Mr. Edward A. Kerr, City Clerk.

MOVED by Alderman Pottie, seconded by Alderman Flynn that the public meeting with regard to the City's store closing hours (**previously scheduled for Monday, 23 April at 7:30 p.m.**) be held in the Multi-Purpose Building of the Halifax Forum Complex.

The motion was put and passed.

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REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on 21 March 1990 as follows:

Award of Tender #89-177(R): One 1990 4x4 Dump Truck with Plow

MOVED by Alderman Downey, seconded by Alderman Fitzgerald that, as recommended by the Committee on Works, with reference to Tender #89-177(R), staff be granted the authority to purchase one 1990 4x4 dump truck with plow from **MacLellan Lincoln Mercury Sales** for a tendered price of \$40,178.00 (funds to be made available in Account Number 126104.X1710, entitled "Motor Equipment Fixed Assets - Works Vehicles").

Motion passed.

Award of Tender #89-187: Two 4 W.D. Articulated Municipal Tractors (Parks and Grounds)

MOVED by Alderman Pottie, seconded by Alderman Fitzgerald that, as recommended by the Committee on Works, with reference to Tender #89-187, authority be granted to purchase two 4 W.D. articulated municipal tractors from LaHave Equipment Limited for a tendered price of \$117,600.00 (funds to be made available from Account Number 126104.X1710, entitled "Motor Equipment Fixed Assets - Works Vehicles").

Motion passed.

Award of Tender #89-200(R): One Truck with Compressor

MOVED by Alderman Fitzgerald, seconded by Alderman Pottie that, as recommended by the Committee on Works, with reference to Tender #89-200(R), authority be granted to purchase one truck with compressor from MacLellan Lincoln Mercury Sales for a tendered price of \$36,530.00 (funds to be made available from Account Number 126104.X1710 entitled "Motor Equipment Fixed Assets - Works Vehicles").

Motion passed.

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on 21 March 1990 as follows:

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Case No. 6015: Development Agreement - 5248 Morris Street

This matter was forwarded to Council without recommendation.

MOVED by Alderman Fitzgerald, seconded by Alderman Downey that a date be set for a public hearing to consider an application to permit the registered City Heritage property at 5248 to change from a single unit dwelling to offices for the Provincial Medical Board.

Motion passed.

The City Clerk advised that the public hearing would be set for Wednesday, 9 May 1990, in the Council Chamber.

Case No. 5562: Development Agreement - 6205 Pepperell St

This matter was forwarded to Council without recommendation.

MOVED by Alderman Fitzgerald, seconded by Alderman Flynn that this matter be deferred to the next meeting of City Council scheduled for 11 April 1990.

Motion passed.

Blue Mountain Resources - Quarry in Halifax County

This item was dealt with earlier in the meeting.

MOTIONS

Motion Alderman Flynn Re: Proposed Amendments to Ordinance No. 130, Respecting Wiring and the Use of Electrical Energy - FIRST READING

Alderman Flynn gave Notice of Motion on this matter at the City Council meeting held on 19 March 1990.

MOVED by Alderman Flynn, seconded by Alderman Pottie that City Council give FIRST READING to the amendments to Ordinance No. 130, Respecting Wiring and the Use of Electrical Energy, as follows:

Clause (b) of Section 1.2.1 is repealed and the following substituted therefor:

(b) "Canadian Electrical Code" means the 16th edition of CSA C22.1EP-1990, the Canadian

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Electrical Code, Part I, published in January, 1990 by the Canadian Standards Association and any amendments thereto;

Motion passed.

9:55 p.m. Deputy Mayor Ducharme took her usual seat in Council with Alderman Meagher assuming the seat of the Chair.

Motion Deputy Mayor Ducharme Re: Request for an Amendment to the Provincial Motor Vehicle Act Respecting the Minimum Fines for Trucks Using Non-Truck Routes and Signage

Deputy Mayor Ducharme gave Notice of Motion on the above matter at a meeting of City Council held on 19 March 1990.

MOVED by Deputy Mayor Ducharme, seconded by Alderman Flynn that City Council give FIRST READING to a motion to request the Province of Nova Scotia to introduce legislation before the Legislative Assembly of the Province of Nova Scotia to amend the Motor Vehicle Act to:

- (1) increase the minimum fines 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.

Motion passed.

10:00 p.m. His Worship Mayor Wallace returns to the meeting with Alderman Meagher taking his usual seat in Council.

MISCELLANEOUS BUSINESS

Appointments

MOVED by Alderman Flynn, seconded by Alderman Meagher that City Council approve the following appointments:

MARDI GRAS COMMITTEE

Alderman Walter Fitzgerald
Jim MacLean, Recreation Department
Mary Cooley, Downtown Halifax BIDC
Michel Lindthaler, Perks
Doug Steele, Chairman, Natal Day Committee

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Ken Mounce
Jeff Palmeter

(Terms to expire upon completion of mandate)

HALIFAX FORUM COMMISSION

Robert Stoddard (Term to expire January 31, 1992)

DESIGN ADVISORY PANEL

Extend all present terms until April 30, 1990, until review is completed.

HALIFAX INDUSTRIAL COMMISSION

Alderman Water Fitzgerald (Term to expire November 4, 1991)

ARTS ALLOCATION COMMITTEE

Alderman Pat Pottie (Term to expire November 4, 1991)

LAKES & WATERWAYS ADVISORY COMMITTEE

John Murtagh (Term to expire January 31, 1991)

ADVISORY COMMITTEE ON CONCERNS OF AGING

Barb Nehilley (Representative of the Social Planning Department)

Motion passed.

QUESTIONS

Question Alderman Downey Re: Crosswalk at Artz and Brunswick Streets

Alderman Downey referred to the information report he had received from the City Manager dated 22 March 1990 concerning the crosswalk at Artz and Brunswick Streets. He noted that, as a result of the Uniacke Square Project, the walkway to be established from Gottingen Street through to Artz Street has been postponed. Expressing concern over a recent accident at this location, Alderman Downey noted that the situation was a serious one and requested a report from the Traffic Authority addressing the matter and indicating how the danger could be eliminated at this location.

Question Alderman Downey Re: Overhead Crosswalks

Alderman Downey noted that he had raised a question two or three months ago concerning the installation of a crosswalk at South Park Street and Brenton Street by Park Victoria. Alderman Downey noted that the City was waiting for the Province to change regulations governing signs and questioned why overhead signs which the City presently has in stock could not be installed.

Question Deputy Mayor Ducharme Re: Letter from P.O.W.E.R.

Deputy Mayor Ducharme referred to a letter, which was recently circulated to all members of Council, from P.O.W.E.R (People on Welfare for Equal Rights) concerning Bill C21. She noted that the letter expresses the concern that "the Council's silence in face of these unemployment changes amounts to consent". The Deputy Mayor strongly recommended that Council indicate to P.O.W.E.R. and to the residents of Halifax that it does not agree with the changes to the Unemployment Insurance Act. She further added that P.O.W.E.R. and the residents of Halifax should also be informed that there was a motion from the Federation of Canadian Municipalities forwarded to the Government condemning the introduction of Bill C21 and describing it merely as a shirking of the duties. Deputy Mayor Ducharme asked that the Mayor respond to this letter and mention that the municipalities collectively have condemned the Federal Government for introducing Bill C21.

Mayor Wallace advised that the letter was referred to Mr. Harold Crowell, Director of Social Planning, for his comments before a response is made.

Question Alderman Jeffrey Re: Slot Machines
in the City of Halifax

Alderman Jeffrey referred to a question he had raised several weeks ago at Council pertaining to slot machines in the City. He noted that he had received a report in response to his question from Police Chief Jackson which indicated that, during 1989, a total of 338 tickets were issued for violations of Ordinance 151 "The Automatic Amusement Ordinance". Alderman Jeffrey questioned the number of tickets which had been paid out of those 338 tickets and the number of violaters who were given summonses.

Alderman Jeffrey noted that the Chief also talks about the poker machines in his report and advises that these machines are legal as long as they are used for amusement only. The Alderman suggested that it was common knowledge that these machines are not used for amusement only and are used for gambling. Alderman Jeffrey further noted that the Chief also states "that once a complaint is received ...". Alderman Jeffrey indicated that it was his hope that the Police Department would not wait until a complaint was received before going out and investigating the stores in which these machines can be found.

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Alderman Jeffrey asked that the Chief of Police make every effort to try to stop the proliferation of these machines.

Question Alderman Jeffrey Re: 92 1/2 Convoy Avenue

Alderman Jeffrey asked for a report explaining the status or what exactly was occurring with respect to 92 1/2 Convoy Avenue. He noted that he had received some calls from concerned citizens on Convoy Avenue with regard to activity going on in this particular duplex. Alderman Jeffrey advised that the elderly couple who had been occupying this dwelling have left and suggested that perhaps the Social Planning Department or Building Inspection Division could report on the situation.

Question Alderman Jeffrey Re: Letter to CN - Bridge at Bayers Road

Alderman Jeffrey advised that he had requested approximately one month ago that a letter be sent to CN pertaining to the bridge near the Bayers Road Shopping Center. He noted that there was a drop from the top of the Street to the railroad tracks of approximately 35 to 40 feet causing a danger to the public. Alderman Jeffrey reported that the concrete was falling off the railing which was only about 4 feet in height. The Alderman inquired if a letter had ever been forwarded to CN with respect to the matter and requesting that the railing be screened or repaired.

The City Manager indicated that he would determine whether or not a letter had been sent.

Question Alderman Fitzgerald Re: Traffic around the Metro Centre

Alderman Fitzgerald noted that there has been an on-going problem with regard to the traffic and parking problems around the Metro Centre. Noting that the hockey finals would soon be starting, Alderman Fitzgerald asked that the Traffic Authority investigate the situation to determine if there was a way of providing more parking in this area.

Question Alderman Fitzgerald Re: Power Poles on Chebucto Road

Alderman Fitzgerald expressed the concern that there were a number of rusted power poles along Chebucto Road. He asked that staff take action to remove this eyesore by perhaps painting the poles.

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Question Alderman Fitzgerald Re: Accident Prone Areas

Alderman Fitzgerald indicated that it was his understanding that the Police Department pin point accidents on a map. The Alderman asked for a report listing the five or ten most accident prone areas in the City.

Question Alderman Fitzgerald Re: Synchronized Traffic Signals

Alderman Fitzgerald asked for a report indicating the status of the new synchronized traffic signals.

Question Alderman Meagher Re: Halifax Civic Hospital

Alderman Meagher referred to a letter dated 23 March 1990 from Mr. Aaron Zive, Q.C., Chairman of the Board of the Halifax Civic Hospital Board. Alderman Meagher tabled this letter with the City Clerk and requested that it be sent to City Manager for action and report back as soon as possible.

His Worship Mayor Wallace noted that he had telephoned Mr. Zive recently with regard to making arrangements for a special recognition for the staff of the Civic Hospital.

Alderman Meagher agreed that recognition should be given to all staff of the Civic Hospital.

Question Alderman Meagher Re: Dixon Centre Parking

Alderman Meagher expressed the concern that a great number of people who have appointments at the Dixon Centre end up with meter violations because their appointments may run longer than anticipated, etc. Alderman Meagher asked that the City Manager determine if there was a way of providing more parking to persons going into the Centre.

Question Alderman R. Grant Re: Civic Hospital Parking Lot

Alderman R. Grant asked that the individuals who had been allowed to use the parking lot at the Halifax Civic Hospital be given an opportunity to continue parking on this lot.

Question Alderman R. Grant Re: Accident Site - Leiblin Drive, Coronation Avenue

Alderman R. Grant expressed the concern that the trees along Leiblin Drive and Coronation Avenue which were damaged due to an accident where five young people were killed still exist and are a constant reminder of the

accident. The Alderman asked that staff check to see if these trees can be removed.

Question Alderman R. Grant Re: Armdale Rotary

Alderman R. Grant reported that there has been difficulty lately in the morning at the Armdale Rotary with regard to the movement of traffic. He explained that the problem seems to be caused by the outbound traffic on Quinpool Road where cars zip through the red light with the green arrow. Alderman R. Grant noted that this situation made it difficult for the traffic coming from St. Margaret's Bay Road to merge through the rotary and asked that staff investigate the matter to see if the green arrow could be removed or perhaps having a commissionaire on duty in the morning.

Question Alderman O'Malley Re: Mulgrave Park

Alderman O'Malley referred to the recent discussion at the Committee of the Whole Council meeting with respect to Mulgrave Park. The Alderman questioned whether enough information was available to discuss the matter further at the next Committee of the Whole Council meeting.

The City Manager advised that the item could be placed on the agenda for the next Committee of the Whole Council meeting scheduled for **4 April 1990** for a general discussion. He noted that a meeting was being arranged with Mr. Spencer, Halifax Housing Authority, to discuss the impact of what was being recommended to City Council and to discuss an overall view of how Mulgrave Park should be developed.

Alderman O'Malley also asked that the President of the Residents' Association and those persons who have become very active in the Association be invited to attend the 4 April 1990 meeting.

Responding to a concern raised by Alderman O'Malley, the City Manager assured the residents of Mulgrave Park that Council does not intend to evict or put anyone out of his or her housing accommodation at this time.

Question Alderman O'Malley Re: Pets

Alderman O'Malley advised that she has received a number of calls concerning pet owners who do not adhere to the Ordinance and clean up after their pets. She noted that this was a particular problem in the Parks. Alderman O'Malley asked that staff determine if there was a way of bringing forth a type of educational program which would call attention to the Ordinance.

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Question Alderman Stone Re: Enforcement Campaign - Dunbrack Street - Kearney Lake Road

Alderman Stone noted that, in response to a question he had asked concerning the speed limit at the Dunbrack Street intersection, he had received a report from the Police Chief indicating that a selective enforcement campaign was carried out in this area. Alderman Stone extended his appreciation to the Chief of Police and his enforcement agency for the work they are doing in this regard. He went on to ask that consideration be given to extending the enforcement campaign to the Kearney Lake Road where the children cross to and from school.

Question Alderman Hanson Re: Connector Road - Cowie Hill

Alderman Hanson noted that a connector road is proposed between Cowie Hill Road and Mountain Road. He advised that there has been concern expressed with regard to the location of the connector road and asked that staff determine the possibility of relocating it so that it is not directly across from the School.

NOTICES OF MOTIONS

Notice of Motion - Deputy Mayor Ducharme Re: Metro Transit

Deputy Mayor Ducharme gave Notice of Motion that at the next regular meeting of City Council, to be held on 11 April 1990, she proposes to introduce a Motion that would call for an amendment to the Metro Transit by-law replacing references to cost sharing.

ADDED ITEMS

Victims of Violence - Alderman Pottie

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

Alderman Pottie advised that this matter was dealt with by the Halifax Tax and Grants Committee yesterday and, therefore, MOVED, seconded by Alderman Downey that Halifax City Council approve a grant in the amount of \$6500 to the Victims of Violence.

Responding to a question from the Chairman, the City Manager indicated that he was recommending approval of the above motion.

Motion passed.

Appointment of City Manager - Alderman Hanson

This matter was dealt with at the start of the agenda.

Power Poles - Fuller Terrace & others - Alderman Downey

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

Alderman Downey expressed the concern that there were power poles (which had been replaced with new ones) along Fuller Terrace and along other streets throughout the City which have not yet been removed by the Power Corporation. Alderman Downey asked that the City Manager contact the NS Power Corporation with the request that these poles be removed as soon as possible.

Corrections Canada - Alderman Flynn

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

Alderman Flynn advised that, at a February meeting of the Halifax Board of Police Commissioners, the matter with regard to the transportation of prisoners within the City boundaries was discussed. He noted that Chief Jackson advised at that time that he had discussed this matter with a representative of Corrections Canada and was told that it was the opinion of Corrections Canada that the procedures relating to the transportation of prisoners (and with specific regard to the 1989 escape incident in downtown Halifax) had been correctly followed. Alderman Flynn went on to advise that the Chief had emphasized, however, that potentially dangerous individuals should be transported using cages and electronic locks in order to help prevent escape attempts.

MOVED by Alderman Flynn, seconded by Deputy Mayor Ducharme that, as recommended by the Board of Police Commissioners, a letter be forwarded to the Solicitor General of Canada requesting that, in future, potentially dangerous prisoners be transported using such reasonable security devices as cages and appropriate electronic locks to prevent escape.

Alderman Flynn further added that Chief Jackson had noted that he would bring this matter to the attention of the Canadian Association of Chiefs of Police in an attempt to have a supporting resolution go forward from that organization.

Motion passed.

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Metropolitan Authority Assessment Formula - Alderman Flynn

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

Alderman Flynn addressed the matter and referred to a report received from the City Manager regarding the assessment basis of cost sharing. Alderman Flynn indicated that he appreciated the information which was received, but noted that he still had questions concerning the item especially from reading the minutes of the Metropolitan Authority which he noted gives him a different perspective. Alderman Flynn went on to refer to the Notice of Motion which was given earlier during this meeting by the Deputy Mayor on the Transit Cost Sharing Bylaw and suggested that this would again change the rules. Referring to the minutes of the Metropolitan Authority, Alderman Flynn indicated that he was pleased to see that Deputy Mayor Ducharme and Alderman Pottie, who serve on that Board, spoke against Bedford's attempt to have all routes going through Bedford (whether they meet the forty percent ridership or not) to be funded by all four participating municipalities. Alderman Flynn also expressed the concern that it was his understanding from a report in the newspaper that Bedford will now only be paying 70 percent of their costs.

The Chairman suggested that Alderman Flynn meet with the City Manager and the Director of Finance prior to the next Committee of the Whole Council meeting to discuss this matter.

Following a short discussion, it was agreed that this matter be placed on the agenda for the next Committee of the Whole Council meeting scheduled for 4 April 1990.

Farewell to Alderman Deborah Grant - Alderman O'Malley

This item was added to the agenda at the request of Alderman O'Malley.

MOVED by Alderman O'Malley, seconded by Alderman Fitzgerald that City Council say a very fond farewell to Alderman Deborah Grant on this her last Council meeting and wish her every good wish for future happiness in her forthcoming marriage.

Motion passed unanimously.

10:40 p.m. There being no further business to discuss, the meeting adjourned.

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**SPECIAL CITY COUNCIL
PUBLIC HEARINGS
MINUTES**

Council Chamber
Halifax City Hall
Halifax, NS
04 April 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; and Aldermen Fitzgerald, Downey, Meagher, O'Malley, Grant, Hanson, Flynn, and Stone.

ALSO PRESENT: Mr. Gerry Goneau, representing the City Solicitor's Office; City Clerk and other members of City Staff.

The following items were added to the agenda, being deferred from a regular meeting of the Committee of the Whole Council held on this date:

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

This item had been forwarded to this meeting from a meeting of the City Planning Committee held earlier on this date.

MOVED by Alderman Flynn, seconded by Alderman Fitzgerald that, as recommended by the City Planning Committee, staff be requested to prepare the amendments necessary for consideration for Council to accommodate the request put forward by Mr. and Mrs. Arthur Blumsum, the amendments be specific to the site, and that the amendment also be forwarded to the Planning Advisory Committee for review and recommendation.

Motion carried.

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Special Election - Ward One - Appointment of Returning Officer

This item had been forwarded to this meeting from a meeting of the Finance and Executive Committee held earlier on this date.

MOVED by Alderman Grant, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, Edward Kerr be appointed Returning Officer for the special election in Ward 1, and that an election date be submitted for approval by Council at its regular meeting to be held on Thursday, 26 April 1990.

Motion carried.

Sale of Land - Halifax Industrial Park

This item had been forwarded to this meeting from a meeting of the Finance and Executive Committee held earlier on this date.

MOVED by Alderman Grant, seconded by Alderman Fitzgerald that, as recommended by the Finance and Executive Committee, in order for Council to have the ability to dispose of City lands at less than market value and in order to promote increased development in the City's Industrial Park, Council direct staff to arrange for the introduction of an amendment to the City Charter as follows:

Subsection (2) of Section 403 of Chapter 52 of the Acts of 1963, the Halifax City Charter, as enacted by Chapter 72 of the Acts of 1964, is amended by deleting the word "The" from the first line thereof and by substituting therefor the words and punctuation "Notwithstanding subsection (1) of Section 401, the."

Motion carried.

Public Hearing Re: Case No. 5973: Appeal of Minor Variance Refusal - 6135 North Street

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

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A staff report, dated 14 February 1990, was submitted.

Mr. Paul Dunphy, Planner, addressed Council and outlined the reasons why the minor variance application for the lot frontage, lot area and side yard requirements of the Land Use Bylaw to allow the internal conversion of 6135 North Street from a single-family dwelling to a duplex was refused (as illustrated in the staff report dated 14 February 1990).

Mr. Michael Cregan, a resident of 6126 North Street addressed Council and advised that he was also speaking on behalf of Mr. Bill Carter, a resident of 6125 North Street.

Mr. Cregan advised that he and Mr. Carter were opposed to this minor variance because, in their view, it would add to the transient nature of the neighbourhood.

Mr. Donald B. MacDonald, a resident of 18 Princeton Avenue, addressed Council and advised that he was speaking on behalf of the applicant, Mr. and Mrs. Claudio Baldasso.

Mr. MacDonald advised that the reason the Baldasso's made the application for the duplex conversion was to enable their son to live closer to them. He pointed out that Mr. Baldasso was semi-retired and his wife was currently disabled with an injury and the Baldasso's were preparing for their son to live in the upper part of the building. Mr. MacDonald advised that the Baldasso's have a verbal agreement with their next door neighbour with respect to the use of the driveway as a shared driveway.

In conclusion, Mr. MacDonald requested Council's approval of this minor variance appeal.

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

Motion carried.

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Heritage Hearing Re: Recommended Heritage Properties:

1675 Bedford Row

A staff report, dated 24 March 1990, was submitted.

Mr. Dan Norris, Heritage Planner, addressed Council and, using diagrams, reviewed the recommended heritage property as outlined in the staff report. Mr. Norris noted that the owner was objecting the proposed heritage designation.

Mr. Robert Douglas, owner of 1675 Bedford Row, addressed Council and, using photographs, outlined the reasons why he was opposed to the proposed designation. Mr. Douglas indicated that he was unable to rent the property for the past two years and that he has obtained a demolition permit in order to rebuild a more financially feasible building on the site.

Mr. Douglas advised that he had a reasonable record of restoring heritage buildings and noted that he restored six buildings from the 18th and 19th century, that he owned another building which had a provincial historic designation, and that he participated in erecting a monument at Regatta Point in the memory of the Mont Blanc. Mr. Douglas pointed out that the present building has had its windows changed to aluminum windows and that portable air conditioners have been installed. He also noted that the present building generates \$47,000 in taxes, and that the new building would generate \$370,000 in taxes. Referring to the points awarded to qualify a property as a heritage property, Mr. Douglas questioned the validity of the National importance points given to the building.

Mr. Douglas advised that even though he holds a demolition permit, if Council refused this heritage designation, he would not demolish the property until he presented a plan and entered into a development agreement with the City to construct a building which was superior to what already stands.

Mr. Brenden Morrissy, a resident of 1528 Robie Street, addressed Council and advised that he owned a building adjacent to Mr. Douglas' and that he operated McKelvie's Restaurant in that building.

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Mr. Morrissy advised that he was concerned about the new building proposed by Mr. Douglas. He indicated that his property was a designated heritage property and he abided by the guidelines of the Heritage Act. Mr. Morrissy suggested that he did not think it was fair to permit a building adjacent to a heritage property to be demolished and a new building constructed that may not be compatible with the architecture in the area.

Mr. Alan Ruffman addressed Council and advised that he was a tenant of 5112 Prince Street. Mr. Ruffman pointed out that there were a large number of heritage designations in the area in question, and that he was concerned about Mr. Douglas' intention to demolish the building and construct a new one. Mr. Ruffman suggested that if this building was designated a heritage property then it would compel the developers to come forward with a new proposal that incorporates the present building.

Mr. Ted Brown, a resident of 26 Covenington Way, addressed Council and advised that he was the architect for the project. Mr. Brown pointed out that Founder's Square Building was not a historic building, but it was designed to complement the street and that this is what his intention was regarding 1675 Bedford Row. Mr. Brown advised that he was confident that he and the development staff could design a building that was complementary to the street but that the facade of 1675 Bedford Row, in his view, does not work into their project, and suggested they could develop a facade that would be complementary.

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

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

Motion carried.

1665-1669 Granville Street (Old Auction House)

A report, dated 24 March 1990, was submitted.

Mr. Dan Norris, Heritage Planner, addressed Council and, using photographs, reviewed the recommended

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heritage property as outlined in the staff report. Mr. Norris advised that the owners of the property object to the heritage designation.

Mr. Ted Wickwire, solicitor, addressed Council and indicated that he was representing Coram Investments Limited, owners of the property in question. Mr. Wickwire pointed out that in the 1978 evaluation study of downtown heritage properties, the property in question was passed over for heritage designation. Mr. Wickwire advised that the previous owners had made improvements to the building, such as the covering of the brick exterior with dura-coat and the conversion of the two entrances into one. He noted that if it was a heritage resource then, as of right, the owners would not be able to do this type of work.

On another point, Mr. Wickwire advised that, if this designation was approved, then it constitutes an incumbency on title and it becomes difficult to restore or resell the building. On a final point, Mr. Wickwire advised that the heritage designation does not have the consent of the owners who will rely on the building as part of their retirement program and requested Council's refusal of this property for heritage designation.

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

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

Motion carried.

5536 Sackville Street - Irving Oil Station

A staff report, dated 24 March 1990, was submitted.

Mr. Dan Norris, Heritage Planner, addressed Council and using photographs reviewed the recommended heritage property as outlined in the staff report. Mr. Norris noted that the owner of the property was objecting to the proposed heritage designation.

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Mr. Alan Ruffman, a resident of 202 Ferguson Cove, addressed Council and advised that this property was a very unique architectural structure and requested Council's approval of this heritage designation.

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

Alderman Downey addressed the matter and advised that Mr. Alan Hayman, solicitor for the property owner, submitted a letter opposing the proposed heritage designation.

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

Motion carried.

Public Hearing Re: Case No. 6029: Rezoning from R-1 to R-2 - 59 (Lot M-1) Purcell's Cove Road

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

Mr. Paul Dunphy, Planner, addressed Council, and using diagrams, outlined the application to rezone 59 Purcell's Cove Road (Lot M-1) from R-1 (Single Family Dwelling Zone) to R-2 (Two Family Dwelling Zone) in order to build a semi-detached dwelling (as illustrated in the staff report dated 16 January 1990). Mr. Dunphy advised that staff was recommending refusal of this application.

Mr. Robert Morehouse, the applicant, addressed Council and advised that, contrary to staff's comments, there has been a site circumstance change since the last time he applied for a rezoning in May 1988. He indicated that his original request for rezoning was for both lots -- 59 and 61 Purcell's Cove Road, and that this request was for 59 Purcell's Cove Road.

Mr. Morehouse advised that, at one time this property was zoned R-4 and was proposed to be rezoned to R-3 but, eventually, it was downzoned to R-1. He added that he objected to staff's comments that the area was predominantly single unit housing and suggested that there

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were approximately 12 R-2 dwellings or lots, as well as, commercial uses in the immediate area. Mr. Morehouse requested Council's approval on this matter.

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

Alderman Hanson addressed the matter and advised that a petition was taken in the area and that the residents immediately abutting the property did not object the application.

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

Motion carried.

Public Hearing Re: Case No. 5419: Stanley Park Residential Development

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

A report, dated 04 April 1990, from the Planning Advisory Committee had been submitted.

A report, dated 03 April 1990, from the Lakes and Waterways Advisory Committee to the Planning Advisory Committee had been submitted.

Mr. Phil Francis, P. Eng., Subdivision Engineer, addressed Council and, using sketches, outlined the application by UMA Engineering Limited on behalf of North American Real Estate Limited, for a 90 acre development project, Stanley Park, to be located on the east side of Northwest Arm Drive between St. Margaret's Bay Road and Cowie Hill Connector (as illustrated in the staff report dated 02 February 1990).

Alderman Hanson addressed the matter and submitted a letter of concern from Mary Fougere and Frederick Batt, residents of 41 Quarry Road. Alderman Hanson noted that Council had just received the report from the Lakes and Waterways Advisory Committee with respect to

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this matter and suggested that many areas of concern would have to be addressed before a final decision would be made.

Alderman Hanson requested a report regarding a comparison of persons per acre of the proposed project as it relates to Cowie Hill, Kline Heights, and the Armdale area. He also requested that the report address the matter of the effect of an increased population on the present school structures.

Alderman Grant addressed the matter and pointed out that Long Lake is a provincial park and suggested that, although there was some residential area around it, consideration should be given to the effect that the proposed buildings would have on Long lake.

Alderman Grant noted that this development was scheduled to take place over 10 years and questioned Council's policy with respect to the length of time for developments to be completed and suggested that this should be investigated.

Mr. P. Francis responded to questions from Council.

Mr. Maurice Lloyd, P. Eng., M.C.I.P., addressed Council and advised that he was speaking on behalf of UMA Engineering Limited, who was representing the developer of the proposed project, North American Real Estate Limited.

Mr. Lloyd presented a video illustrating the proposed lands to be developed and gave an overview of the proposed development.

Mr. Lloyd advised that the developer intends to conduct a program of selective clearing of trees and he indicated that the development agreement requires a tree cutting program for each of the lots and, as such, there wouldn't be any cutting on the back half of the lot until all trees over 6 inches in diameter have been identified. He noted that this would help control sediment runoff into the lake.

Mr. Lloyd advised that during construction, the primary way of controlling sediment runoff would be at the construction site with the use of hay, hay bails and settlement ponds.

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Mr. Lloyd noted that regarding the storm water system, all the catch basins are designed to be the primary catch feature for collecting sediment off the street and that these would be cleaned periodically. He added that the settlement ponds would serve as secondary means of collecting sediment off of the streets.

Mr. Lloyd advised that the developer has proposed that streets be designed with a maximum grade of 6 percent. He added that this would allow salting of streets in normal fashion, and if it was determined that salt was building up in Hail Pond then they could switch to sand. He pointed out that there would be no construction within 100 feet of Hail pond.

Mr. Lloyd advised that the main connector roads would be two on the North West Arm Drive and one on the Cowie Hill connector. He noted that this would provide a means for people to get out to North West Arm drive rather than providing a way to get to the development. Mr. Lloyd advised that it was necessary to connect the two developments to allow for easy access of fire vehicles, snow plows, and emergency vehicles. He added that the developer made the layout as indirect as possible so through traffic would be discouraged.

Mr. Roy Gillis, a resident of 63 Abbey Road, addressed Council and advised that he was representing the village of Cowie Hill which is made up of the four condominium corporations in Cowie Hill.

Mr. Gillis advised that he had several concerns regarding the proposed development. He suggested that Council disregard the idea of a shopping centre on this site and pointed out that there were numerous stores already in the vicinity and that the residents were within a five minute drive of four shopping centres. Mr. Gillis advised that he was recommending that a condition of approval for the proposed development be the omission of any commercial development other than those permitted on the ground floor of the high rise apartments.

Mr. Gillis also expressed concern about the proposed connector road from Cowie Hill Road to Kline Heights directly across from Chebucto Heights School. He advised that this will cause a safety hazard for the

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children of the school and that this connector should not proceed. Mr. Gillis pointed out that the practice of having periodic flashing yellow and red lights at the intersection of Cowie Hill Road and Herring Cove Road should be stopped immediately. Mr. Gillis questioned the plans of Metro Transit regarding service of Stanley Park area. He also noted that all roads of the proposed development should be constructed with the required widths and curbing.

Mr. Gillis pointed out that, in his opinion, the proposed density of the area will be higher than given in the staff report. He also indicated that the sewer capacity was exceeded and that the staff report states that there will be increased maintenance costs to the City. Mr. Gillis suggested that the removal of the apartment complexes B and G would reduce the density by 600 people and would bring the development more in line with established guidelines.

Mr. Gillis expressed concern about the effect of drainage from the development into the immediate waterways. Mr. Gillis pointed out that his major concern was the blasting which would happen. He advised that he would like Cowie Hill included in the area of blasting damage and pointed out that if insurance for blasting damage was available for his condominium units he was requesting that the developer pay the premium. In addition to this, Mr. Gillis advised that a thorough preblast survey of each unit should be required and that City lower its' blasting requirements for this development. He indicated that if the guidelines were exceeded then the City should remove the blasting permit. In conclusion, Mr. Gillis requested refusal of this development as presently proposed.

Mr. Walter Nolan, Chairman of the Planning Advisory Committee, addressed Council and advised that generally speaking, the Planning Advisory Committee likes the proposed development but its recommendation was that further study was required. In reference to the PAC's submission, Mr. Nolan requested that Council study the concerns as outlined in the attached minutes of the report.

Mr. Avery Bain, a resident of 5 Stonehaven Road, addressed Council and advised that he was President of the West Armdale Residents Association. Mr. Bain then read and submitted a statement expressing his concerns and recommendations regarding the proposed development (a copy of which is in the official file of this meeting).

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In his statement, Mr. Bain expressed concern about the amount of trees that would be eliminated if the proposed multipurpose facility was constructed and he also expressed concern of the damage to Hail Pond and the other lakes in the area. Mr. Bain pointed out that the proposed shopping centre appears to be a future controversial issue which will tie up the time of all concerned.

Mr. Bain pointed out that much of the eastern land given to the city is wetland and should remain untouched if Hail Pond is to have a chance at surviving. He noted that tennis courts were proposed but the developer did not intend to build them. Mr. Bain expressed concern that Quarry Road would be the only connection to the St. Margaret's Bay Road from this development and suggested that this would result in substantially increased traffic on this road. On a final note, Mr. Bain indicated that the concerns of the residents of Quarry Road with respect to the safety, protection of their solitude and property values have not been adequately addressed by the staff report.

In summary Mr. Bain advised that he was requesting that this plan be sent back to City staff to make the following amendments:

- 1) Significantly reduce the population density and give the environment a chance to survive.
- 2) Either give the developer his shopping centre or disallow the mention of a shopping centre in the proposal. Don't leave future residents the uncertainty of what they are buying into.
- 3) Set back waterfront dwellings to allow for a trail to be made around the lake.
- 4) If nothing else, protect the citizens of Quarry Road and disallow the Quarry Road connection.

Mr. William Sutherland, Acting Chairman of the Lakes and Waterways Advisory Committee, addressed Council and noted that due to the limited time to study the proposal, part of the Committee held a meeting two days prior to this hearing to discuss and forward a report to the Planning Advisory Committee. In reference to the Lakes and

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Waterways report on this matter, Mr. Sutherland pointed out that due to time constraints, some of the Committee members did not get a chance to review the report.

Mr. Sutherland advised that the intent of the report was not to give negative light on the development, but to put forth a recommendation which could be given consideration in the contract agreement and/or the consultant, primarily in the development of the drainage, erosion, and sediment control plans. In conclusion, Mr. Sutherland indicated that he would be pleased to review any of the recommendations with staff and the consultant.

At 10:05 His Worship the Mayor retired from the meeting with the Deputy Mayor assuming the Chair.

Mr. Robert Beckwith, a resident of 69 Ridgevalley Road, addressed Council and indicated that he generally liked the proposed development but that he had concerns regarding the number of large apartment complexes and the proposed parking lots around Hail Pond.

Mr. Beckwith noted that these parking lots would be salted in the winter and the runoff would drain into Hail Pond. He indicated that he was concerned about the use of settlement ponds and suggested that would be unsanitary and unsafe for children.

Ms. Nancy Covington, a resident of 5 Stonehaven Road, addressed Council and read and submitted a statement outlining her concerns of the environmentally sensitive areas of the proposed development.

Ms. Covington pointed out that swampy land was vital in maintaining the health of the lakes and advised that the developer was proposing to use the swamp land for park land and construction of homes. She questioned the feasibility of the City using sand instead of salt on the streets in winter. Ms. Covington suggested that the future 17 waterfront houses were sufficiently close to the lake that runoff from their lawns would go directly into Hail Pond. She also expressed concern about erosion occurring with the removal of trees from the area.

Ms. Covington stressed the importance of preserving Hail Pond and indicated that workable guidelines could be developed for moving the exact placements of

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houses, such that, more individual trees could be saved. She added that the protection of the lake would require either the elimination or decent set-back of the lakefront lots, with bylaws governing tree-cutting and fertilizer/herbicide use in the back lawns. Ms. Covington added that it would require the elimination of some of the buildings in the corner of the area in order to preserve some trees on the hillside.

Mr. Arthur Osgood, a resident of 12 Herbert Road, addressed Council and advised that his concern regarding this proposal was the Major Stephens School which is across the Bay Road. He indicated that the easiest way to get to the school was down Quarry Road and added that permitting Quarry Road to become a connector road would make it a very dangerous situation for students.

Mr. Osgood also expressed concern about the expense of holding tanks for the sewer system once the development was in operation, the upgrading of Quarry Road, and a phasing period of 10 years. Mr. Osgood added that careful measures would be required regarding the development of swamp land. He also suggested that Stanley Park would be the first of the neighbourhoods in the area to extract water.

In summary, Mr. Osgood requested the developer's and staff's consideration of his concerns.

Mr. Allan Sear, a resident of Herbert Road, addressed Council and advised that he had reservations of the developers intentions with respect to drainage. Mr. Sear advised that he recently purchased a home constructed by Mr. Havill and that his basement had flooded and his insurance company would not cover the damages to the basement because they had said that it was a contractor problem. On another point, Mr. Sear noted that when he bought his home, the real estate people advised him that nothing would be built to the right of Quarry Road.

Mr. David Reid, a resident of 12 1/2 Quarry Road addressed Council and advised that he had been a resident of the area for 17 years and that he was very concerned about the proposal to use Quarry Road as an access to Stanley Park. Mr. Reid requested that City Council examine alternate plans for access.

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Mr. Dave Wilson, a resident of 1 Edgehill Road, addressed Council and advised that he was very concerned about the developers intentions to open up Quarry Road to the development. Mr. Wilson pointed out that a shopping centre in this area was not necessary and advised that he opposed this. Expressing concern about phasing, Mr. Wilson questioned that if phase one was approved, did that give approval for the other four phases as well.

At 10:30 His Worship returns to the Chair with the Deputy Mayor taking her usual seat in Council.

Mr. Wilson also expressed concern about the increased truck traffic, and the affect the development would have on the community's water and sewer.

Ms. Jane McKiernan, a resident of 22 Quarry Drive, addressed Council and expressed concern of the proposed Quarry Road connector to Stanley Park, and requested the removal of this from the proposed plan.

Mr. Tony Lock, a resident of 20 Fenwood Road, addressed Council and indicated his concern about the proposed development.

Mr. Lock indicated that it was his view that the proposed density for the development would be much higher than the adjacent communities and it would be higher than what was set out in the development strategy for the area. He recommended retaining the agreed upon strategy for development for the area.

Mr. Lock expressed concern about tree clearing and the lack of penalties in place if abused, and he suggested that this aspect must be monitored. On a final note, Mr. Lock pointed out that, in his opinion, Hail Pond would die from the effects of salting which would be necessary.

Ms. Alice Hadley, a resident of the property at the corner of Alton Drive and Quarry Road, addressed Council and expressed concern regarding the use of Quarry Road as a connector to the Stanley Park Development.

Alderman Fitzgerald addressed the matter and questioned whether Hail Pond was a spring-fed pond and, if

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so, what would be the effects of blasting in the immediate area on the Pond.

Mr. Lloyd indicated that he would examine this matter.

Mr. Jim Purvis, a resident of 1 Glenmore Avenue, addressed Council and indicated his concern about this matter.

Mr. Purvis requested that his neighbourhood not be connected to the proposed development through Quarry Road. Mr. Purvis pointed out that no alternatives have been proposed regarding any aspect of the project and that no traffic study for the project has yet been put forth. Referring to the increase in traffic which would result from Stanley Park, Mr. Purvis noted that there were 11 acres of property owned by Keddy's to be developed as well as other properties in the area to be developed.

Mr. Purvis suggested that areas of high and low density developments together would not be compatible and that the total population would be higher than indicated because the proposal does not include area D which is a shopping centre and duplex dwellings. Mr. Purvis pointed out that no alternatives for recreation space have been shown and suggested that the area around Hail Pond would be enhanced if the recreation area was joined with it.

Mr. Purvis advised that the impact on surrounding areas has not been adequately shown and suggested that a green belt between the proposed development and other neighbourhoods would lessen the impact. Mr. Purvis also indicated that the effect of phasing would be negative on his neighbourhood and surrounding neighbourhoods.

Mr. Carl Goodwin, a resident of 3 Glenmore Avenue, addressed Council and advised that he wasn't opposed to the development of the area but wanted it to be done in a responsible manner. Mr. Goodwin then expressed concern about the proposed Quarry Road connector, the population density, and traffic and environmental problems which would result from the Stanley Park development.

Ms. Janet MacKay addressed Council and advised that she had been a resident of 27 Quarry Road for 11 years.

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Ms. MacKay indicated that she was concerned that Quarry Road was proposed to be a connector between Stanley Park and the other communities and she requested that an alternate route be found. Ms. MacKay also indicated her concern about the resulting increase in traffic on Bay Road and the protection of environmentally sensitive areas.

There were no further persons wishing to address Council.

Mr. Maurice Lloyd, representing the applicant, addressed Council once again and responded to various concerns expressed at this hearing.

Mr. Lloyd pointed out that a traffic analysis had been completed with respect to the proposed development and anyone interested in it could contact City staff. Mr. Lloyd noted that the developer was prepared to use an alternate route rather than using the Quarry Road connector. He added that, regarding environmental concerns, the developer has been working with the Lakes and Waterways Committee, the Nova Scotia Department of Fisheries, and the Nova Scotia Department of the Environment, and would continue to do so in the future, to ensure that environmentally sensitive areas were sufficiently protected.

Alderman Grant addressed the matter and requested a report on the impact of eliminating all the housing on Lois Havill drive and having it remain green area.

Alderman Grant referred to Phase 3 of the proposed development and requested a report on the effect of moving the 12 unit building to the minor commercial space, south by Osborne; moving the other 12 unit building closer to Walter Havill Drive instead of near the lake, and the elimination of the 4 story building, next to the water by Havill drive (between the green area and the lake).

Alderman Hanson addressed the matter and advised that it was apparent that there were many concerns by City Council and the residents of the area regarding the proposed project. He suggested that the next appropriate step would be for staff to meet again with the developer and review the concerns and suggestions expressed at this hearing.

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MOVED Alderman Hanson, seconded by Alderman Grant that this matter be deferred to staff for further report.

His Worship advised that the direction is for staff to meet with the developer, consider the points brought forward at this meeting, and to report back to Council. His Worship advised that the report was not necessary for the next meeting of Council.

Motion carried.

There being no further business to discuss the meeting adjourned at 11:20 p.m.

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