

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL SPECIAL SESSION/PUBLIC HEARINGS MINUTES March 24, 1998

PRESENT:

Mayor Walter Fitzgerald
Deputy Mayor Reg Rankin
Councillors: Bill Dooks
Gordon R. Snow
David Hendsbee
Ron Cooper
Harry McInroy
Jack Greenough
Condo Sarto
Clint Schofield
John Cunningham
Jerry Blumenthal
Graham L. Downey
Larry Uteck
Russell Walker
Bill Stone
Ron Hanson
Steve Adams
Bob Harvey
Peter Kelly
Jack Mitchell

ABSENT:

Councillors: Bruce Hetherington (Regrets)
Howard Epstein (Regrets)
Barry Barnet

STAFF MEMBERS:

Mr. Dan English, Acting CAO
Mr. Wayne Anstey, Municipal Solicitor
Ms. Vi Carmichael, Municipal Clerk
Ms. Patti Halliday, Assistant Municipal Clerk

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1. INVOCATION

Mayor Fitzgerald called the meeting to order at 6:00 p.m. with the Invocation.

2. PROCLAMATION**2.1 National Records and Information Management Week, April 5 - 11, 1998**

Mayor Fitzgerald proclaimed the week of April 5 - 11, 1998 as National Records and Information Management Week.

A list of recommendations from the Committee of the Whole and In Camera meetings held earlier in the day, was circulated to Council. Council agreed to add these items to the Council agenda, prior to the Public Hearings.

4. RECOMMENDATIONS FROM MARCH 24, 1998 COMMITTEE OF THE WHOLE AND IN CAMERA MEETINGS

MOVED by Councillors Uteck and Dooks, as recommended by the Committee of the Whole, that Council adopt the following recommendations from the March 24, 1998 Committee of the Whole and In Camera Meetings:

4.1 Municipal Government Act Review

THAT Council adopt the recommendation of the Municipal Government Act Review Committee, with one amendment - to insert in Section 268(5)(a)(ii) reference to the installation of bike paths/lanes/recreational corridors.

4.2 Award of Tender #97-367, Paving Renewal, Hollis Street, South Street to Barrington Street, West District

THAT Council award Tender No. 97-367, Paving Renewal, Hollis Street, South Street to Barrington Street, West District, to Lafarge Canada Limited, at a Tender Price of \$193,890.00 and a Total Project Cost of \$222,973.00 with funding authorized from Capital Account No. 95498, Paving Renewal, Hollis Street, South Street to Barrington Street.

4.3 Award of Tender #98-028, Purchase of One (1) only 1998 Dump Truck with Compressor

THAT Council award Tender No. 98-028 for one (1) only 1998 Dump Truck with Compressor to the lowest evaluated bidder, Carroll Pontiac Buick, for the total tendered price, including taxes, \$65,753.55.

4.4 Award of Tender #98-029, Purchase of One (1) only 1998 Articulated Municipal Tractor

THAT Council award Tender No. 98-029 for one (1) only 1998 Articulated Municipal Tractor to the lowest evaluated bidder, Saunders Equipment, for the total tendered price, including taxes, \$105,987.45.

4.5 Award of Tender #98-002, Supply and Delivery of Ready Mix Concrete

THAT Council authorize the award of Tender #98-002 to the lowest bidder meeting specifications, Dartmouth Ready Mix Limited at a cost of \$103.75 per cubic metre, H.S.T. extra.

4.6 Award of Tender #98-001, Hot Dense Graded Asphaltic Material

THAT Council authorize the award of Tender #98-001 to the two (2) lowest bidders meeting specifications, Rocky Lake Quarry at a cost of \$52.50 per tonne and Ocean Contractors Limited at a cost of \$53.50 per tonne, H.S.T. extra.

4.7 Award of Expression of Interest #97-142 - Vision and Implementation Strategy for the Management of Geographic Information

THAT Council authorize the award of Expression of Interest #97-142 to the submission receiving the highest overall score, the SGE Group Inc. at a cost of \$57,200.00 plus applicable taxes.

4.8 Award of Expression of Interest #98-020 Year 2000 Strategic Analysis

THAT Council authorize the award of Expression of Interest #98-020 to the submission receiving the highest overall score, Terasys Inc., at a cost of \$118,000 U.S. plus expenses and applicable taxes.

4.9 Award of Tender #98-220 - 222 Inclusive - Alderney Landing: Phase 2 - Theatre Market Building

THAT Council award the following tenders with funding authorized as per the Budget Implications section in this report and available under Account No. 91250, Dartmouth Waterfront Development Phase 2:

1. Tender No. 98-220 (Structural Steel and Steel Deck) to Marid Industries Limited for materials and services listed at the lump sum

price quoted for a Total Tender Price of \$569,814.00 and a Total Project Cost of \$655,286.00.

2. Tender No. 98-221 (Masonry) to Tag Enterprises Limited for materials and services listed at the lump sum price quoted for a Total Tender Price of \$431,825.00 and a Total Project Cost of \$496,600.00.
 3. Tender No. 98-222 (Steel Door Frames) to Tag Enterprises Limited for materials and services listed at the lump sum price quoted for a Total Tender Price of \$4,173.35 and a Total Project Cost of \$4,800.00.
- 4.10 Possible Acquisition - Boutiliers Point Wharf and Abutting Lands

THAT Council authorize:

1. The purchase of Boutiliers Point Wharf and adjoining lands as indicated in Appendix A of the staff report dated March 5, 1998, measuring approximately 3.6 acres for \$1.00 and subject to the terms and conditions as indicated in this report;
2. The Mayor and Clerk to execute an agreement with the Government of Canada under which, unless written permission is granted, the Municipality will operate the lands identified above as a recreational harbour for a minimum of five years;
3. The purchase of lands measuring approximately 2.2 acres from the Government of Canada for \$90,400, plus applicable taxes and closing adjustments for the purpose of consolidation with the lands identified in Recommendation 1, with funds to be drawn from the Park Land Planning Capital Reserve Account;
4. Staff to negotiate an agreement with the Bay Look Out Association to provide cooperative management of the Boutiliers Point and adjoining park land;
5. An expenditure from the Sale of Land Capital Reserve Account not to exceed \$10,000 for upgrading the driveway and parking facilities on the site.

The Small Crafts Harbours Division of Fisheries and Oceans Canada will contribute \$40,000 to bring the wharf to acceptable standards (Appendix D of the staff report).

IN CAMERA SESSION RECOMMENDATIONS**4.11 Lease Matter - Quinpool Centre**

THAT the recommendation adopted In Camera, be ratified by Council.

4.12 Land Matter - Archbishop's Residence

THAT the recommendation adopted In Camera, be ratified by Council.

4.13 Land Matter - 213-217 Bedford Highway

THAT the recommendation adopted In Camera, be ratified by Council.

Councillor Kelly inquired if the Metro Food Bank could begin to move its goods into the building. Mr. English replied there are a number of issues that have to be addressed in revisiting the proposal and suggested any decision on this matter be deferred for two weeks. However, he stated if it is strictly food items being moved, and the Metro Food Bank understands it will be at their risk, this could be accommodated on a temporary basis.

MOTION PUT AND PASSED UNANIMOUSLY.**3. PUBLIC HEARINGS****3.1 Case 7437: MPS and LUB Amendments for the Brunswick Comprehensive Development Districts (Polling District 12)**

C The following reports regarding the above item were before Council for its consideration:

- (i) Report from staff dated Feb. 10/98 (Supplementary)
- (ii) Report from Peninsula Planning Advisory Committee dated Feb. 9/98
- (iii) Report from Heritage Advisory Committee dated Feb. 11/98

C Correspondence from Mia and Jimmy Rankin, regarding the above, was circulated to Council for consideration.

With the use of overheads, Ms. Shelly Dickey, Planner, presented the staff report.

Mayor Fitzgerald called for speakers from the public either in favour or against the proposal.

Ms. Mia Rankin, Resident, 2146 Brunswick Street

Ms. Rankin read her correspondence, which was circulated to Council, into the record. Ms. Rankin's objections to the staff recommendation were with respect to the height restriction and the shadow study. Ms. Rankin stated the residents of 2138, 2140 and 2146 Brunswick Street propose a height restriction of 35 feet throughout the property, and that a shadow study be conducted for each proposal submitted, with the requirement that any new construction cannot materially and adversely impact the amount of shadowing on Brunswick Street residences. Ms. Rankin also noted the residents on Brunswick Street are experiencing flooding problems as a result of the water draining from the Alexandra site onto their properties. She requested that this be addressed in the proposal.

Ms. Joyce McCulloch, Heritage Trust of Nova Scotia

Ms. McCulloch commended Ms. Dickey for her work on this project noting everyone had an opportunity to provide input. Ms. McCulloch referred to an article in today's edition of the Daily News regarding the house at the north ramp of the Macdonald Bridge. As the Municipality owns this house, Ms. McCulloch inquired if the house could be moved to a small lot in that area.

Mayor Fitzgerald called three times for any additional speakers. No one came forward.

In response to Ms. McCulloch's comments, Councillor Downey noted it was decided earlier today to have staff look at the possibility of moving the house. Councillor Downey commended staff and the residents working on this development project. The Councillor suggested the letter from Mia and Jimmy Rankin be forwarded to Ms. Dickey and the Municipal Solicitor for a response with respect to possible amendments.

Councillor Hendsbee asked for clarification on the locations of the height restrictions, to which Ms. Dickey responded by pointing out the locations on the overhead map.

In response to a question from Councillor Cunningham, Ms. Dickey replied the 35 foot height limit is the standard for all residential development on the Peninsula. The intent of the 40 foot limit is to provide a slightly larger scale than a single or two family dwelling area. The 40 foot limit also compliments some of the existing buildings, such as the Marley building. With respect to the shadow study, Ms. Dickey stated this was done after the second workshop, at the request of the residents, using the 3-D computer model. Ms. Dickey noted the results of the shadow study may not fully portray the picture because the buildings could actually be deeper and closer than buildings on Brunswick Street. The shadow study showed that there would not be a significant impact of shadowing, even at the winter solstice period.

(Councillor Dooks left the meeting at this time at 6:30 p.m.)

Responding to a question from Councillor Blumenthal regarding budget implications and the height restriction, Ms. Dickey stated the controls being put on this site restrict the redevelopment potential of the site, which will reduce the financial return to the Municipality

when the land is sold and redeveloped. Any further decreases in height or building footprint would have the same impact.

Deputy Mayor Rankin commended staff for bringing forward the proposal which reflects a large degree of community support. The Deputy Mayor stated he believed the residents are requesting reasonable amendments, including a 35 foot height restriction, shadow study, and treatment of the drainage problems.

MOVED by Councillors Downey and Cunningham that the Public Hearing be closed. MOTION PUT AND PASSED UNANIMOUSLY.

MOVED by Councillors Downey and Uteck that this matter be referred to staff for a report. MOTION PUT AND PASSED UNANIMOUSLY.

3.2 Joint Public Hearing - Halifax Regional Council and Halifax Peninsula Community Council: Case 7631: Peninsula North Plan Area: Internal Conversion Regulations: Technical Amendments (Polling Districts 11 and 12)

Councillor Blumenthal noted the Peninsula Community Council requires all three members to be present to constitute a quorum, and since Councillor Epstein was absent, there was not a quorum.

Mr. Anstey, Municipal Solicitor, suggested the Regional Council Public Hearing could be held this evening, and the Peninsula Community Council Public Hearing could be rescheduled.

Mayor Fitzgerald called for speakers from the public either in favour or against the proposal.

Mr. Omar Mansour, Representing Armoyan Properties

Mr. Mansour stated Armoyan Properties is attempting to convert the building located at 5781 Sarah Street from commercial to a four unit apartment building, which cannot be done under the present Land Use By-Law, as they do not have the required parking. Armoyan Properties is requesting that this property be included in this new plan. Mr. Anstey stated 5781 Sarah Street is outside the area for which this was advertised. Ms. Dickey stated a plan amendment would be required to have the property at 5781 Sarah Street included in this area, which is a separate process.

Mayor Fitzgerald called three times for additional speakers. No one came forward.

MOVED by Councillors Downey and Cunningham that the Regional Council Public Hearing be closed. MOTION PUT AND PASSED UNANIMOUSLY.

Mr. Anstey stated the Peninsula Community Council Public Hearing will need to be readvertised. Councillor Uteck advised, if Councillor Epstein is elected to the Provincial Legislature, there will not be a Peninsula Community Council at the beginning of May. Mr. Anstey suggested a special meeting of the Community Council could be set before that time. Mr. Anstey advised once the Peninsula Community Council has conducted its public hearing, this matter can be settled.

MOVED by Councillors Blumenthal and Uteck that this matter be referred to Council without recommendation. MOTION PUT AND PASSED UNANIMOUSLY.

5. ADJOURNMENT

MOVED by Councillors Uteck and Blumenthal that the meeting adjourn at 6:45 p.m. MOTION PUT AND PASSED UNANIMOUSLY.

Vi Carmichael
Municipal Clerk