

**CITY COUNCIL  
16 FEBRUARY 1995**

**Case No. 7006: Development Agreements  
Within C-5 (Harbour-Related Industrial) Zone**

MOVED by Alderman Blumenthal, seconded by Alderman Epstein that, as recommended by the Planning Committee, the proposed amendments to the Municipal Development Plan and Land Use Bylaw (as set out in Appendix I of the 26 January 1995 staff report) pertaining to the C-5 (Harbour-Related Industrial) Zone be referred to the Planning Advisory Committee for public meeting and advice.

Responding to a question from Alderman Epstein, Mr. R. J. Matthews, Director of Development and Planning, clarified that deliberations concerning the above-noted amendments would have no direct impact on the proposed location of the Seaview Baptist Church.

The motion was put and passed.

**Case No. 7068: Peninsula and Mainland Land  
Use Bylaw - Housekeeping Amendments #9**

MOVED by Alderman Walker, seconded by Alderman Downey that, as recommended by the Planning Committee, the matter be referred to the Planning Advisory Committee for review and advice. The motion was put and passed.

**Case No. 6579: Kearney Lake Road  
Near Bicentennial Drive**

MOVED by Alderman Stone, seconded by Alderman Walker that, as recommended by the Planning Committee, the following matters as outlined in the staff report of 19 January 1995 be referred to the Planning Advisory Committee for a public meeting and advice:

- (1) the redesignation of Civic No. 124 Kearney Lake Road (Petro-Canada Station) and Parcel "Y" Kearney Lake Road at Broadholme Lane to "Commercial" from "Residential Environments" on the Generalized Future Land Use Map, and the rezoning of these same properties from Schedule "K" to C-2A (Minor Commercial);
- (2) the redesignation of Civic Nos. 111 (Esso Service Station) and 109 (Owned by Imperial Oil Limited) Kearney Lake Road at the southeast corner of Kearney Lake Road and Castle

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Hill Drive to "Commercial" from "Residential Environments" on the Generalized Future Land Use Map, and the rezoning of these same properties from C-2 (General Business) to C-2A (Minor Commercial);

- (3) the rezoning of the lands extending from Civic No. 109 to Civic No. 99 Kearney Lake Road from C-2 (General Business) to R-4 (Multiple Dwelling);
- (4) the rezoning of the lands fronting on Castle Hill Drive from Civic No. 111 Kearney Lake Road to Civic No. 32 Castle Hill Drive, including a portion of the former Duke of Kent right-of-way, from C-2 (General Business) to R-2 (Two-Family Dwelling).

The motion was put and passed.

**Case No. 7055: Development Agreement to Permit  
Expansion of a Building Containing a Non-Conforming  
Use (Civic Nos. 2789-95 Windsor Street/6212 Almon  
Street) - SET DATE FOR PUBLIC HEARING**

MOVED by Alderman Epstein, seconded by Alderman  
Blumenthal that, as recommended by the Planning Committee, City  
Council schedule a public hearing to consider a development  
agreement to permit an addition to non-conforming uses at Civic  
Nos. 2789-95 Windsor Street and 6212 Almon Street as outlined  
in the staff report dated 26 January 1995. The motion was put  
and passed.

The City Clerk advised that the requested public hearing would be scheduled for **WEDNESDAY, 22 MARCH 1995** at 7:30 p.m. in the Council Chamber, Halifax City Hall.

**Case No. 6689: Proposed Closure of a Portion  
of Kempt Road/Amendment of Development  
Agreement for Pierceys Lands (SET DATE FOR PUBLIC HEARING)**

MOVED by Alderman Pottie, seconded by Alderman  
Blumenthal that, as recommended by the Planning Committee, a  
public hearing be scheduled to consider:

- (1) the closure of that portion of Kempt Road between Young and Robie Streets as identified on Plan TT-50-32210;

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- (2) the establishment of new street lines on the south side of Young Street and the west side of Robie Street as shown on Section 1-H of the Official City Plan; and
- (3) the entering into of an amending agreement with FS Industries Limited to alter the development boundaries and site plan of the development agreement approved by Council on 6 January 1993.

The motion was put and passed.

The City Clerk advised that the requested public hearing would be scheduled for **WEDNESDAY, 5 APRIL 1995 at 7:30 p.m.** in the Council Chamber, Halifax City Hall.

**Civic Nos. 1790-92 Granville Street (Old Kelly's Building): Application for Demolition Permit**

MOVED by Alderman Downey, seconded by Alderman Walker that, as recommended by the Planning Committee, Council encourage the owners of Civic Nos. 1790-92 Granville Street (the Old Kelly's Building) to conduct a structural study of the building, with funding assistance provided by the City through its Heritage Incentives Program. The motion was put and passed.

**MOTIONS**

**Motion Alderman Epstein Re: Solid Waste Costs - Change Payment for Solid Waste to Per Tonne Basis (Ordinance 162) - FIRST READING**

Notice of Motion with regard to the above had been given by Alderman Epstein during a regular meeting of City Council held on Thursday, 12 January 1995.

MOVED by Alderman Epstein, seconded by Alderman Blumenthal that:

- (1) Ordinance Number 162, the "Regional Solid Waste Disposal system Ordinance," be amended to add a section 2A, immediately following Section 2, as follows:
  - 2A. The cost-sharing formula for the design, construction and operation of a regional solid waste management system, conferred upon the Metropolitan Authority, shall be on the basis of the proportion of the

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tonnage of solid waste generated within the City of Halifax and dealt with by the Metropolitan Authority, bears to the aggregate of the whole tonnage of solid waste generated by the participating municipalities that have passed by-laws conferring responsibility for solid waste on the Metropolitan Authority, and dealt with by the Metropolitan Authority;

- (2) this by-law shall be effective upon adoption of similar by-laws by the other participating municipalities; and further, that
- (3) the matter be forwarded to the next regular meeting of Committee of the Whole Council scheduled for 22 February 1995 for consideration and report.

The motion was put and passed.

**Motion Alderman Epstein Re:  
Gambling Casinos - Impact Analysis**

Notice of Motion with regard to this matter had been given by Alderman Epstein during a regular meeting of Halifax City Council held on Thursday, 26 January 1995.

A report dated 13 February 1995 was submitted from the Directors of Finance and Social Planning, together with a private and confidential report dated 9 February from the City Solicitor.

MOVED by Alderman Epstein, seconded by Alderman Carmichael that City Council approve the Request for Proposal (Attachment 1 of the staff report dated 13 February 1995) to carry out a detailed impact analysis of the proposed Halifax Casino.

Speaking on the motion, Alderman Stone expressed concern with regard to the expenditure of large sums of money for the hiring of an outside consultant, particularly given the fact that the Provincial Government has given every indication that the Halifax casino will be going forward whether or not the City objects.

Alderman Uteck, however, suggested that an impact analysis would be useful from the perspective of providing the City with useful information as to the kinds and scope of the problems with which it will be faced once a gambling casino has been established within its boundaries.

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Concurring with the concerns put forward by Alderman Stone and taking into consideration the motions approved earlier in the evening with regard to gambling casinos, Alderman Epstein acknowledged that the primary purpose of the proposed impact analysis would be to assist the City to plan its future programs. Noting that he also shares the concern regarding the price of hiring an outside consultant, Alderman Epstein moved, seconded by Alderman Blumenthal that the matter be deferred to the next regular meeting of Committee of the Whole Council (scheduled for Wednesday, 22 February 1995) for further discussion.

In putting forward this motion of deferral, Alderman Epstein suggested that staff may wish to re-think or "tighten up" the Request for Proposal attached as Attachment 1 to the 13 February staff report.

The City Manager suggested that Council may be confusing "impact analyses" with "operational plans," noting that the latter (with respect to the impacts of a gambling casino in the City) would normally be developed in-house on an as-required basis. He therefore suggested that staff may need further clarification as to the intent of this exercise before commenting further.

The motion to defer was put and passed.

**MISCELLANEOUS BUSINESS**

**Appointments**

A memorandum, dated 16 February 1995, was submitted from His Worship Mayor Walter Fitzgerald.

His Worship brought to Council's attention an error regarding the proposed appointments to the Advisory Committee on the Concerns of Ageing, and asked that the first name listed therein be deleted.

MOVED by Deputy Mayor Adams, seconded by Alderman Hanson that the following appointments be approved:

**Advisory Committee on the Concerns of Ageing**

Ms. Carol Veinotte (Ward 12)  
Term to expire 31 January 1998

**Canada Day Committee**

Mr. William Mahody  
Mr. Carl Price  
Terms to expire 31 January 1998

**Transit Advisory Committee**

Mr. W. L. Carl Myers  
Term to expire 31 January 1998

**Appointment of Auditors**

This matter had last been discussed during a regular meeting of Halifax City Council held on 12 January 1995.

A report dated 3 February 1995 was submitted from the Director of Finance.

MOVED by Alderman Stone, seconded by Alderman Hanson that Council ratify the appointment of KMPG Peat Marwick Thorne as auditors of the City of Halifax for the year ending 31 March 1995, and further, that this appointment be extended to 31 March 1996. The motion was put and passed.

**QUESTIONS**

**Question Alderman Crowley Re:  
Beautification - Entrances to the City**

Alderman Crowley made reference to the 1995 Halifax Summit and asked for information as to whether consideration is being given to beautifying the various entrances to the City so as to make the best possible impression on our visitors.

Referring in particular to the Bayers Road off-ramp from the Bicentennial, the Alderman reminded Council that this entrance has been the source of much concern in the past, and noted the rusted guard rails, the accumulation of litter and debris, and the high grass, all of which have been brought to Council's attention on several occasions by former Alderman Jeffrey. She went on to emphasize, however, that in her view improvements of this kind are essential for all entrances to Halifax as well as throughout the City in general, and asked for information as to the plans in this regard.

Canada Day Committee

Mr. William Mahody  
Mr. Carl Price  
Terms to expire 31 January 1998

Transit Advisory Committee

Mr. W. L. Carl Myers  
Term to expire 31 January 1998

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MOVED by Alderman Stone, seconded by Alderman Hanson that Council ratify the appointment of KMPG Peat Marwick Thorne as auditors of the City of Halifax for the year ending 31 March 1995, and further consider the extension of this appointment to 31 March 1996. The motion was put and passed.

**QUESTIONS**

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**Question Alderman Stone Re:  
Street Lights - Meadowlark and Swan Crescents**

Alderman Stone noted that the street lights on both Swan and Meadowlark Crescent had not appeared to be on earlier in the evening, and asked that staff of the Engineering and Works Department investigate this situation as quickly as possible.

**Question Alderman Carmichael Re:  
Vandalism - LeMarchant-St. Thomas School Area**

Alderman Carmichael asked that the Community Relations Division of the Halifax Police Department be requested to investigate and report on action that could be taken to address the problems of safety and vandalism in the area surrounding the LeMarchant-St. Thomas School.

**Question Alderman Carmichael Re:  
Retention/Storage of Building Plans**

Alderman Carmichael asked for an update on the procedures being implemented by the Development and Planning Department to ensure that building/development plans will not be lost in the future.

**Question Alderman Blumenthal Re:  
Assistance to the Visually and Hearing Impaired**

Alderman Blumenthal made reference to the proceedings of a recent meeting of the City's Five-Star Committee, and asked to be provided with information concerning the procedures which are currently in place to inform citizens of potentially hazardous situations such as construction sites. In this same context, the Alderman asked to be advised as to what measures could be taken to ensure that visually and/or hearing impaired citizens have equal access to this information.

**Question Alderman Pottie Re:  
Ventilation Pipe - Memorial Drive**

Alderman Pottie made reference to an 18-24" ventilation pipe located on City-owned land on Memorial Drive, and expressed concern that for the second time there are extremely foul odors emanating from this duct to the considerable discomfort of area residents.



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The Alderman therefore asked that staff of the Engineering and Works Department be asked to investigate this situation as quickly as possible and to submit a report to the next regular meeting of Committee of the Whole Council (scheduled for Wednesday, 22 February 1995) as to what is causing the problem and the steps that can be taken to alleviate it.

**NOTICES OF MOTION**

**Notice of Motion Alderman Blumenthal  
Re: Adoption of a New City Parks Ordinance**

Alderman Blumenthal gave Notice of Motion that at the next regular meeting of Halifax City Council, to be held on Thursday, 2 March 1995, he proposes to introduce for First Reading a motion to adopt a new City Parks Ordinance.

**Notice of Motion Alderman Blumenthal  
Re: Amendment to Ordinance 179, the  
Residential Parking Permits Ordinance**

Alderman Blumenthal gave Notice of Motion that at the next regular meeting of Halifax City Council, to be held on Thursday, 2 March 1995, he proposes to introduce for First Reading an amendment to Ordinance 179, the Residential Parking Permits Ordinance.

The purpose of the proposed amendment is to provide that the holders of such permits may be exempt from parking restrictions which are in effect for 30 minutes or an hour in the morning and/or the afternoon.

**NOTE:** This matter had been given approval in principle by Halifax City Council under Agenda Item 10.1, "Residential Parking Permits."

ADDED ITEMS

Spryfield Lions Aquatic Centre

A report, dated 13 February 1995, was submitted from the Director of Recreation.

MOVED by Deputy Mayor Adams, seconded by Alderman Hanson that City Council provide funding through Section 201(1) of the City Charter in the vicinity of \$70,000 (as of 31 March 1995) to the Lions Aquatic Centre and further, that a meeting be arranged with the Lions Club concerning potential partnerships over a short term in the hope of rectifying a long-term problem.

A discussion ensued during which several Aldermen expressed reservations regarding the necessity to provide funding through the use of Section 201(1).

Responding to a question from His Worship Mayor Fitzgerald, Mr. B. G. Smith, Director of Finance, reported that the Lions Club has indicated their willingness to continue their operation of the Centre until the end of the current fiscal year; i.e., 31 March 1995.

It was therefore moved by Alderman Blumenthal, seconded by Alderman Epstein that the matter be deferred for a two-week period. The motion to defer was put and passed with Deputy Mayor Adams voting in opposition.

Appointment of Design Consultant  
- Sewer Outfall Extension

A report, dated 16 February 1995, was submitted from the Director of Engineering and Works.

**NOTE:** This item had been addressed during Council's deliberations concerning Item 10.19, "Halifax Summit Expenditures," with it being agreed that the project not be undertaken at this point in time.

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There being no further business to be discussed at this time, the meeting was adjourned at approximately 11:30 p.m.

HIS WORSHIP MAYOR WALTER FITZGERALD  
CHAIRMAN

E. A. KERR, CMC  
CITY CLERK

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## MINUTES

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**MEETING:** HALIFAX CITY COUNCIL  
SPECIAL MEETING

**PLACE:** COUNCIL CHAMBER  
HALIFAX CITY HALL

**DATE:** 22 FEBRUARY 1995

**TIME:** 7:30 P.M.

**MEMBERS PRESENT:** HIS WORSHIP MAYOR WALTER FITZGERALD  
DEPUTY MAYOR STEPHEN ADAMS  
ALDERMAN LARRY UTECK  
ALDERMAN KATE CARMICHAEL  
ALDERMAN GRAHAM DOWNEY  
ALDERMAN HOWARD M. EPSTEIN  
ALDERMAN JERRY S. BLUMENTHAL  
ALDERMAN PATRICK POTTIE  
ALDERMAN RON HANSON  
ALDERMAN RALPH P. MAHER  
ALDERMAN RUSSELL WALKER  
ALDERMAN MARY ANN CROWLEY  
ALDERMAN BILL STONE

**STAFF:** BARRY B. COOPERSMITH, CITY MANAGER  
BARRY ALLEN, SENIOR SOLICITOR  
EDWARD A. KERR, CITY CLERK

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7:30 p.m. - The meeting was called to order with Deputy Mayor Stephen Adams in the Chair.

**ADDED ITEMS**

The following items had been forwarded to this meeting from a regular meeting of Committee of the Whole Council held earlier in the day:

**Tender No. 95-52: Paving Renewal (G-7  
Project) - Hollis Street (Sackville - Bishop)**

MOVED by Alderman Downey, seconded by  
Alderman Blumenthal that, as recommended by the Committee on  
Works, Council:

- (1) approve award of Tender No. 95-52 for the street improvements to be carried out on Hollis Street between Sackville Street and Bishop Street, for materials and services listed at the unit prices quoted for a Total Bid Price of \$234,915.00 and a Total Project Cost of \$270,200.00 to Dexter Construction Co. Ltd.;
- (2) approve the installation of scoot loops by Black & McDonald, with whom the City has a three-year maintenance agreement for an estimated cost of \$15,000.00;
- (3) authorize funding from Capital Account No. 02007, G-7 Projects Paving Renewal - Hollis Street (Sackville to Morris);
- (4) grant authority to make additional expenditures for the Halifax Water Commission work, such as the lifting of valves, which will be recovered from the Commission.

The motion was put and passed.



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**Award of Tender No. 95-04: Sidewalk Renewals**

MOVED by Alderman Blumenthal, seconded by Alderman Downey that, as recommended by the Committee on Works, Council:

- (1) award Tender No. 95-04, Sidewalk Renewals (Barrington Street, Prince Street and Brunswick Street) for materials and services listed at the unit prices quoted for a Total Bid Price of \$84,705.00 and a Total Project Cost of \$97,410.00 to **Armdale Construction Limited**;
- (2) authorize funding from Capital Account Nos. 02009, 02011 and 02013 for the various sidewalk locations;
- (3) authorize funding in the amount of \$10,000.00 from Capital Account No. 02009 - Barrington Street (W), Duke to Cogswell, to replace traffic scoot loop system disrupted during construction (work is to be done by **Black & McDonald Ltd.** with whom the City has a three-year maintenance agreement in place).

The motion was put and passed.

**Award of Tender No. 95-53: Paving Renewal (G-7 Project) - Barrington Street (Cornwallis Street to Cogswell Street Ramp)**

MOVED by Alderman Pottie, seconded by Alderman Carmichael that, as recommended by the Committee on Works, Council:

- (1) approve award of Tender No. 95-53 for the street improvements to be carried out on Barrington Street between Cornwallis Street and the Cogswell Street Ramp, for materials and services listed at the unit prices quoted for a Total Bid Price of \$274,030.00 and a Total Project Cost of \$315,135.00 to **Basin Contracting Limited**;
- (2) approve the installation of scoot loops by **Black & McDonald**, with whom the City has a three-year maintenance agreement, for an estimated cost of \$16,000.00;
- (3) authorize funding from Capital Account No. 02002, G-7 Projects: Paving Renewal - Barrington Street (Cornwallis Street to Cogswell Street Ramp);

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- (4) grant authority to make additional expenditures for the Halifax Water Commission work, such as the lifting of valves, which will be recovered from the Commission.

The motion was put and passed.

**Award of Tender No. 95-55: Resurfacing - Part I**

MOVED by Alderman Walker, seconded by Alderman Uteck that, as recommended by the Committee on Works, Council:

- (1) approve the resurfacing program proposed by the Engineering and Works Department shown in Attachment "B" of the staff report dated 17 February 1995;
- (2) award Tender No. 95-55 to **Dexter Construction Co. Ltd.** for the materials and services listed at the unit prices quoted for a total bid price of \$188,504.00 and a total project cost of \$216,779.60;
- (3) approve the installation of Scoot Loops by **Black & McDonald**, with whom the City has a three-year maintenance agreement, for an estimated cost of \$36,000.00;
- (4) grant authority under Section 201(1) of the City Charter to make additional expenditures for the Halifax Water Commission work, such as the lifting of valves, which will be recovered from the Commission.

The motion was put and passed.

**Tender No. 95-80: Vehicle Replacements -  
Seven (7) 1995 Ford Crown Victorias  
(Halifax Police Department); One (1) 1995  
Ford Crown Victoria (Halifax Fire Department)**

MOVED by Alderman Pottie, seconded by Alderman Stone that, as recommended by the Finance and Executive Committee, Council authorize award of Tender No. 95-80 (seven 1995 Ford Crown Victorias - Halifax Police Department) and one 1995 Ford Crown Victoria - Halifax Fire Department) to **Wood Motors Ford**,

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the lowest bidder meeting specifications. The motion was put and passed.

Tender No. 95-83: Vehicle Replacement -  
Ten (10) 1995 Chevrolet Corsicas for  
Halifax Police Department

MOVED by Alderman Blumenthal, seconded by Alderman Pottie that, as recommended by the Finance and Executive Committee, City Council authorize the award of Tender No. 95-83 (ten 1995 Chevrolet Corsicas for the Halifax Police Department) to O'Regan Chev Olds Ltd., the lowest bidder meeting specifications. The motion was put and passed.

Tender No. 95-85: Vehicle Replacement -  
Three (3) 1995 Chevrolet Vans for  
Halifax Police Department

MOVED by Alderman Pottie, seconded by Alderman Blumenthal that, as recommended by the Finance and Executive Committee, City Council award Tender #95-85 (three 1995 Chevrolet Vans for the Halifax Police Department) to Forbes Chev Olds Ltd., the lowest bidder meeting specifications. The motion was put and passed.

G-7 Infrastructure Projects

MOVED by Alderman Hanson, seconded by Alderman Walker that the item "G-7 Infrastructure Projects" be added to the agenda. The motion was put and passed with unanimous consent.

MOVED by Alderman Hanson, seconded by Alderman Walker that, as recommended by the Committee on Works, subject to the successful conclusions of negotiations between the Province, the Federal Government and the City of Halifax, the City Manager be authorized to enter into the necessary contracts to expedite projects associated with the following list for the G-7 (all projected initiatives will be subject to a one-third, one-third, one-third sharing on the projects):

Granville Mall .....	\$ 330,000
Sidewalk Renewals: Barrington, Prince, Sackville, Brunswick, George and Grafton .....	460,000

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Sign Posts/Street Light Poles/Markings .....	10,000
Street Resurfacing (George, Argyle, Market) .....	401,000
Downtown Core/Around Summit Place (Repairs and Upgrade) .....	26,000
Replace Street Lights (George, Granville) .....	333,000
Paving Renewal/Barrington (Cogswell - Cornwallis Street Interchange) .....	380,000
Beautification - Barrington Street .....	10,000
Chebucto Landing (Cable Wharf Parking) .....	4,000
City Club/Khyber Building .....	10,000
Ferry Terminal (Nathan Green Square) .....	17,500
George Street Land/Streetscaping ....	42,200
Lower Water Street Pedway Repairs .....	25,500
Upgrade Prince Street .....	20,000
Sackville Landing Park - Upgrade and Repairs .....	50,000
Sackville Street - Upgrade and Beautification .....	20,800
Ectug Wharf - Boardwalk Lights and Landscaping .....	14,000
Paving Renewal - Hollis Street .....	<u>400,000</u>
<b>TOTAL .....</b>	<b>\$2,554,000</b>

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and further, that the "Grand Parade Development" (at an estimated price of \$665,000) be referred for further discussion to the next regular meeting of Halifax City Council scheduled for Thursday, 2 March 1995.

Speaking in support of the motion, Alderman Pottie indicated that he would appreciate receiving a supplementary report from staff concerning the Grand Parade proposal, particularly with regard to the requirement for repairs to the existing stairway (descending from Argyle Street) and to the moat.

The motion was put and passed.

7:45 p.m. - His Worship Mayor Walter Fitzgerald enters the meeting, with Deputy Mayor Adams assuming his usual seat on Council.

G-7 - Halifax Harbour Environmental  
Technologies Demonstration

MOVED by Deputy Mayor Adams, seconded by Alderman Stone the Finance and Executive Committee recommend that Council:

- (1) approve the participation of the City of Halifax, as a member of the Policy Team representing the joint interests of the City of Dartmouth and the County of Halifax, in the Halifax Harbour Environmental Technologies Demonstration Project during the G-7 Summit; and
- (2) authorize the City Manager to proceed with an application for funding to the Canada-Nova Scotia Cooperative Agreement on Sustainable Economic Development Agency on the understanding that there will be no cost or legal liability to the City of Halifax; and subject to a comprehensive agreement to be executed among the various participants in the project.

The motion was put and passed with Alderman Epstein in opposition.

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**PUBLIC HEARINGS**

**Case No. 7096: Appeal of Minor  
Variance Refusal, 2912 Connolly Street**

A staff report dated 17 January 1995 was submitted from Mr. P. Francis, P.Eng., Development Officer.

Mr. Francis presented a brief overview of the 17 January 1995 staff report and, using maps of the area in question, outlined his reasons for refusing the request for a minor variance at Civic No. 2912 Connolly Street. Having concluded his presentation, Mr. Francis responded to questions from various members of Council.

Mr. Noel Fowler, an architect working with the applicant, Ms. Janice Graham-Migel, made a brief presentation outlining the plans for the Connolly Street site and describing the obstacles that had been encountered, primarily because of the lot's location on the corner of London and Connolly. Mr. Fowler emphasized that, in order to use the lot to its maximum advantage, a decision had been made to site the new structure towards London Street and away from the very narrow frontage that would be encountered on Connolly. He acknowledged that the result of that decision had been to decrease below acceptable levels the front yard requirements, but pointed out that if the proposed duplex had been designed to front Connolly Street, the result would have been a very long, narrow and unattractive building, inconsistent with the surrounding neighborhood. Mr. Fowler also suggested that problems similar to those facing his client would become more frequent as new owners moved into the area to renovate this kind of post-war housing stock.

Concurring with the comments put forward by Mr. Fowler, the applicant, Ms. Janice Graham-Migel, also brought to Council's attention that if the new structure had been proposed to front on Connolly, another result would have been the siting of parking spaces at the front of the property.

Responding to a question from His Worship Mayor Fitzgerald, Ms. Graham-Migel advised that she is also the owner of the residence immediately adjacent at 2918 Connolly Street.

Ms. R. Field of 6532 London Street addressed Council in opposition to the proposed minor variance. In her remarks, Ms. Field noted that she and her husband had only recently

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moved to the London Street neighborhood, having been attracted to the area by the number of older single-family homes. She therefore suggested that approval of a minor variance at 2912 Connolly Street which, in turn, would allow the construction of a duplex dwelling, would set a precedent that might jeopardize other single-family residences in the neighborhood.

In response to Ms. Field's concerns, the applicant presented a series of conceptual drawings of the proposed structure, emphasizing that from the exterior the duplex has been designed to look very much like an attractive single-family residence and in fact will blend in very well with other structures in the immediate area.

There were no further speakers wishing to address Council in this regard and no correspondence received.

Alderman Pottie drew Council's attention to the petition in support of this application which had been signed by approximately nine residents of the London/Connolly Street area and MOVED, seconded by Deputy Mayor Adams that the matter be forwarded without recommendation to the next regular meeting of Halifax City Council scheduled for Thursday, 2 March 1995. The motion was put and passed.

**Case No. 7097: Appeal of Minor  
Variance Refusal, 6369 Young Street**

A staff report dated 25 January 1995 was submitted from Mr. P. Francis, P.Eng., Development Officer.

Mr. Francis presented a brief overview of the 25 January 1995 staff report and, using maps of the area in question, outlined his reasons for refusing the request for a minor variance at Civic No. 6369 Young Street. Having concluded his presentation, Mr. Francis responded to questions from various members of Council.

With reference to a question from Alderman Pottie, Mr. Francis advised that the majority of the structures in this portion of Young Street are single-family homes with only a few multi-unit buildings of the two- and three-unit variety.

His Worship subsequently called for comments from members of the public.

Mr. David Young of 6336 Young Street, speaking on behalf of a number of area residents, emphasized that the

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application in question is deficient in three out of four areas and added that the owner's proposal to add a basement apartment to his single-family dwelling does not conform to the standards set by the majority of residences in the area.

Mr. Herman Murphy, owner of the property located at 7097 Young Street, addressed Council with regard to allegations by staff that he had ignored a number of stop-work orders during the renovations to his home. While acknowledging that he had never received an official building permit from the City, Mr. Murphy stated that he had been given to understand by staff that his application would meet with no opposition. He also pointed out that throughout the renovation process he had been visited by a variety of City inspectors, some of whom had put forward suggestions with which Mr. Murphy had immediately complied. Mr. Murphy concluded his remarks by stating that as an independent contractor "between jobs," he had commenced work on creating a rental unit in his own residence so as to augment his income.

Asked to comment by Alderman Blumenthal, Mr. Francis stated that the application for a building permit submitted by Mr. Murphy had been refused by City staff who had duly advised the applicant of that refusal.

Alderman Pottie asked that Council be provided with the full particulars of staff's decision to refuse Mr. Murphy's application as well as information pertaining to Mr. Murphy's allegation that Building Inspectors had visited his residence and had given him no indication that the City had any difficulty with his application.

Mr. Jeff Pike of 6360 Young Street briefly addressed Council in opposition to Mr. Murphy's application. Concurring with Mr. Young's earlier remarks, Mr. Pike expressed concern that by the addition of rental units as is proposed by the application in question, the Young Street neighborhood (most of which consists of single-family dwellings) is in jeopardy of being eroded.

There were no further persons wishing to address Council in this regard and no correspondence received.

MOVED by Alderman Pottie, seconded by Alderman Walker that the matter be forwarded without recommendation to the next regular meeting of Halifax City Council (scheduled for Thursday, 2 March 1995), pending receipt of a supplementary staff report. The motion was put and passed.



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**Case No. 7032: Appeal of Minor  
Variance Approval, 5900 Pinehill Crescent**

A staff report dated 20 December 1994 was submitted from Mr. P. Francis, P.Eng., Development Officer.

Mr. Francis presented a brief overview of the 20 December staff report and, using plot plans of the area in question, outlined his reasons for approving the request for a variance at Civic No. 5900 Pinehill Crescent.

The Chairman then called for comments from members of the public.

Dr. Erwin J. Doak of 5896 Pinehill Crescent, the owner of the property immediately adjacent to the site in question, addressed Council to outline his concerns regarding the variance requested by his neighbor, Mr. Deere. In his comments, Dr. Doak pointed out that the deck proposed to be built by Mr. Deere (should the approval of the variance be upheld) will be extremely close to his (Dr. Doak's) garage and driveway and, as such, will cause considerable difficulty, particularly with regard to snow removal. Dr. Doak went on to advise that while he and his wife had initially raised no objection to his neighbor's plans, that situation had changed later on when it became obvious that the design of the project had been altered.

Mr. Christopher Deere, the owner of the property located at 5900 Pinehill Crescent, used a short slide presentation to provide Council with the specifics of his lot as it presently exists, as well as his plans for a deck at the rear. In his remarks, Mr. Deere emphasized that although it would represent a considerable inconvenience to him and his family, in deference to his neighbor's concerns he was prepared to abandon his original plan for siting the deck so that it could be accessed directly from the side entrance of his home. Having said that, however, he pointed out that given the location of the proposed addition (i.e., adjacent to Mr. Doak's garage at the rear of his property), he did not feel that the deck would intrude to any appreciable extent on his neighbor's privacy.

There were no further persons wishing to address Council in this regard.

After a brief discussion and questioning of Mr. Deere, it was moved by Alderman Uteck, seconded by Alderman Carmichael that the matter be forwarded without recommendation

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to the next regular meeting of Halifax City Council scheduled for Thursday, 2 March 1995.

In putting forward this motion, Alderman Uteck asked to be provided with information as to the revisions to his application recently submitted by Mr. Deere.

The motion was put and passed.

A copy of a letter dated 21 February 1995 and addressed to Dr. and Mrs. Erwin J. Doak from John H. MacDonald, 113 Ridgevalley Road, Halifax, B3P 2K1, was submitted.

9:15 p.m. - Deputy Mayor Adams retires from the meeting.

**Case No. 7035: Lot Modification  
Development Agreement - 32 Frederick Avenue**

Mr. Stephen Feist, Planner II with the City's Development and Planning Department, provided Council with a brief overview of the 9 January 1995 report regarding an application by W. M. Fares and Associates for a lot modification development agreement to permit the subdivision of the property at 32 Frederick Avenue and the subsequent construction of a semi-detached dwelling.

A lady appearing on behalf of W. M. Fares and Associates briefly addressed Council in support of the application.

There were no further persons wishing to address Council in this regard.

Alderman Pottie made reference to a letter dated 14 February 1995 and received from Weldon and Evelyn Kelly (representing "residents in the area of the proposed development"), and asked for information as to the plans for the structure presently located on Lot 32 Frederick Avenue.

Mr. Feist advised that the proposed semi-detached dwelling would be constructed on the newly-created Lot 32A, with the structure now located on Lot 32 being maintained as a single-family residence.

It was subsequently moved by Alderman Maher, seconded by Alderman Epstein that the matter be forwarded without

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recommendation to the next regular meeting of Halifax City Council scheduled for 2 March 1995. The motion was put and passed.

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

HIS WORSHIP MAYOR WALTER FITZGERALD  
AND  
DEPUTY MAYOR STEPHEN ADAMS  
CHAIRMEN

SUBMITTED BY:  
E. A. KERR, CMC  
CITY CLERK

\*K

**HEADLINES**

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**ADDED ITEMS (CONT'D)**

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## MINUTES

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**MEETING:** HALIFAX CITY COUNCIL  
REGULAR MEETING

**PLACE:** COUNCIL CHAMBER  
HALIFAX CITY HALL

**DATE:** 2 MARCH 1995

**TIME:** 8:00 P.M.

**MEMBERS PRESENT:** HIS WORSHIP MAYOR WALTER FITZGERALD  
DEPUTY MAYOR STEPHEN ADAMS  
ALDERMAN LARRY UTECK  
ALDERMAN KATE CARMICHAEL  
ALDERMAN GRAHAM DOWNEY  
ALDERMAN HOWARD M. EPSTEIN  
ALDERMAN JERRY S. BLUMENTHAL  
ALDERMAN PATRICK POTTIE  
ALDERMAN RON HANSON  
ALDERMAN RALPH P. MAHER  
ALDERMAN RUSSELL WALKER  
ALDERMAN MARY ANN CROWLEY

**MEMBERS ABSENT:** ALDERMAN BILL STONE

**STAFF:** BARRY B. COOPERSMITH, CITY MANAGER  
BARRY ALLEN, SENIOR SOLICITOR  
EDWARD A. KERR, CITY CLERK

**Proclamation: Red Cross Month**

His Worship Mayor Fitzgerald read from a proclamation officially designating March 1995 as "Red Cross Month" in the City of Halifax.

**MINUTES**

Minutes of the last regular meeting of Halifax City Council, held on Thursday, 16 February 1995, were approved as circulated on a motion by Alderman Walker, seconded by Alderman Crowley.

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

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

- 4.1 Tabling of the City of Halifax Operating and Capital Budgets (1995/96)
- 20.1 Appointments
- 20.2 Case No. 7114: Development Agreement, 6034 Lady Hammond Road
- 20.3 Proposed Resolution - Halifax Harbour (Alderman Epstein)

The agenda, as amended, was approved on a motion by Alderman Maher, seconded by Alderman Blumenthal.

**Tabling of the City of Halifax Operating and Capital Budgets (1995/96)**

The following documents were submitted from Mr. Barry B. Coopersmith, City Manager:

- City of Halifax 1995/96 Three-Year Operating Budget (Worksheets)
- City of Halifax 1995/96 Four-Year Capital Budget

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- City of Halifax 1995/96 Three-Year Operating Budget, Appendix A
- City of Halifax 1995/96 Three-Year Operating Budget, Appendix A1 (Engineering and Works)

The City Manager provided members of Council with a brief overview of the budget documents, and proposed the following schedule of meetings for further discussion of this matter:

Monday, 20 March (5:00 - 10:00 p.m.)  
Tuesday, 21 March (5:00 - 10:00 p.m.)  
Thursday, 23 March (5:00 - 10:00 p.m.)  
Saturday, 25 March (1:00 - 6:00 p.m.)  
Monday, 27 March (5:00 - 10:00 p.m.)  
Wednesday, 29 March (5:00 - 10:00 p.m.) \*  
Thursday, 30 March (8:00 p.m.) \*\*

\* If required

\*\* Approval of Budget and Setting of Tax Rates

MOVED by Deputy Mayor Adams, seconded by Alderman Crowley that the 1995/96 Budget documents as submitted by the City Manager be tabled; and further, that the schedule of meetings pertaining to the budget review process be approved. The motion was put and passed.

His Worship Mayor Fitzgerald asked that appreciation be extended to all members of staff on behalf of Halifax City Council for their contribution to the formulation of what he termed "a very responsible" budget.

**DEFERRED ITEMS**

**Appeal of Minor Variance Refusal -  
6464 Bayers Road**

This matter had last been discussed during a regular meeting of Halifax City Council held on Thursday, 12 January 1995 at which time the following motion was approved:

That the matter be deferred for a four-week period to allow the applicant an opportunity to conclude his negotiations for an appropriate right-of-way.

A report dated 27 February 1995 was submitted from Mr. P. Francis, P.Eng., Development Officer.

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MOVED by Alderman Pottie, seconded by Alderman Blumenthal that, based on the information received from the Development Officer in his report of 27 February 1995, no further action be taken with regard to this appeal at this time. The motion was put and passed.

**Spryfield Lions Aquatic Centre**

This matter had been deferred for a two-week period from a regular meeting of Halifax City Council held on Thursday, 16 February 1995.

MOVED by Alderman Blumenthal, seconded by Alderman Epstein that the matter be deferred to the next regular meeting of Committee of the Whole Council scheduled for Wednesday, 22 March 1995. The motion to defer was put and passed.

**Case No. 6718: Peninsula North  
Area 6 - Proposed Plan**

This matter had last been discussed during a regular meeting of Halifax City Council held on Thursday, 16 February 1995.

A supplementary report dated 16 February 1995 was submitted from the Director of Development and Planning, together with a memorandum dated 2 March 1995 from Alderman Epstein.

Referring to his memorandum dated 2 March 1995, Alderman Epstein proposed the following motion:

That Council:

- (1) make the following changes to the proposed plan for Area 6 of Peninsula North which was recommended by the Planning Advisory Committee in its report of 26 September 1994:
  - (a) continue to set the lot size requirements for single-family dwellings in the R-2 Zone at 20 feet of frontage, 2000 square feet of lot area, 50 percent coverage and no minimum side yard, but add a provision which allows any existing lot which does not meet the frontage and lot area requirements to be developed with a single-family dwelling by right; and
  - (b) designate and zone the properties at 5556 Cunard Street and 2262 and 2266 Creighton Street as High-Density Residential and R-3;



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- (c) in the area bordered by Charles, Robie, West and Davison Streets and the lot at 2223 North Park Street (which will remain C-2), apply Schedule "Q;"
  - (d) in all C-2 areas, apply a height restriction of fifty (50) feet;
  - (e) zone the eastern half of the NSLC parking lot as R-2.
- (2) request that staff draft a revised legal resolution and map to reflect these changes; and
  - (3) set a date for a second public hearing to consider the revised plan for Area 6, once the resolution has been tabled with Council.

Following a brief discussion, it was moved by Alderman Maher, seconded by Alderman Walker that the matter be deferred to the next regular meeting of Committee of the Whole Council scheduled for Wednesday, 22 March 1995, pending receipt of information from staff. The motion to defer was put and passed.

**Case No. 7096: Appeal of Minor  
Variance Refusal, 2912 Connolly Street**

A public hearing to consider this matter had been held on Wednesday, 22 February 1995.

Alderman Pottie drew Council's attention to a letter dated 23 February and received subsequent to the 22 February public hearing from Ms. R. Field of 6532 London Street withdrawing her opposition to the proposal.

Emphasizing that, in his opinion, the proposed development would be considerably "superior" to the existing structure, it was moved by Alderman Pottie, seconded by Alderman Blumenthal that the decision of the Development Officer be overturned, and that the appeal (for a minor variance to permit construction of a duplex dwelling at 2912 Connolly Street) be granted. The motion was put and passed.

**Case No. 7097: Appeal of Minor  
Variance Refusal - 6369 Young Street**

A public hearing to consider this matter had been held on Wednesday, 22 February 1995.

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A report dated 28 February 1995 was submitted from Mr. P. Francis, P.Eng., Development Officer, together with correspondence dated 23 February 1995 from Mr. Jeff Pike, 6360 Young Street.

Alderman Pottie indicated that having personally inspected the property in question, he did not feel that the renovations undertaken by the owner had had any visual impact on the surrounding neighborhood. Adding that he also believed the individual in question had acted in good faith, it was moved by Alderman Pottie, seconded by Alderman Hanson that the decision of the Development Officer be overturned and the appeal be granted. The motion was put and defeated.

Alderman Blumenthal stated that, in his opinion, the appellant was a private contractor who should have been well aware of the City's regulations and the fact that he was proceeding with the conversion of his home without the necessary permits.

Concurring with the concerns raised by Alderman Blumenthal, it was moved by Alderman Maher, seconded by Alderman Blumenthal that the decision of the Development Officer to refuse an application for minor variances at 6369 Young Street be upheld, and that the appeal be refused. The motion was put and passed with Alderman Pottie voting against.

**Case No. 7032: Appeal of Minor Variance  
Approval - 5900 Pinehill Crescent**

A public hearing to consider this matter had been held on 22 February 1995.

A memorandum, dated 1 March 1995, was submitted from Mr. G. R. Smith, Senior Planning Technician, Development and Planning Department.

MOVED by Alderman Uteck, seconded by Alderman Carmichael that the matter be deferred to the next regular meeting of Halifax City Council scheduled for Thursday, 30 March 1995. The motion to defer was put and passed.

**Case No. 7035: Lot Modification  
Development Agreement - 32 Frederick Avenue**

A public hearing into the above-noted matter had been held on Wednesday, 22 February 1995.