

SPECIAL COUNCIL
PUBLIC HEARINGS
M I N U T E S

Council Chamber
City Hall
Halifax, Nova Scotia
November 9, 1983
7:30 p.m.

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

Members of Council attending joined the Clerk in the recitation of the Lord's Prayer.

Present: His Worship Mayor Ron Wallace, Chairman; Deputy Mayor A. Hamshaw, and Aldermen Doehler, Cromwell, Downey, Meagher, O'Malley, Dewell, Grant, Nolan, Jeffrey and Flynn.

Also Present: City Manager, City Solicitor, City Clerk and other members of City staff.

ADDED ITEMS

The Clerk advised that there was an item to be added to the agenda from the Committee of the Whole held earlier today.

It was agreed that 'Guaranteed Borrowing - Metropolitan Authority' be added to the agenda for this evening.

Guaranteed Borrowing - Metropolitan Authority

This matter was added to the agenda from the Committee of the Whole meeting held earlier this date.

MOVED by Alderman Doehler, seconded by Alderman Cromwell that Council authorize the Mayor and City Clerk to sign a guarantee of repayment in the amount of \$829,008 of borrowings of the Metropolitan Authority.

Motion passed.

His Worship then addressed the audience explaining the procedure to be used in this evening's public hearing stressing the point that this public hearing dealt with an amendment to the MPS and the Land Use Bylaw of the City only and not any specific proposal. He further noted that comments with regard to wind and shadowing concerns could be addressed this evening.

Proposed Amendment to the Municipal Planning Strategy and the Land Use Bylaw - Summer Street and Spring Garden Road

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

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Mr. W. Campbell, Planning Department, with the aid of maps and sketches outlined the proposal to amend the Municipal Planning Strategy as follows:

1. to amend the Generalized Future Land Use Map of the Municipal Planning Strategy (Section VI, Peninsula Centre Area) to redesignate the property at the southwest corner of Spring Garden Road and Summer Street from "University" and "Medium-Density Residential" to "High-Density Residential";
2. to amend the Municipal Planning Strategy (Section VI, Peninsula Centre Area) to add Policy 8.1.4 as follows:

Policy 8.1.4 For that area located at the intersection of Spring Garden Road, Summer Street, and College Street, designated "High-Density Residential," the City may consider applications for any specific development consistent with the zoning designation. In considering such application, the City may:

- a. permit development to exceed the height precinct established through Policy 8.1.1; however, any proposed development shall not cast any shadow on the Public Gardens after 10:00 a.m. Atlantic Standard Time between March 21 and September 21;
- b. permit modifications to the provisions of the zoning designations, provided that all other policies of this plan and (1) above are met.

Mr. Campbell further explained that Council may consider as alternate land use designations for this site, either Medium-Density Residential or Low Density Residential.

He then explained the appropriate amendments to the Land Use Bylaw should the amendments to the MPS as set out be approved as follows:

1. Amend the City of Halifax Zoning Map by rezoning this area generally described as abutting on the west side of Summer Street between College Street and Spring Garden Road from "Low Density University" (U-1) and "Second Density Residential" (R-2) to "Third Density Residential" (R-3); and
2. Amend the City of Halifax Land Use Bylaw (Peninsula Area), Section 16AB to renumber Subsection (f) as Subsection (g) and to add as Subsection (f) the following:

"Council may, by resolution under the authority of the Planning Act and Policy 8.1.4, Part II, Section VI of the Municipal Planning Strategy, permit any residential development which would not

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otherwise be permitted by this Bylaw in accordance with said policy.

Mr. Campbell advised that the purpose of these amendments is to provide land use regulations in accordance with the policies of the Municipal Planning Strategy.

These amendments are as described in staff reports dated June 20, 1983, August 16, 1983 and August 31, 1983.

Mr. Campbell referred to a report from the Chairman of the Heritage Advisory Committee, Mr. A. McMillin, dated November 8, 1983 and distributed earlier today regarding the historic significance of the buildings located on the property in question.

Mr. Campbell indicated that staff was of the opinion that the amendments as proposed were consistent with the policy thrust of the Municipal Planning Strategy and the Land Use Bylaw.

Mr. Campbell then responded to questions from members of City Council.

Mr. Ted Wickwire, Solicitor, representing United Equities Limited, addressed Council introducing Mr. Keith Allen, President and Dr. D. Morrison, Chief Executive Officer. Mr. Wickwire with the aid of an aerial photograph outlined his written submission as found in a bound presentation entitled 'High Density Residential for Summer Street', dated November 9, 1983 and distributed to members of Council this evening. This submission forms part of the official record.

Mr. Wickwire in summation urged Council to approve High Density Residential zoning for Summer Street and addressed concerns outlined in a petition regarding this matter. Mr. Wickwire noted that factual data was available which dealt with concerns regarding shadowing of the Public Gardens.

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

Mrs. Brenda Shannon, former Alderman of the City of Halifax, addressed Council and in response to comments made by Mr. Wickwire expressed concern with regard to further high-rise development in the area should Council approve a change to the Plan to high density residential without height restrictions for the area. She noted that the assurances of Mr. Wickwire regarding a lack of land for further development could not be accepted as land sales could not be foreseen.

Mrs. Shannon further noted that a decline in the population growth was a phenomenon affecting more than Halifax at present.

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Mrs. Shannon went on to say that although the city had high residential and commercial taxes the existence of one high rise residential complex in this area would do little to stem this trend.

Mrs. Shannon then described briefly the work carried out in the development of the Municipal Planning Strategy and the Peninsula Centre Detailed Area Plan, noting the involvement of both citizens of the area and Dalhousie in the development of these plans.

She noted that concern expressed for the protection of the Gardens had been written into the Plans in the form of height restrictions. She further noted that problems had occurred with wind related to the high-rise development in the area at present.

Mrs. Shannon then referred to the June 20, 1983 staff report noting that Policy 1.3 of the Plan did not encourage high rise development but merely indicated that a definition for the same should be developed.

Mrs. Shannon further indicated that it was the wish of the residents of the area that development of low-rise, medium density residential development be carried out. She further expressed concern from the low rise sensitivity of Carlton Street.

Mrs. Shannon when on to question the validity of the proposed change as well as the existence of reasons for such a change. She noted that it was her understanding that the use of Contract Zoning was to be an interim control until such time as the Detailed Area Plan was completed.

Mrs. Shannon then went on to indicate that Council was in jeopardy of losing the public faith if spot rezonings were to be approved on a random basis along with random changes to the Plan.

Mrs. Shannon then responded to questions from members of Council.

Dr. Andrew MacKay, President of Dalhousie University, addressed Council briefly outlining the history of the University association with the land, the zoning of the land throughout the years, the reasons for the sale of the land and the reason Dalhousie University is in favor of the proposed change.

Dr. MacKay explained the circumstances throughout the last 10 years or so have made the property and buildings in question surplus to the needs of the university and in light of the present financial status of Dalhousie University it was decided that the property be sold. Dr. MacKay went on to say that as the zoning had been R-3 from 1950-80 it would seem appropriate that it revert to this zoning. Dr. MacKay further indicated that it would appear that high-rise residential uses were the pattern use of the land in the area.

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Dr. MacKay then responded to questions from members of Council.

Mr. John Murchie, Maynard Street addressed Council submitting a petition bearing approximately 9,000 signatures in opposition to the proposed amendment to the Municipal Planning Strategy and the Land Use Bylaw. Mr. Murchie outlined certain statistical data regarding the signatures found on the petition with regard to their area of residence within the City and in other cities. He further noted certain comments made by visitors to the City.

Mr. Murchie went on to indicate that he felt Council should allow development in an orderly fashion allowing high-rise residential uses to be placed in areas already designated for this use.

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

Ms. Kenna Manos, 1633 Chestnut Street, addressed Council outlining her submission presented at the Public Hearing this evening and now forming a part of the official record of the Public Hearing.

Mr. Stephen Mills addressed Council outlining his submission presented at the Public Hearing this evening and now forming a part of the official record of the Public Hearing.

Mrs. Doris Maley, former Alderman of the City of Halifax, addressed Council indicating that she felt that the proposed change should not be carried out at this time, but rather that such amendments should be considered during the review of the Municipal Planning Strategy.

Mrs. Maley then questioned the validity and existence of reasons for the amendment to the Plan as is provided for in the Municipal Planning Strategy.

Mrs. Maley in summation indicated that she felt that the action proposed would be a violation of the Municipal Planning Strategy and the Planning Act. She suggested that Council should consider the development of a viable project which further enhances our city rather than possibly having an adverse effect on an already proven plus for the City.

Mrs. Maley then responded to questions from members of Council.

Mr. Donald Mann, Spring Garden Road Area Business Association addressed Council in favor of the proposal and outlined his submission as presented to Council this evening and now forming part of the official record of the Public Hearing.

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Mr. David A. Gillis, representing himself and two other graduate architects, addressed Council and with the use of a slide presentation briefly outlined the area in general and showed examples of some alterate R-3 uses of the property to high-rise development.

Mr. Gillis indicated that he felt Council should carefully investigate all possible alternatives to high-rise R-3 uses.

Mr. Donald Higgins, representing the Ward I Residents Association, addressed Council outlining his written submission presented at the Public Hearing this evening and which now comprises part of the official record of the Public Hearing.

Dr. Keith Vaughan, member of the former Detailed Area Plan Committee, addressed Council reiterating the comments of previous speakers in questioning the process being used with regard to the amendment to the Plan and the validity of such an action. He noted that during the discussions regarding the Detailed Area Plan it was generally understood that if the property in question had not been zoned U-1 it would have been R-2. Dr. Vaughan suggested that perhaps a modified R-2, a higher density with a 45 ft. height control, would be suitable to the area.

Dr. Vaughan responded to questions from members of Council.

Ms. Betty Moore, a resident of Hart House, a building situated on the property in question, addressed Council noting that the buildings on the property at present should be protected. She noted that she would not be opposed to their renovation further indicating that she felt the buildings were important to the heritage of Halifax. Ms. Moore noted that the buildings as they presently stand create an environment for the Gardens which any more modern building could not duplicate or even attempt to attain. She noted that the property not occupied by the houses could be developed in such a way as to be compatible with the surroundings and in particular the Public Gardens.

Ms. Carol Hatt, Ground Superintendent, Mount Saint Vincent University, on behalf of the Friends of the Public Gardens, addressed Council indicating the adverse affect a high rise development could have on the micro climate of the Public Gardens and ultimately the growth of the Gardens themselves. She went on to note that negative results had occurred as a result of high-rise construction at Mount Saint Vincent University with regard to plant life. Ms. Hatt submitted three letters quoting from the comments of various experts in the field of the preservation of plant life. The letters were submitted as follows: 1. Letter from R.S. Morton, Horticulturist-Ornamentals, dated September 19, 1983 2. Letter from P.R. Hickleton, Ornamental Physiologist,

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dated September 14, 1983. 3. W. John Higgins, Associate Professor of Landscape Horticulture, Nova Scotia Agricultural College, dated October 3, 1983.

Dr. John Vandemere, a Field Naturalist, addressed Council indicating that he would not like to see the Public Gardens in any way endangered by the improper development of the area around the Public Gardens. Dr. Vandemere indicated that the Gardens were not only an asset to the city in their aesthetic value but also in their educational value. He further noted that the Gardens would be adversely affected by the erection of concrete buildings creating a canyon like effect.

Mr. Michael Simms, Ward II Residents Council, addressed Council indicating the concern of the Ward II Residents Council regarding the proposed amendment to the Municipal Planning Strategy. He noted that it was felt that Council was forcing the public to once more fight the battle of controlled development for the city after having been of the understanding that the Municipal Planning Strategy had been developed for this purpose. He noted that the Council was not against development, only development inconsistent with the Planning Strategy of the city. He noted that an R-2 designation would be acceptable with the proper limitations being set out in a contract to protect the area involved.

Ms. Karen Webber, Ward 4, addressed Council remarking that Haligonians were lucky to live in such a beautiful city. She noted that having recently moved here she had been attracted by the beauty and history of Halifax. She further noted that the development of the property in question should be one of taste and not detrimental to the surrounding area and the Gardens. She noted that innovative planning would result in an economically viable development while retaining the beauty and historic nature of Halifax without jeopardizing the important tourist industry.

Mr. Ed Lindgren, Architect, addressed Council on behalf of the Friends of the Public Gardens, noting that it had been stated that this matter was an emotional one. Mr. Lindgren remarked that any issue having to do with the preservation of one's home would be an emotional one and certainly this matter was a matter of preservation of one of Halifax's most treasured features. Mr. Lindgren indicated that it was the feeling of the Friends of the Public Gardens that the surrounding area was not a corridor of high-rise uses but rather a mixed use which should not be further jeopardized. Mr. Lindgren then gave a slide presentation depicting the uses in the immediate area of the property and the uses and detailed structural facts of the buildings located on the property.

Mr. Lindgren then addressed Council with regard to the possible adverse effects of shadows and wind on the Public Gardens expressing concern for the plant life growth should a high-rise development be approved for this location.

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Mr. Lindgren noted that the Gardens were the only remaining Victorian Gardens in North America and should be protected fully by the City. He noted that the question tonight is what type of gardens the City wants and therefore what type of development should be allowed to proceed in this area. He noted that the developers of the area should ask this question of themselves and decide upon the type of development which would be most suitable to the area. Mr. Lindgren noted that other cities had reached a stage of adaptive re-use and perhaps this should be the policy for city development.

Mr. Gary Lashanes addressed Council expressing concern over what appeared to be a confrontational situation, noting he did not wish to encourage such a situation. Mr. Lashanes indicated that his concern was for the environment and therefore for the assured preservation of the Public Gardens in their present state. Mr. Lashanes then proceeded to give a short film presentation explaining the effect of winds around buildings in relation to pedestrians. Mr. Lashanes indicated that he welcomed development but felt high rise development would not be appropriate to the particular property being discussed this evening. In his summation he suggested that cooperation between the public, city and the developer could result in a development appropriate to the area.

Mr. Friedman Brauer, addressed Council indicating that he felt that another high rise in this area should not be permitted and that a height restriction should be instituted for the property involved.

Mr. Fred Green, President, Halifax Businessmen's Association, addressed Council indicating that he was in favor of the proposed rezoning noting that an R-3 residential development would increase the tax base of the City, provide employment and aid in the general economic recovery of the City. Mr. Green noted that the staff report appeared to suggest that R-3 zoning in this area would be compatible with the Municipal Planning Strategy.

Mr. Graham Higgs, addressed Council indicating that an impression was given this evening that a great number of persons were represented by various Residents groups. Mr. Higgs noted for example that the Ward II Residents Association represented the views of only 40 Ward II residents suggesting that other groups were much the same. Mr. Higgs then indicated that he felt that R-3 zoning was the only economically viable zoning which could be instituted in this area. He noted that there was a demand for condominiums and further suggested that high rise development would allow for a great deal of landscaped and attractive property.

Mr. Lou Collins, City Historian, addressed Council indicating that he would not like to see Halifax become the Dallas of the North Atlantic. He noted that although the houses on the

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Property had not been designated as Heritage Properties the historical significance of the architecture should not be lost to the City. Mr. Collins indicated that he felt the best use of the land should incorporate the renovation and restoration of the properties on the site. Mr. Collins indicated that he felt R-3 zoning may or may not be the proper zoning for the area.

Mrs. Barbara Cosgrove addressed Council indicating that she had received the permission of the Mother Superior of the Convent of the Sacred Heart to read a letter directed to City Council from the Convent of the Sacred Heart dated August 24, 1983 which now forms part of the official record of this public hearing.

Mrs. Cosgrove indicated that she was in total agreement with the sentiments of the Convent of the Sacred Heart and suggested that a development which would be compatible with the existing structures could be carried out using some imagination and innovative planning.

Alderman O'Malley in objecting to the number of references to the proposed development for this site indicated that he felt the public hearing to be unfair to the prospective developer of the site.

Mrs. Charlotte Lindgren addressed Council noting that this matter had been referred to as an emotional issue. She indicated that during the signing of the petition by a member of the medical profession he had commented that a matter of such importance to the people of the City would certainly be an emotional issue.

Mrs. Lindgren proceeded to read the following correspondence which has been received and distributed:

1. Telegram from Heritage Canada, Mr. Douglas Franklin, Director Public Corporate and Government Relations, dated November 8, 1983;
2. Letter from Gerald Tooke, National Director, Royal Canadian Academy of Arts, dated November 4, 1983; and
3. Letter from John J. Stewart, Canadian Representative to the International Council on Monuments and Sites, Historic Garden Committee dated November 8, 1983.

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

Correspondence has been received as follows:

CORRESPONDENCE IN OPPOSITION

1. Letters dated August 10, 1983 and October 3, 1983 from Mr. Allan Doyle.
2. Letter dated November 4, 1983 from Janice Perkins, Student Welfare Committee, Dalhousie Association of Graduate Students.
3. Letter dated November 4, 1983 from Peter Glecuster.
4. Letter dated November 7, 1983 from Dr. Mary Tomlinson, 1471 Carlton Street.
5. Letter dated November 9, 1983 from Mr. Allan Doyle.
6. Letter dated November 9, 1983 from Howard McNutt, 1348 Hollis Street.
7. Letter dated November 9, 1983 from Board of Directors, Community Planning Association of Canada.
8. Letter dated November 1, 1983 from K.S. Webber, 5816 North Street.
9. Letter dated October 28, 1983 from K. Rodgers, 6036 Pepperell Street.
10. Letter dated October 28, 1983 from H.M. Scott Smith, Architect.
11. Letter dated October 26, 1983 from Vaughan Black, 1624 Henry Street.
12. Letter from Mrs. M.R. Evans, 6526 Waegwoltic Avenue.
13. Letter dated October 21, 1983 from Ian Langlands, 1536 Edward Street.
14. Letter dated October 19, 1983 from R.G.S. Bidwell, I.W. Killam Research Professor.
15. Letter dated November 9, 1983 from Laura G. MacDonald, 39 Doull Avenue.
16. Letter dated November 5, 1983 Charmaine Wood, 2656 Belle Aire Terrace.
17. Letter dated November 3, 1983 from Meredith Annett, 1474 Brenton Street.
18. Letter dated November 1, 1983 from Rosalie Moreash, 1035 Greenwood Avenue.
19. Letter dated October 30, 1983 from Allan O'Brien, 415-1201 Richmond Street, London, Ontario.
20. Letter dated November 7, 1983 from Mr. Peter Klynstra, Past President, Atlantic Provinces Association of Landscape Architects.

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21. Letter dated November 3, 1983 from Richard Shears, 30 Armshore Drive.
22. Letter dated October 27, 1983 from J. Grant Wanzel, M. Arch., Associate Professor, Technical University of Nova Scotia.
23. Letter dated October 31, 1983 from Sylvia D. Hamilton, 630 Purcell's Cove Road
24. Letter dated October 27, 1983 from Wade MacLauchlan, 1109 South Park Street
25. Letter dated October 23, 1983 from Andrew S. Harvey, 19 Balcome Drive.
26. Letter dated November 8, 1983 from J. Alexandra Bringloe, 6 Wenlock Grove.

LETTERS IN FAVOR

1. Letter dated November 8, 1983 from Margaret Stanbury, President Halifax Homeowners Association.
2. Letter dated October 24, 1983 from Chris R. Alexander, 2619 Robie Street.
3. Letter dated November 4, 1983 from Ruby & M.W. Williams, 1975 Vernon Street.

MOVED by Alderman Cromwell, seconded by Alderman Doehler that this matter be forwarded to the next regular meeting of Halifax City Council without recommendation.

Motion passed.

South End/Peninsula Centre Land Use Bylaw Amendments

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

Mr. R. Robertson, Planning Department, with the aid of maps and sketches outlined the proposal to amend the Land Use Bylaw (South End and Peninsula Centre) the purpose of which is to provide standards which reflect the policies of the Municipal Planning Strategy, Part II, Sections V and VI as found in staff reports dated September 12, 1983 and October 26, 1983.

Mr. Robertson responded to questions from members of Council.

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There were no persons present wishing to address Council regarding the matter. Correspondence has been received as follows:

1. Correspondence presented at the Public Hearing held on November 9, 1983 from Donald Higgins, Chairman, Ward One Residents' Association.

MOVED by Alderman Doehler, seconded by Alderman Nolan that this matter be forwarded to the next regular meeting of Halifax City Council without recommendation.

Motion passed.

1:30 a.m. The meeting adjourned.

HEADLINES

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| Added Items | 508 |
| Guaranteed Borrowing - Metropolitan Authority | 508 |
| Proposed Amendment to the Municipal Planning Strategy and the Land Use Bylaw - Summer Street and Spring Garden Rd. .. | 508 |
| South End/Peninsula Centre Land Use Bylaw Amendments | 518 |

HIS WORSHIP MAYOR RON WALLACE
CHAIRMAN

G.I. BLENNERHASSETT
CITY CLERK

DATE APPROVED BY COUNCIL: _____

/sg

CITY COUNCIL
MINUTES

Council Chamber
City Hall
Halifax, Nova Scotia
November 17, 1983
8:00 p.m.

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

The meeting was called to order and members of Council attending, joined the City Clerk in the recitation of the Lord's Prayer.

Present: His Worship Mayor Ron Wallace, Chairman; Deputy Mayor A. Hamshaw, and Aldermen Doehler, Cromwell, Downey, Meagher, O'Malley, Dewell, Grant, Nolan, Jeffrey and Flynn.

Also Present: City Manager, City Solicitor, City Clerk and other members of City staff.

MINUTES

Minutes of the Regular City Council meeting held on October 27, 1983 and and Special City Council meeting held on November 9, 1983 were approved on a motion by Alderman Downey, seconded by Alderman Cromwell.

APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS AND DELETIONS

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

- 20.1 Alderman's Pass - Alderman Rick Grant
- 20.2 Wrecked Car Depository - Alderman Rick Grant
- 20.3 Parking Downtown - Alderman Rick Grant
- 20.4 Appointments - Taxi Commission
- 20.5 Sir Frederick Fraser School Site - Planning Advisory Committee

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

- 8.2 Minor Variance Appeal - 6217 Lawrence Street

The Clerk advised that this matter would be brought forward to Council at the December 1, 1983 meeting of City Council.

- 15.3 Case No. 4402 - Rezoning - 5950 Spring Garden Road - SET DATE FOR PUBLIC HEARING.

The Clerk advised that this deletion was at the request of the applicant.

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At the request of Alderman Doehler, City Council agreed to add:

20.6 Alderman Expense Accounts

At the request of Alderman Jeffrey, City Council agreed to add:

20.7 Crosswalks - Hillcrest Avenue

20.8 Seaview Park

MOVED by Alderman Doehler, seconded by Deputy Mayor Hamshaw the agenda, as amended, be approved.

Motion passed.

His Worship then referred to the addition to the Grant family and Alderman Grant addressed Council thanking the Mayor and Council for their congratulations and floral arrangement on behalf of his entire family.

Presentation of First Chebucto Heights Cub Pack to City Council

His Worship advised that the First Chebucto Heights Cub Pack was present in the Chamber this evening noting that this Cub Pack was located in Alderman Nolan's Ward. His Worship expressed, on behalf of Council, the pleasure of Council in having the Cub Pack present this evening. He then noted the leaders present and welcomed the group to Halifax City Council.

The First Chebucto Heights Cub Pack recognized the comments of His Worship by standing and giving the Cub salute.

Appointment - Deputy Mayor

Deputy Mayor Hamshaw addressed Council expressing his pleasure at having held the office of Deputy Mayor for the past year and thanking both Council and His Worship for the cooperation and support. Deputy Mayor Hamshaw indicated that he had enjoyed his year greatly.

MOVED by Deputy Mayor Hamshaw, seconded by Alderman Doehler that Alderman Ron Cromwell be nominated for appointment to the position of Deputy Mayor from November, 1983 to November, 1984.

Motion passed unanimously.

Deputy Mayor Cromwell addressed Council expressing his appreciation of the fine work carried out by former Deputy Mayor Hamshaw over the past year. He then thanked Council for their vote of confidence in appointing him Deputy Mayor indicating that it was a great honour to serve in this position. He noted that he looked forward to working closely with His Worship in the months to come. He indicated that he would do his best to serve

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both the City of Halifax and Council in the best manner possible.

His Worship addressed Council indicating that it had been a pleasure to work with Alderman Hamshaw over the past year and he looked forward to working with Deputy Mayor Cromwell in the coming year.

Alderman Meagher addressed Council thanking former Deputy Mayor Hamshaw for his service to the City and Council noting that his term had been carried out with dignity.

Alderman Doehler addressed Council indicating that a response had been received from the Royal Family regarding the use of the Spencer name in naming the new Morris Street facility. Alderman Doehler advised that Her Highness, Princess of Wales, had in a letter to Rideau Hall expressed her pleasure at the use of her family name in this manner and noted that she remembers with affection her recent visit to Halifax.

Alderman Grant addressed Council indicating that as information for Council the Multi Service Centre was proceeding on schedule and that the architects were now prepared to call for tenders within the month.

Alderman Jeffrey advised that Alderman D. LeBlanc would in all likelihood be rejoining Council at the next meeting of the Committee of the Whole Council.

DEFERRED ITEMS

Amendment to the Municipal Planning Strategy and the Land Use Bylaw - Summer Street and Spring Garden Road

A public hearing into the above matter was held on November 9, 1983.

A supplementary staff report dated November 16, 1983 was submitted. A letter from Mr. F.B. Wickwire, Solicitor for United Equities Ltd. was submitted requesting deferral of the item for one month to allow United Equities Limited sufficient time to consider all the ramifications of the views that were expressed at the public hearing on November 9, 1983.

MOVED by Deputy Mayor Cromwell, seconded by Alderman Hamshaw that as requested by Mr. F.B. Wickwire, Solicitor for United Equities Ltd., this matter be deferred for a period of approximately one month.

The following correspondence has been received regarding this matter:

1. Correspondence dated November 17, 1983 from Constance I. MacFarlane, D.Sc. LL.D. in opposition to the proposal.

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2. Correspondence dated November 17, 1983 from Muriel Duckworth, 6517 Coburg Road, in opposition to the proposal.
3. Correspondence dated November 16, 1983 from Betty Moore, 1488 Summer Street, in opposition to the proposal.
4. Correspondence dated November 16, 1983 from Bruce R. Moore, 1488 Summer Street, in opposition to the proposal.
5. Correspondence dated November 15, 1983 from R.N. O'Boyle, 1469 Carlton Street, in opposition to the proposal.
6. Correspondence dated November 14, 1983 from Charlotte Lindgren, in opposition to the proposal.
7. Correspondence dated November 10, 1983 from a resident of 6009 Quinpool Road, in favor of the proposal.
8. Correspondence dated November 9, 1983 from Mrs. E. Margaret Bentley, in opposition to the proposal.
9. Correspondence dated November 9, 1983 from D. Antony Gillis, Teresa Janik, and Carolyn Wallace, in opposition to the proposal.
10. Correspondence dated November 8, 1983 from Marjory Whitelaw, in opposition to the proposal.

The motion was put and passed.

Proposed Amendments to the Land Use Bylaw, Part II, Sections
V and VI (Peninsula Centre/South End)

A public hearing into the above matter was held on
November 9, 1983.

MOVED by Alderman Doehler, seconded by Deputy Mayor
Cromwell that the following amendments to the Land Use Bylaw,
Part II, Sections V and VI (Peninsula Centre/South End) be
approved by City Council:

- (1) Amend Section 1(sa), to read:

"Height South End and Peninsula Centre Areas" shall be the height shown on ZM-17, Height Map, said height being the vertical distance of the highest point of the roof above the mean grade of the finished ground adjoining the building between the building and the fronting street. Further, the permitted height may be exceeded to accommodate the top storey of a building if such storey extends through the maximum height permitted."

- (2) Amend Section 1(wv) to read:

"Volume" means that space enclosed by the exterior dimensions of a structure. For the purposes of this Bylaw, volume shall not include bay windows, porches or stairways, enclosed or otherwise."

- (3) Amend Section 34E (a) and (b) to read:

34E(a) there is no increase in height or volume and that the external dimensions of the building have not changed from the date of adoption of this section of the Bylaw.

34E(b) where a conversion is to two dwelling units, one of the dwelling units shall be a minimum of 1,000 square feet, and where the conversion is to three dwelling units, two of the dwelling units shall be a minimum of 1,000 square feet (the external dimensions of the building shall not be enlarged after conversion); and

- (4) Amend Section 34F(1) to read:

34F(1) Notwithstanding Section 28 and Section 16AA of this Bylaw for the area described in Section 34F(2), R-1 uses shall be required to have a minimum lot area of 800 square feet and a minimum distance of 30 feet between buildings and a minimum setback from the shoreline of 30 feet except that this provision does not apply to accessory buildings.

- (5) Amend Section 43D to read:

43D Notwithstanding Section 35(1) in the "Peninsula Centre" area as shown on ZM-16, additions to existing buildings (such additions not to exceed the height of the existing building), to a maximum of four units per building, shall be permitted, provided that of the total number of dwelling units in the building, there are a minimum of two dwelling units of a minimum of 800 square feet for each dwelling unit which is less than 800 square feet.

Record

- (1) Amend Section 1(sa), to read:

"Height South End and Peninsula Centre Areas" shall be the height shown on ZM-17, Height Map, said height being the vertical distance of the highest point of the roof above the mean grade of the finished ground adjoining the building between the building and the fronting street. Further, the permitted height may be exceeded to accommodate the top storey of a building if such storey extends through the maximum height permitted."

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34E(b) where a conversion is to two dwelling units, one of the dwelling units shall be a minimum of 1,000 square feet, and where the conversion is to three dwelling units, two of the dwelling units shall be a minimum of 1,000 square feet (the external dimensions of the building shall not be enlarged after conversion); and

- (4) Amend Section 34F(1) to read:

34F(1) Notwithstanding Section 28 and Section 16AA of this Bylaw for the area described in Section 34F(2), R-1 uses shall be required to have a minimum lot area of 8,000 square feet and a minimum distance of 30 feet between buildings and a minimum setback from the shoreline of 30 feet except that this provision does not apply to accessory buildings.

- (5) Amend Section 43D to read:

43D Notwithstanding Section 35(1) in the "Peninsula Centre" area as shown on ZM-16, additions to existing buildings (such additions not to exceed the height of the existing building), to a maximum of four units per building, shall be permitted, provided that of the total number of dwelling units in the building, there are a minimum of two dwelling units of a minimum of 800 square feet for each dwelling unit which is less than 800 square feet.

- (6)(i) Amend Section 43E to delete Sections 43E(a), 43E(b) and 43E(c) and to add:

| | <u>Minimum Lot Frontage Feet</u> | <u>Minimum Lot Area (Sq. Ft.)</u> |
|---------------------|--|---|
| "43E(a) | | |
| R-1 | N/A | N/A |
| Duplex | 33 | 3,300 |
| Semi-Detached | 25 | 2,500 |
| Three Unit Building | 45 | 5,000 |
| Four Unit Building | 60 | 6,000 |

43E(b) for each unit which is 800 square feet or greater, one parking space and 300 square feet of open space shall be required; and for dwelling units less than 800 square feet, one parking space shall be required for each two dwelling units, and 50 square feet of open space for each unit.

- (7) Amend Section 43F to read:

43F Notwithstanding any other provision of this Bylaw, for any building which existed on the date of adoption of this Bylaw, located in the "Peninsula Centre" area as shown on Zoning Map ZM-16, and which is located on a lot which abuts Coburg Road between Oxford Street and Robie Street, or on a lot which abuts on Robie Street between Pepperell Street and South Street, interior conversions shall be permitted, provided there is no change in the height or volume of the building and that the minimum size of each dwelling unit shall be 600 square feet.

- (8) Amend Section 43AC(2) to read:

43AC(2) Rear yards and accessory buildings shall comply with the requirements of Sections 30 and 31 respectively; corner lots shall comply with the requirements of Section 32.

- (9) Amend Section 43AE to read:

43AE Notwithstanding any other provision of this Bylaw, conversions of existing buildings, which are in existence on the date of adoption of this Section of the Bylaw, to R-1, R-2 and R-2A uses, may be permitted provided that there is no increase in building volume.

- (10) Amend Section 48AA(c) to read:

48AA(1)(c) a grocery store or drug store, on the ground floor provided that the gross commercial floor area is limited to 1,000 square feet and has separate access to the exterior of the building.

- (11) Amend Section 48BA(1)(c) to read:

48BA(1)(c) minor commercial uses, as set out in the C-2A Zone, Section 59A(1) (b) to (m) inclusive, excluding (1a) (billboards), provided that such uses are located at grade or below grade.

- (12) Amend Section 48BB(1) to read:

48BB(1) Buildings erected, altered or used for RC-2 uses in an RC-2 Zone shall comply with the requirements of the R-2A Zone, excluding the requirements as they relate to family-type units, insofar as dwelling units are concerned, and the C-2A Zone insofar as commercial uses are concerned all excepting that additions to the building fronts where such buildings existed on the date of adoption of this Bylaw for commercial uses shall not be permitted. The maximum building height permitted shall be 45 feet and separate access for commercial and residential uses respectively to the exterior of the building shall be required.

- (13) Amend Section 48CA(1)(a) to read:

48CA(1)(a) R-1, R-2, R-2A, RC-1 and RC-2 uses;

- (15) Amend Section 48CB to add Section 48CB(3) to read:

48CB(3) "Buildings erected, altered or used for R-1, R-2, R-2A, RC-1 or RC-2 uses in an RC-3 Zone shall comply with the requirements of their respective zones."

- (17) Amend Section 70AA(1) to add a Subsection (e)

70AA1(e) R-1 and R-2 uses.

- (18) Amend Section 70AB to add as Subsection (4):

70AB(4) Buildings erected, altered or used as R-1 or R-2 uses in a U-1 Zone shall comply with the requirements of their respective zones.

- (19) Delete from the Building Line Plan the following setback:

Morris Street on the North between Barrington and Hollis Streets: 15 feet.

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Alderman Doehler noted that Recommendations Nos. 14 and 16 were not included in this motion. He explained that the Planning Advisory Committee had requested that Recommendation No. 14 be excluded from the approval and that he would deal with Recommendation No. 16 in a separate motion.

Motion passed.

MOVED by Alderman Doehler, seconded by Deputy Mayor Cromwell that Recommendation No. 16 as found in Appendix I of the July 12, 1983 staff report be approved as follows:

'Amend Section 62A to read:

In the area described as the South End Area, as shown on Zoning Map ZM-16, permitted uses shall include any industrial enterprise, except when the operation of same would cause a nuisance or a hazard to the adjacent residential uses and residential zones and any uses permitted in the C-3 Zone shall be permitted in structures in existence on date of adoption of this section of this Bylaw and for such buildings Section 62(B) shall not apply.

Alderman Doehler indicated that the changes to Recommendation No. 16 were in an effort to clarify to whom a nuisance or hazard applies and to protect the existence of C-3 uses.

Motion passed.

Transit Route 14 - Lieblin Park

This matter was last discussed at the meeting of City Council held on October 27, 1983.

Alderman Grant addressed the matter indicating that he had been unable to arrange a meeting with Transit Advisory to discuss this matter and MOVED, seconded by Alderman Nolan that this matter be deferred to the next regular meeting of Halifax City Council.

Motion passed.

Motion of Reconsideration, Alderman Flynn re: Reconsideration of Council Resolution of September 15, 1983 respecting the Halifax-Dartmouth Port Commission

This matter was last discussed at the meeting of Council held on October 13, 1983 at which time it was deferred to this meeting.

Alderman Flynn addressed the matter noting that

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due to the change in the Minister for the Department of Transportation and despite the meeting held with the previous minister he felt this matter should not be dealt with until such time as a meeting has been held with the new Minister of Transportation. Alderman Flynn indicated that he wished to withdraw his motion at this time and noted that if necessary a Motion of rescission of the original motion regarding this matter could be brought forward at a later date.

MOVED by Alderman Flynn, seconded by Alderman O'Malley that the matter regarding the Motion of Reconsideration of the September 15, 1983 motion of City Council pertaining to the Halifax-Dartmouth Port Commission be withdrawn.

Motion passed.

PUBLIC HEARING, HEARINGS, ETC.

Minor Variance Appeal - 6086 Quinpool Road

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

Mr. E.B. Algee, Development Officer, addressed Council outlining the application for a Minor Variance with respect to the side yard, lot frontage and lot area at 6086 Quinpool Road as found in the staff report dated October 20, 1983.

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

There were no persons present wishing to address Council regarding this matter, however, Deputy Mayor Cromwell addressed Council indicating that Mrs. MacKenzie was unable to attend the meeting this evening as she had to work. Deputy Mayor Cromwell advised that in discussion with Mrs. MacKenzie, appellant, he had ascertained that an agreement had been reached between Mrs. MacKenzie and Mr. Fram, the applicant, regarding the erection of a mutually suitable fence. He further advised that discussions with the traffic authority were to be undertaken regarding the problem of traffic in the area.

MOVED by Deputy Mayor Cromwell, seconded by Alderman Flynn that the decision of the Development Officer to grant a variance at 6086 Quinpool Road be upheld; and the appeal be denied. Motion passed.

Minor Variance Appeal - 6217 Lawrence Street

This matter was deferred to the December 1, 1983 meeting of Council during the setting of the agenda.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on November 9, 1983 as follows:

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Convention Centre - Operating Expenses

MOVED by Alderman O'Malley, seconded by Deputy Mayor Cromwell that, as recommended by the Finance and Executive Committee, City Council approve cost sharing for the Convention Centre in the amount of \$240,000 for the calendar year 1983 under Section 201(1) of the City Charter.

Alderman Flynn addressed the matter indicating that he felt that this matter should not be dealt with until such time as a meeting was held with the Provincial Minister involved to ascertain if the total sum of these funds was necessary for the start up of the Convention Centre. He noted that no mention of any such monies had been made in previous discussion regarding the funding of the Convention Centre. He further referred to discussions which were to take place between His Worship and the Premier regarding this matter suggesting that there was no urgency for the funding at this present time.

MOVED by Alderman Flynn, seconded by Alderman Doehler that this matter be deferred until such time as discussions between the Provincial Minister, His Worship and the Premier takes place.

Motion passed, with Alderman O'Malley voting against the motion.

Proposed Amendment to 16(5) of the Halifax City Charter

A staff report dated November 15, 1983, was submitted.

MOVED by Deputy Mayor Cromwell, seconded by Alderman Doehler that the following amendment, as underlined, to Section 16(5) of the City Charter be approved by City Council:

'The remuneration paid to the Mayor, Deputy Mayor and Aldermen shall be the full amount paid to them as members of the Council for services in the Council and on any board, commission, committee, or other body for which Council provides funds, save that the members of the Council appointed to the Halifax District School Board may, with Council's approval receive any remuneration paid to members of the Board and save further that any member of the Council appointed by the Council to any board who is elected chairman, may receive any remuneration paid to the Chairman by such board.'

Deputy Mayor Cromwell indicated that this amendment was proposed to allow Council, if they so wished, to allocate a stipend for members of Council serving on the Halifax District School Board.

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Discussion ensued with regard to the matter with Alderman Flynn indicating that he felt the matter of allocation of stipends respecting all Boards, Commissions, and Committees should be dealt with by the Stipends Committee and a report should be forthcoming regarding their recommendations before Council takes any action. He noted that he felt it was not proper to decide the allocation of a stipend for one Board in isolation.

Alderman O'Malley indicated that he felt any amendments to the City Charter with regard to Section 16(5) should first be reviewed by the Stipends Committee.

Further discussion ensued with regard to remuneration presently paid to members of Council for service on certain Boards and Commissions. It was noted that the salary of the Mayor and Aldermen included such service on various Board and Commissions.

The motion was put and lost.

MOVED by Alderman Doehler, seconded by Alderman O'Malley that the following amendment, as underlined, to Section 16(5) of the City Charter be approved by City Council:

"The remuneration paid to the Mayor, Deputy Mayor, and Aldermen shall be the full amount paid to them as members of the Council for services in the Council and on any board, commission, committee or other body for which the City is required to provide members, including the Board of School Commissioners of the City, save that any member of the Council appointed by the Council to any board who is elected chairman of such board, may receive any remuneration paid to the Chairman by such board and any remuneration to which a member is entitled shall be paid to the general funds of the City.

Motion passed.

Appointments - Stipends Committee

The recommendation of the Committee of the Whole Council is as follows:

"That appointments be made to the Stipends Committee, and the Committee be requested to review all Boards and Commissions with respect to remuneration and submit recommendations to Council."

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Discussion ensued with regard to the matter with Alderman Flynn indicating that he felt the matter of allocation of stipends respecting all Boards, Commissions, and Committees should be dealt with by the Stipends Committee and a report should be forthcoming regarding their recommendations before Council takes any action. He noted that he felt it was not proper to decide the allocation of a stipend for one Board in isolation.

Alderman O'Malley indicated that he felt any amendments to the City Charter with regard to Section 16(5) should first be reviewed by the Stipends Committee.

Further discussion ensued with regard to remuneration presently paid to members of Council for service on certain Boards and Commissions. It was noted that the salary of the Mayor and Aldermen included such service on various Board and Commissions.

The motion was put and lost.

MOVED by Alderman Doehler, seconded by Alderman O'Malley that the following amendment, as underlined, to Section 16(5) of the City Charter be approved by City Council:

'The remuneration paid to the Mayor, Deputy Mayor, and Aldermen shall be the full amount paid to them as members of the Council for services in the Council and on any board, commission, committee or other body for which Council is required to provide members, including the Board of School Commissioners of the City, save that any member of the Council appointed by the Council to any board who is elected chairman of such board, may receive any remuneration paid to the chairman by such board and any remuneration to which a member is entitled shall be paid to the general funds of the City.'

Motion passed.

Appointments - Stipends Committee

The recommendation of the Committee of the Whole Council is as follows:

"That appointments be made to the Stipends Committee, and the Committee be requested to review all Boards and Commissions with respect to remuneration and submit recommendations to Council."

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His Worship indicated that a prominent jurist in the City of Halifax had been contacted with regard to accepting membership on the Stipends Committee. He indicated, however, that no response had been received to date and suggested that the matter be deferred until such time as this response has been received.

Alderman O'Malley suggested that the Stipends Committee representation should be City wide.

MOVED by Alderman Grant, seconded by Alderman Dewell that this matter be deferred until such time as a response has been received regarding the willingness of the person contacted to serve on the Stipends Committee has been received.

Motion passed.

Sale of Surplus Firearms - Tender #83-212

MOVED by Alderman Meagher, seconded by Alderman Doehler that, as recommended by the Finance and Executive Committee, authority be granted to sell the firearms to Pradier Equipment at the tendered price of \$12,175.00.

Motion passed.

Equiganza 1984

A Supplementary Staff Report dated November 10, 1983 was submitted.

MOVED by Alderman Nolan, seconded by Alderman Doehler that, as recommended by the Finance and Executive Committee:

1. The Nova Scotia Equestrian Federation be given permission to hold 'Equiganza 1984' on the Wanders Grounds on June 29 - July 1, 1984;
2. A \$10,000 deposit be deposited with the City of Halifax; and
3. The Nova Scotia Equestrian Federation enter into an indemnity agreement with the City of Halifax.

Alderman Meagher addressed the matter voicing concern with regard to the notification of the various baseball leagues within the City which made use of the Wanderers Grounds. Mr. MacLean, Recreation Department, advised that all leagues which used the Wanderers Grounds had been contacted with regard to the Equiganza and noted that the scheduling of games could be worked around the event.

Motion passed with Alderman Meagher voting against.

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November 17, 1983

His Worship indicated that a prominent jurist in the City of Halifax had been contacted with regard to accepting membership on the Stipends Committee. He indicated, however, that no response had been received to date and suggested that the matter be deferred until such time as this response has been received.

Alderman O'Malley suggested that the Stipends Committee representation should be City wide.

MOVED by Alderman Grant, seconded by Alderman Dewell that this matter be deferred until such time as a response has been received regarding the willingness of the person contacted to serve on the Stipends Committee has been received.

Motion passed.

Sale of Surplus Firearms - Tender #83-212

MOVED by Alderman Meagher, seconded by Alderman Doehler that, as recommended by the Finance and Executive Committee, authority be granted to sell the firearms to Pradier Equipment at the tendered price of ~~\$12,175.00~~ ^{\$ 2,175.00}

*Error Correction
See Original
Staff Report
Amended Dec 8/83
sp.*

Motion passed.

Equiganza 1984

A Supplementary Staff Report dated November 10, 1983 was submitted.

MOVED by Alderman Nolan, seconded by Alderman Doehler that, as recommended by the Finance and Executive Committee:

1. The Nova Scotia Equestrian Federation be given permission to hold 'Equiganza 1984' on the Wanders Grounds on June 30 - July 1, 1984;
2. A \$10,000 deposit be deposited with the City of Halifax; and
3. The Nova Scotia Equestrian Federation enter into an indemnity agreement with the City of Halifax.

Alderman Meagher addressed the matter voicing concern with regard to the notification of the various baseball leagues within the City which made use of the Wanderers Grounds. Mr. MacLean, Recreation Department, advised that all leagues which used the Wanderers Grounds had been contacted with regard to the Equiganza and noted that the scheduling of games could be worked around the event.

Motion passed with Alderman Meagher voting against.

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Pollution Control Charge for 1984

MOVED by Alderman Hamshaw, seconded by Alderman Doehler that, as recommended by the Finance and Executive Committee, the pollution charge be set for the year 1984 at the present level of 50¢ per thousand gallons of water consumed.

Alderman Jeffrey addressed the matter suggesting that since there was a large amount of money available in the Pollution Control Charge Account that this charge should be discontinued for the year 1984. The City Manager advised that Council had recently approved a project in the Fairview area which would use up almost half of the funds available in that account. He noted that further monies would be necessary for projects to be carried out in the future.

The motion was put and passed.

Social Assistance Shelter Rates and Comfort Allowance

A Supplementary Staff Report dated November 10, 1983 was submitted.

The recommendation of the Finance and Executive Committee is as follows:

1. The comfort allowance be increased from \$50.00 to \$60.00 per month commencing December 1, 1983.
2. The following change in shelter costs be made effective December 1, 1983:

| <u>Family Size</u> | <u>Present Maximum</u> | <u>Recommended Maximum</u> |
|--------------------|------------------------|----------------------------|
| 1 | \$225 | \$245 |
| 2 | 302 | 350 |
| 3 | 345 | 360 |
| 4 | 345 | 370 |
| 5 | 365 | 380 |
| 6 | 371 | 390 |

MOVED by Alderman Downey, seconded by Alderman Flynn that the recommendation of the Finance & Executive Committee be amended to increase the comfort allowance from \$50.00 to \$75.00, and that funds be allocated under Section 201(1) of the City Charter if required.

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Alderman Downey indicated that Council had previously increased the comfort allowance from \$60.00 to \$75.00 providing the Provincial Government cost shared on this amount which they agreed to do. He noted that this amount was approved to April of 1984.

Discussion ensued and it was noted that the Social Planning Budget for 1984 had been based upon the \$10.00 increase to the comfort allowance rather than a \$25.00 increase. It was further suggested that if Council were to approve additional funding, it may be more appropriately allocated to another area.

Mr. Crowell, Social Planner, addressed Council indicating that Hope Cottage and the VON service were in need of funds to maintain the present level of service and in the case of Hope Cottage perhaps increase the service to weekends.

Further discussion ensued with regard to the amount of Comfort Allowance which was actually used by the residents of nursing homes. Mr. Crowell indicated that a balance of \$150.00 was the maximum amount any individual could accrue. He noted that certain patients of nursing homes who were bedridden often used very little of their allowance. He noted that these individuals counted only 100 of some 600 persons in nursing homes.

Concern was voiced for funding of the proposed increase, by Alderman Downey, due to the fact that there was no assurances from the Province. Concern was also voiced regarding the effect of such an increase on the Social Planning Budget. Mr. Crowell indicated that an increase would certainly increase the overall budget over the 5% guideline.

The motion was put and passed.

Further concern was expressed regarding the timing of the resolution and it was noted that this increase would have to be covered off by the City for an indefinite period of time.

MOVED by Alderman Doehler, seconded by Alderman Jeffrey
that the comfort allowance be increased from \$50.00 to \$75.00 for the months November and December 1983 after which time it be reviewed based on the budget discussions.

Discussion ensued with regard to the confusion such an increase would create among those receiving the allowance as in January they would not receive the \$75.00 but revert to the \$60.00 as proposed by Mr. Crowell.

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Alderman Downey indicated that Council had previously increased the comfort allowance from \$60.00 to \$75.00 providing the Provincial Government cost shared on this amount which they agreed to do. He noted that this amount was approved to April of 1984.

Discussion ensued and it was noted that the Social Planning Budget for 1984 had been based upon the \$10.00 increase to the comfort allowance rather than a \$25.00 increase. It was further suggested that if Council were to approve additional funding, it may be more appropriately allocated to another area.

Mr. Crowell, Social Planner, addressed Council indicating that Hope Cottage and the VON service were in need of funds to maintain the present level of service and in the case of Hope Cottage perhaps increase the service to weekends.

Further discussion ensued with regard to the amount of Comfort Allowance which was actually used by the residents of nursing homes. Mr. Crowell indicated that a balance of \$150.00 was the maximum amount any individual could accrue. He noted that certain patients of nursing homes who were bedridden often used very little of their allowance. He noted that these individuals counted only 100 of some 600 persons in nursing homes.

Concern was voiced for funding of the proposed increase, by Alderman Downey, due to the fact that there was no assurances from the Province. Concern was also voiced regarding the effect of such an increase on the Social Planning Budget. Mr. Crowell indicated that an increase would certainly increase the overall budget over the 5% guideline.

The amendment to the motion was put and passed. The motion as amended was put and passed.

Further concern was expressed regarding the timing of the resolution and it was noted that this increase would have to be covered off by the City for an indefinite period of time.

MOVED by Alderman Doehler, seconded by Alderman Jeffrey that the comfort allowance be increased from \$50.00 to \$75.00 for the months November and December 1983 after which time it be reviewed based on the budget discussions.

Discussion ensued with regard to the confusion such an increase would create among those receiving the allowance as in January they would not receive the \$75.00 but revert to the \$60.00 as proposed by Mr. Crowell.

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Alderman O'Malley rose to a Point of Order indicating that it was his opinion that a Motion of Reconsideration would be required to change a motion as drastically as Alderman Doehler's motion changed the original motion.

His Worship indicated that the Solicitor had advised this was a proper motion as it set down time .

The motion was put and passed.

Halifax Housing Authority Rent Increases

MOVED by Alderman Grant, seconded by Alderman Doehler that, as recommended by the Finance and Executive Committee, a 7% increase, similar to the percentage being recommended for rents in the private sector, be granted and that rents for public housing be reviewed in April 1984,

| <u>Present Scale</u> | <u>Increased to</u> |
|----------------------|---------------------|
| \$ 85 | \$ 91 |
| 100 | 107 |

Motion passed.

Tender #527979 - Mini Computer Equipment

MOVED by Alderman Doehler, seconded by Alderman Grant that as recommended by the Finance and Executive Committee:

1. Tender #527979 for two mini-computers, one for Systems and Data Processing Group A Development and Test System, and for City Field to accomodate a fleet maintenance system be awarded to NCR Ltd., 3600 Strawberry Hill Street, Halifax, Nova Scotia, B3K 5A9;

| | |
|---------------------------------|---------------|
| Systems & Data Processing Group | - \$37,015.00 |
| City Field Maintenance System | - \$36,190.00 |

2. Funds be made available from Account No. 122603 A0443 for the Data Processing system and from Account 142450 for the City Field system.

Motion passed.

Place of Payment of City Debentures

MOVED by Alderman Doehler, seconded by Alderman Hamshaw that, as recommended by the Finance and Executive Committee, City Council approve the resolution attached to the staff report dated November 4, 1983 inserting the date September 1, 1983 in each of Paragraph Nos. 3, 4, and 5.

Motion passed.

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November 17, 1983

REPORT - COMMITTEE ON WORKS:

Council considered the report of the Committee on Works from its meeting held on November 9, 1983, as follows:

Fairmount-Springvale Access Study

MOVED by Alderman Jeffrey, seconded by Alderman Flynn that, as recommended by the Committee on Works:

1. City Council approve the decision of the Fairmount-Springvale Study Committee and authorize the Mayor and City Clerk to enter into a contractual agreement with C.B.C.L. Limited for the execution of the Work as outlined in the staff report dated October 19, 1983;

2. The terms of reference for the determination of an alternate access, Fairmount/Springvale area, as attached to the staff report dated October 19, 1983, be amended by the addition of 2(j) to read "The safety of the pedestrians and school children in the area of Downs Avenue";

3. Funding is available in Account CJ073 tentatively approved for 1984.

Motion passed.

REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS, AND COMMISSIONS:

Natal Day Committee Report

A report dated November 17, 1983, was submitted from the City Clerk reporting on consideration of the above item at the November 2, 1983 meeting of the Committee of the Whole Council. The report advised that the following resolution was Lost at the Committee of the Whole Council meeting:

"That for 1984 on an experimental basis, Council establish that the first Monday in August be Halifax Natal Day with the Halifax Natal Day Parade being held on the preceding Saturday, and that negotiations with Dartmouth be undertaken regarding alternating parade days between Saturdays and Mondays."

Alderman Dewell referred to the recommendation from the Natal Day Committee and to preliminary discussions held concerning joint Natal Days. Alderman Dewell indicated that the Mayor had suggested that Council establish a Committee to meet with Committees from Dartmouth, Bedford, and Sackville on the subject.

MOVED by Alderman Dewell, seconded by Alderman Doehler that the item be deferred to the next regular Council meeting pending receipt of a report from a Committee to meet with Committees from Dartmouth, Bedford, and Sackville concerning Natal Day.

Motion passed.

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November 17, 1983

Regional Senior Games - Recreation Budget Request

A report dated November 9, 1983 was submitted from the Chairman of the Advisory Committee on Concerns of Ageing.

Alderman Cromwell advised it was his understanding that funds for Regional Senior Games have been included in the budget for the recreation Department which would be considered during the budget discussions.

MOVED by Cromwell, seconded by Alderman Doehler that the matter of the regional senior games be considered during the current budget discussions.

Motion passed.

REPORT - CITY PLANNING COMMITTEE:

Council considered the report of the City Planning Committee from its meeting held on November 9, 1983, as follows:

Case No. 4418 - Contract Development - 21 Balcome Drive

MOVED by Alderman Nolan, seconded by Alderman O'Malley that, as recommended by the City Planning Committee, the application for contract development to permit an office use of 21 Balcome Drive be refused by City Council as the application does not conform to Policy 1.2 of the Municipal Planning Strategy.

Motion passed.

The Chairman referred to a letter received from the applicant requesting a reasonable time in which to vacate the premises. A short discussion and questioning of staff followed and it was MOVED by Alderman O'Malley, seconded by Alderman Doehler that the letter be tabled by City Council.

Motion passed.

Case No. 4436 - Amendment to Contract Development - 2074 Robie Street/6046 Welsford Street - SET DATE FOR PUBLIC HEARING

MOVED by Alderman Meagher, seconded by Alderman Downey that, as recommended by the City Planning Committee, a date be set for a public hearing to consider the application to amend the existing contract development at 2074 Robie Street/6046 Welsford Street, lands of the Dale Corporation Limited (in trust) to enable subdivision of Lot M into Lots M-1 and M-2.

Motion passed.

The City Clerk advised that the public hearing was scheduled for Wednesday, January 4, 1984 at 7:30 P. M. in the Council Chamber.

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Case No. 4402 - 5950 Spring Garden Road -
SET DATE FOR A PUBLIC HEARING

The above item was deleted from the agenda during the approval of the order of business. Deputy Mayor Cromwell advised that the applicant wishes to hold further discussions with City staff and MOVED, seconded by Alderman Doehler that the item be deferred until it is again presented by staff.

Motion passed.

The Development of a Municipal Airport for the City of Halifax

MOVED by Alderman O'Malley, seconded by Alderman Hamshaw that, as recommended by the City Planning Committee, Council authorize staff, with the support of the Halifax Industrial Commission, to proceed with the investigation of a feasibility of the development of a municipal airport at the Ragged Lake site, and to continue with full scale study including preliminary engineering design if funds are available from other sources.

The Chairman suggested the words "other than City" be inserted between the words "if" and "funds" in the last line of the motion, to which Council agreed.

The Motion, as amended, was put and passed.

10:00 P. M. - The meeting adjourned for a short recess.

10:00 P. M. - The meeting reconvened with the same members being present.

M O T I O N S:

Motion Alderman Grant Re: Proposed Amendment to Ordinance
Number 3, the Streets Ordinance - FIRST READING

Alderman Grant presented a notice of motion at the last regular Council meeting concerning a proposed amendment to Section No. 45 of the Streets Ordinance.

Alderman Grant advised it was his understanding that the Legal Department is presently reviewing the Streets Ordinance and MOVED, seconded by Alderman Doehler that the proposed amendment to the Streets Ordinance be deferred until the review of the Ordinance by the Legal Department is presented to City Council and that during the review, the Legal Department take into consideration the proposed amendment to Section No. 45 of the Ordinance.

Motion passed.

Motion Alderman Flynn Re: Repeal of Ordinance 17A Respecting
the Licensing of Bottle Dealers

Alderman Flynn presented a notice of Motion with respect to the above item at the last regular Council meeting.

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MOVED by Alderman Flynn, seconded by Alderman Doehler
that the repeal of Ordinance No. 17A respecting the Licensing
of Bottle Dealers be read and passed a First Time.

Following a short questioning of staff, the Motion was
passed.

MISCELLANEOUS BUSINESS:

Economic Study by Canertech Ltd. Re: Energy Cost Savings at Forum

A memorandum dated November 13, 1983 was submitted
from the Secretary-Manager of the Halifax Forum Commission concerning
the above item.

Alderman O'Malley proceeded to explain the proposal
involving the engaging of the Crown Corporation, Canertech Ltd.,
concerning an energy saving study.

His Worship suggested that Canertech Ltd. was a private
company rather than a Crown Corporation and Alderman O'Malley
indicated that such information was contrary to his understanding
of the matter and advised he would not proceed with his presentation
in the event that he would be misleading Council.

MOVED by Alderman O'Malley, seconded by Alderman Nolan
that the item be deferred until the proper information is presented
to Council on the subject.

The City Manager advised that members of staff are
presently preparing a report for Council and indicated that other
resolutions of Council were required before the proposed action
can take effect. The City Manager advised that he would attempt to
have the report for the next Committee meeting or would report
directly to the next Council meeting.

The Motion to defer was put and passed.

Approval of Capital Budget 1984-86

A staff report dated November 15, 1983 was submitted.

MOVED by Alderman Meagher, seconded by Alderman Grant that:

1. The 1984 Gross and Net Capital Budget be set at \$17,455,000
and \$10,466,000 respectively, and that the changes to the 1984-
1986 Capital Budget approved at various meetings of the Committee
of the Whole Council, be approved.

2. Council authorize the \$900,000 appropriation of the Halicon
Capital Surplus funds for use in the 1984-86 Capital Budget as
recommended by the Committee of the Whole Council.

Motion passed.

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Rezoning from Schedule "K" to I-2, Lands of C.B.C., Main Avenue

A staff report dated November 15, 1983, was submitted.

MOVED by Alderman Jeffrey, seconded by Alderman Hamshaw
a date be set for a public hearing to consider the rezoning of the lands of Canadian Broadcasting Corporation Limited, Main Avenue, from Schedule "K" to I-2. Motion passed.

The City Clerk advised the public hearing was scheduled for Wednesday, January 4, 1983 at 7:30 p.m. in the Council Chamber.

Q U E S T I O N S:

Question Alderman Jeffrey Re: Issuance of Dog Licenses, Locations

Alderman Jeffrey advised that he has received representations concerning the matter of obtaining dog licenses with the suggestion being made that consideration be given to the possibility of there being different locations where the licenses could be obtained. Alderman Jeffrey suggested this would make it easier for persons to obtain licenses and asked if the suggestion could be considered.

Question Alderman Grant Re: Previous Question, Discretionary Funding - School Board

Alderman Grant noted he previously asked questions relating to discretionary School Board funding, and referred to a reply which he received on the matter. Alderman Grant advised that in the reply from the School Board, there was a reference to a suggestion made by an Aldermanic member of the Board that it would not be necessary to respond to the request. Alderman Grant questioned whether the Board expected Council to make decisions concerning its budget without the necessary information, and whether the Board was prepared to accept the consequences of Council making decisions without such information.

Alderman O'Malley suggested it was he who made the observation referred to by Alderman Grant but indicated the reason was because the question was not understandable. Alderman O'Malley indicated it was his understanding that the question was addressed to the City Solicitor with a copy of the question being received by the Board.

Alderman Grant indicated there was previously two questions asked with one being an enquiry as to what the impact would be if there were to be a percentage decrease in discretionary funding.

Question Alderman Grant Re: Transit Route No. 20

Alderman Grant, in referring to Transit Route No. 20, indicated the signage for the route indicates the bus proceeds to the City limits, but advised that such is not the case. Alderman Grant said that if possible, he would like to see the bus proceed to the City limits before making its turn.

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Question Alderman Hamshaw Re: Flooding, Glenforest Area

Alderman Hamshaw advised that he received a call from a resident of the Ward represented by Alderman LeBlanc concerning a flooding problem. Alderman Hamshaw advised that the individual is experiencing a basement flooding problem which has never taken place before and questioned whether it is the result of the sewer upgrading project being undertaken in the Glenforest area.

The Director of Works advised that the department has received a similar call from another resident saying that arrangements have been made for an inspector to check the project tomorrow.

Question Alderman Meagher Re: Installation of Bells, Fort Needham

Alderman Meagher advised that he has heard rumors and read in the press about the possibility of bells being installed on top of Fort Needham. Alderman Meagher noted that Fort Needham is owned by the City and questioned whether the City has been approached on the matter, and the City Manager advised that no such approach has been made to his knowledge. Alderman Meagher said he would like the City Manager to assure that bells are not installed until Council has a full discussion on the subject.

Question Alderman Downey Re: Street Lighting Change

Alderman Downey presented a question concerning street lighting changes taking place in the Ward which he represents, and the Director of Works indicated the 1983 program would conclude in two to three weeks time. Mr. Connell advised that if there was a particular street of concern to the Alderman, he should inform him of the area and he would check to see if it is proposed for the 1983 program. Mr. Connell indicated the program would continue in 1984. Alderman Downey indicated that he would contact Mr. Connell on the matter.

Question Alderman Nolan Re: School Grounds

Alderman Nolan advised that he continues to receive complaints concerning the use of a school ground in his area by young people during evening hours. Alderman Nolan advised it is an on-going problem and asked for some advice concerning the matter.

His Worship suggested an approach should probably be made to the School Board but advised that staff would pursue the question.

NOTICE OF MOTIONS:

Notice of Motion, Alderman O'Malley Re: Standing Commission
on Parking for the City of Halifax

Alderman O'Malley gave notice that at the next regular meeting of Halifax City Council to be held on December 1, 1983, he proposes to place before Council a resolution for the creation of a standing Commission on Parking for the City of Halifax.

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Alderman O'Malley advised that the resolution was intended to be consistent with and broaden section 583B of the City Charter and will have as its purpose the correction of the existing parking problems in the City, and also as a facility through which the matter may be constructively addressed in the future.

ADDED ITEMS:

Aldermen's Pass - Alderman Rick Grant

The above item was added to the agenda at the request of Alderman Grant who suggested that as a result of the duties of the office, it was necessary for members of Council to have a vehicle pass providing for parking rights and access to City property and property of Boards and Commissions.

MOVED by Alderman Grant, seconded by Alderman Nolan that a report be submitted as soon as possible outlining the implications, costs, etc. in connection with an Aldermanic vehicle pass providing for parking rights and access to City property and property of Boards and Commissions.

Motion passed.

Alderman Hamshaw suggested the Police Department should also have input into such a report and His Worship advised that input by the department would form part of the report.

Wrecked Car Depository - Alderman Rick Grant

The above item was added to the agenda at the request of Alderman Grant. MOVED by Alderman Grant, seconded by Alderman Doehler the Legal Department report on the feasibility of an Ordinance governing wrecked car depositories taking into consideration distances from residential areas, high fencing, and locations on major roadways within the City.

Motion passed.

Parking Downtown - Alderman Rick Grant

The above item was added to the agenda at the request of Alderman Grant who, in referring to a Notice of Motion presented earlier in the meeting concerning a Parking Commission, advised that he would like to withdraw the item, to which Council agreed.

Appointments - Taxi Commission

A memo dated November 17, 1983 was submitted from His Worship the Mayor.

MOVED by Alderman Jeffrey, seconded by Alderman Downey that the Taxi Commission appointments be extended until City Council has considered the report of the Taxi Task Force.

Motion passed.

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Sir Frederick Fraser School Site

The above item was added to the agenda at the request of the City Clerk. A report dated November 17, 1983 was submitted from the Planning Advisory Committee.

Alderman Doehler spoke to the item and MOVED, seconded by Deputy Mayor Cromwell that in connection with the Sir Frederick Fraser School site, His Worship write to the Province of Nova Scotia refreshing their memory with respect to the contents of the Municipal Planning Strategy concerning the site, and ask that consultations be held between City staff and Provincial Departments on the future use of the lands, and advise that the City wants to carry out the intent of the Municipal Planning Strategy and would like to see the land properly used.

Motion passed.

Council Expense Accounts

The above item was added to the agenda at the request of Alderman Doehler who referred to a resolution passed at the November 2nd meeting of the Committee of the Whole Council.

MOVED by Alderman Doehler, seconded by Alderman Flynn that, as recommended by the Committee of the Whole Council, any reasonable expenditures incurred by members of Council while attending Training Seminars or Conferences be reimbursed on the basis of reasonable expenses as per the policy presently followed by members of City staff, and that this reimbursement be retroactive to January 1983, and subject to the annual budget and audit check.

Motion passed with Alderman Meagher against.

Crosswalk - Hillcrest and Main Avenue

The above item was added to the agenda at the request of Alderman Jeffrey who advised that since adding the item, he has spoken with the Director of Works and said the item will be dealt with during consideration of the current budget. Alderman Jeffrey advised that he would introduce the item during budget discussions.

Seaview Park

The above item was added to the agenda at the request of Alderman Jeffrey who advised of an awards night recently held by the Board of Trade. For the information of Council, Alderman Jeffrey advised that an award was presented to Alderman O'Malley and Mr. D. Quinn, Superintendent of Parks & Grounds, in connection with the landscaping of Seaview Park.

11:00 P. M. - Meeting adjourned.

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| Approval of the Order of Business, Additions, and Deletions .. | 520 |
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| Proposed Amendments to the Land Use Bylaw, Part II, Sections V and VI (Peninsula Centre/South End) | 523 |
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| Proposed Amendment to 16(5) of the Halifax City Charter | 529 |
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| Sale of Surplus Firearms - Tender #83-212 | 531 |
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| Pollution Control Charge for 1984 | 532 |
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REPORT - COMMITTEE ON WORKS:

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| Fairmount-Springvale Access Study | 535 |
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| Natal Day Committee Report | 535 |
| Regional Senior Games - Recreation Budget Request | 536 |

REPORT - CITY PLANNING COMMITTEE:

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| The Development of a Municipal Airport for the City of Halifax. | 537 |

MOTIONS:

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| Motion Alderman Grant Re: Proposed Amendment to Ordinance Number 3, the Streets Ordinance - FIRST READING | 537 |
| Motion Alderman Flynn Re: Repeal of Ordinance 17A respecting the Licensing of Bottle Dealers | 537 |

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| Energy Cost Savings at Forum | 538 |
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MAYOR RON WALLACE
CHAIRMAN

G. I. BLENNERHASSETT
CITY CLERK

Date Approved by City Council: _____

SPECIAL COUNCIL
PUBLIC HEARINGS
M I N U T E S

Council Chamber
City Hall
Halifax, Nova Scotia
November 23, 1983
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 members of Council attending joined the City Clerk in the recitation of the Lord's Prayer.

Present: His Worship Mayor R. Wallace, Chairman; Deputy Mayor R. Cromwell, and Aldermen Doehler, Downey, Meagher, O'Malley, Dewell, Grant, Nolan, Jeffrey, Flynn and Hamshaw.

Also Present: City Manager, City Solicitor, City Clerk and other members of City staff.

His Worship noted that The Honourable Alexa McDonough, MLA was present in the gallery and welcomed her to Council. He further noted that former Alderman Nancy Wooden was present and welcomed her as well.

His Worship informed members of Council and those attending in the gallery that Wayne Gordon, a local boxer, would be matched against Mark Freeland a world champion and noted that this could be viewed on the Wide World of Sports on Saturday.

His Worship further advised that a meeting of the Municipal Planning Strategy Review Committee would be held at 4:30 p.m. on November 24, 1983.

Case No. 4444 - Rezoning - Bayers/Westwood Park

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

Mr. W. Campbell, Development Department, with the aid of maps and sketches, outlined the application for rezoning of the northern portion of Westwood Park from Park and Institutional (P) Zone to General Residential (R-2) zone to allow a cooperative multiple unit development, as found in the staff report dated November 22, 1983.

Mr. Campbell noted that the PAC recommended that should Council approve this application that they actively investigate possible recreation areas within the area. Mr. Campbell further noted that staff recommended approval of the rezoning.

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

Mr. Don Wheeler and Mrs. Barbara Peterson addressed Council in favor of the proposal noting that they were prospective tenants of the proposed cooperative and that Mr. Wheeler was the President of the West Halifax Housing Cooperative. Their submission is as presented to Council this evening and now forms a part of the official record of this hearing.

Mr. Dwayne Wheeler addressed Council in favor of the proposal noting that he was also a prospective tenant of the proposed cooperative. He noted that he had grown up in the area and would like to return there to live. He also noted that there were other young people involved in the cooperative. He further indicated that the idea of ownership of his own home was one that excited him and asked that Council consider this proposal favorably. Mr. Wheeler referred to a petition presently being circulated in the area noting that this would be forwarded to the City Clerk upon its completion.

Mr. Don Wheeler then submitted two letters to Council as follows: 1. From Rev. G. L. David, St. Catherine's Church, 6466 Bayers Road, Halifax, dated October 30, 1983 in favor of the proposal. 2. From Rev. T.M. MacLeod, Edgewood United Church, 3055 Connaught Avenue, Halifax, dated November 25, 1983 in favor of the proposal.

Mr. Ray Cummings, on behalf of the Halifax Housing Authority and Canada Mortgaging and Housing Corporation indicating that the bodies supported in full the proposal and noting that written verification of this would be forwarded to the Clerk in the near future.

Alderman Dewell addressed Council noting that some concern had been voiced by area residents regarding the development of more City housing in the area. Alderman Dewell requested that staff explain the differences and similarities between City housing and the cooperative as proposed.

Mr. D. Corkum, Housing Co-ordinator, City of Halifax, addressed Council and in response to Alderman Dewell's question indicated that cooperative housing is subsidized to a limited degree with regard to mortgage rate interest whereas city housing is totally subsidized rental accomodation. Mr. Corkum indicated that cooperative housing although rental as well was a form of home ownership in that each individual within the cooperative had shares in the cooperative.

Alderman Dewell directed further questions to Mr. Corkum regarding equity within the proposed housing for prospective owners to which Mr. Corkum responded that equity could only be reached by improvement to the home, such as a recreation room

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being installed in the basement and then only if the potential buyer of the unit was willing to form part of the cooperative.

Alderman Downey questioned Mr. Corkum with regard to funding to which Mr. Corkum replied that funding was not at present in place but that this matter would be considered under the 1984 Federal funding to the Regional body. He further noted if funding were not to come about that the City could assume the funding under the Non-Profit Housing Program.

Alexa McDonough, MLA, addressed Council in support of the proposal expressing her delight at being here this evening and noting that this was her first time to speak before Council. Mrs. McDonough noted that her reasons for supporting the proposal were firstly, that she had encountered during her time in office a desperate need for affordable family housing in Halifax. Secondly, that she had encountered a great deal of frustration with regard to those persons living in the Bayers/Westwood development attempting to obtain ownership of the houses in which they lived. Mrs. McDonough went on to indicate that persons most needing public housing should indeed have access to the housing, but this left those in lesser need in a dilemma. They do not have affordable housing into which to move. Mrs. McDonough indicated that she welcomed this type of self-help community housing and that it indicated a cooperative effort on behalf of those persons presently living in public housing.

Mrs. McDonough further went on to note that concern over recreation area had been expressed and that she felt it should be a reassurance to the concerned citizens in the area that those to be involved in the proposed cooperative would also be interested in recreation area for their families. She indicated that the present recreation area was not an active area and has not been for some time. Mrs. McDonough in closing requested that Council give favorable consideration to this proposal.

Mr. Donald Hamm, a resident of MicMac Street, addressed Council voicing concern with regard to the proposed rezoning of the lands in question. Mr. Hamm outlined his concerns as found in a written submission presented to Council this evening, and now forming a part of the official record of this public hearing. Mr. Hamm further submitted a petition bearing approximately 35 signatures objecting to the loss of any Westwood Park Area recreational land.

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

Cathy Mellett, Co-op Housing Consultant, City of Halifax, addressed Council regarding concerns voiced with regard to vehicular traffic. Ms. Mellett indicated that there was to be no vehicular traffic through the project only pedestrian traffic

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through the use of a guard rail system and vehicular access would be from MicMac Street.

Mr. Gary Moors, 3292 MicMac Street, addressed Council referring to the petitions previously received by Council noting that most of the residents of MicMac Street were opposed to this proposal. He indicated that the green area should be retained and that use of the St. Andrew's School site was questionable particularly as it was his understanding that this was a high development area. He further noted that the gym facilities had been leased for a two year period and therefore not available for area recreation.

Mr. Moors indicated that an assurance should be given to area residents that there would be green area for recreation purposes. Mr. Moors further indicated that he felt the green area available at St. Andrew's School should be retained for use by area residents as well as Westwood Park. He noted that Council might be setting a dangerous precedent in allowing development on recreation lands and jeopardizing recreation areas within the City.

Mr. Moors then referred to problems experienced with vandalism and breakage of windows from balls originating in the ball field noting that the fence erected recently had almost completely eliminated these problems.

Mr. Moors then responded to questions from members of Council. His Worship leaves the meeting and Deputy Mayor Cromwell takes the chair.

Mr. D. Wheeler, addressed Council once again, noting that recreational activities in the area were open to all children, in particular noting that Chisholm baseball field enjoyed extensive use and the leagues involved were open to any child wishing to join. He noted that vandalism had decreased since organized teams had evolved.

Mrs. Dianne Shea, 3368 Romans Avenue, addressed Council outlining the various recreational areas in the area and noting that there would be approximately 3 acres unused if this proposal should be approved to develop as recreational lands.

Mrs. Germaine Burke, a resident of MicMac Street, addressed Council referring to problems she was experiencing with people using her yard as a thoroughfare. She indicated that an increase in the population would only aggravate this problem. She also expressed concern that this development would devalue her property.

Mrs. Burke responded to questions from members of Council.

Mrs. D. Bowman, 3314 MicMac Street, addressed Council expressing concern over the possible loss of recreational lands

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in an area where there was a lack of recreational lands. Mrs. Bowman also expressed concern over what she felt was a lack of attention to the concerns of taxpayers of the City of Halifax. She noted that further development to the back of MicMac Street would eliminate the peaceful enjoyment of the use of the backyards of the residents of the street.

Mr. Mike Shea, a prospective partner in the cooperative, addressed Council indicating that he felt that use of the ballfield located on the property in question was limited. Mr. Shea also noted that many of the children in the vicinity used Chisholm field as recreational area. Mr. Shea indicated that he objected to the comment that this proposal would devalue the homes on MicMac Street indicating that he felt this development would be compatible with the development presently in place.

Nancy White addressed Council noting that she was also a prospective partner in the cooperative. Mrs. White indicated that she hoped the City would develop the property not used for the development should the proposal be approved. This she noted would provide recreational lands as well as desperately needed housing. Mrs. White indicated that she had lived in the area most of her life and now would like to move back.

A resident of 3462 McAlpine Avenue addressed Council indicating that most of the people involved were of an age that they no longer wished to have children. She noted that this would eliminate any problems caused by children. She further noted that due to the fact that most of the children of the people involved were grown the families would have to move and with housing so short in the City of Halifax such a move would be very difficult.

Nancy Wooden, former Alderman of the City of Halifax, addressed Council expressing her pleasure at attending this meeting and speaking to Council with regard to this matter. She noted that the views she would give this evening were personal and she was not attending this meeting in her capacity as Chairman of the Non Profit Housing Society of the City of Halifax. Miss Wooden indicated that she felt the question before Council this evening was one of how valuable the recreational land involved was to the City and how valuable the proposed development was to the City. Miss Wooden indicated that recreation area for children below the age of 9 or ten in close vicinity of home was of great importance, whereas, those children above this age could go farther afield for recreation. She indicated therefore that a playground in the area would be sufficient to the needs of younger children.

Miss Wooden also indicated that this area was one of very few areas in the City that development could take place without enormous costs due to installation of infrastructure. Miss Wooden further suggested that this type of housing would not devalue the present homes in the area and in fact would not be definable

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from those already in the area. She noted that on visits to cooperative housing in past she had been impressed by their quality.

Mr. Rick Kirby, McFatriidge Road, addressed Council noting that little use was made of the ballfield in the area and this has been the case for many years. Mr. Kirby then went on to indicate that he wished to live in the area as he had spent some 10 years of his life in the area.

A resident of 19 Plateau Crescent addressed Council noting that he had lived in the Bayers/Westwood area for most of his life and many of his friends had lived in the MicMac/Connolly Street area. He noted that there was a vast difference between public housing and cooperative housing and he resented the implication that only those persons coming from public housing were the cause of vandalism in the area. He requested that favorable consideration be given to the proposal and further consideration be given to the use of the approximately 3 acres remaining as recreational lands.

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

Correspondence has been received as follows:

1. Correspondence entitled 'A memo on Co-operative Housing', prepared for the West Halifax Housing Co-operative and presented to Council at this evening's Public Hearing.
2. Correspondence in opposition to the proposal from W.A. Varga, 6669 MicMac Court
3. Correspondence in opposition to the proposal from Mr. & Mrs. R. Stevens, 3250 MicMac Street.
4. Correspondence in opposition to the proposal from Nellie and Douglas Dauphinee, 3256 MicMac Street.
5. Correspondence in opposition to the proposal from G. Burke, 3266 MicMac Street.
6. Correspondence in opposition to the proposal from Mr. & Mrs. H.E. Knight, 3390 MicMac Street, dated November 13, 1983.
7. Correspondence in opposition to the proposal from C. & H. Hayter, 3350 MicMac Street, dated November 14, 1983.
8. A petition in opposition to the proposal dated November 14, 1983 containing approximately 53 signatures.

MOVED by Alderman Flynn, seconded by Alderman Doehler that this matter be forwarded to the next regular meeting of Halifax City Council without recommendation. Motion passed.

His Worship returns to the meeting and Deputy Mayor Cromwell takes his seat in Council.
Case No. 4408 - Contract Development - 1505 Lower Water Street

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

Mr. W. Campbell, Development Control, with the aid of maps and sketches, outlined the application for contract development under Schedule G, Section 85 of the Land Use Bylaw to allow the development of a commercial/residential building and lot consolidation to create the development site for the proposal, as found in the staff report dated September 21, 1983.

Mr. Campbell indicated that staff was recommending approval of the application subject to certain changes with regard to the boardwalk and landscaping as well as possible amendments to certain stipulations.

Mr. Hugh Smith, President, Clarence Investment Limited Corporation Limited, addressed Council giving a short history of previous proposals brought before Council in relation to the same property. Mr. Smith indicated that some concern had been raised during the period in which Council agreed to move the CBD boundary to include this property that all hope of a residential facet of any development would be lost if Council took such an action. Mr. Smith indicated that he was pleased to report that indeed the residential component had been retained and in fact been increased slightly. Mr. Smith then indicated that Mr. Clifford, Architect for the project, would explain in detail the design of the project. Mr. Smith presented to Council a pamphlet entitled 'Manulife Real Estate'.

Mr. Clifford, addressed Council noting that certain changes had been made to the scale of the proposal. He noted with the use of a sketch the proposal in the context of the downtown area indicating the importance of this as the CBD had been moved to permit development of the property. Mr. Clifford noted that there was a clearly defined opening between the major portion of the development and the building located on Water Street which was scaled and designed in relation to the Keith Brewery Building.

Mr. Clifford went on to note that changes to the design to allow the continuation of the boardwalk had been undertaken along with widening of the board walk area. He noted that the residential component was separated from the office use through the cladding to be used in this portion of the development. He went on to compare the major portion of the development to buildings along the waterfront noting the similarities in height and construction. He further noted that the previously mentioned open space between the components of the development could conceivably be opened at all times.

Mr. Clifford then referred to the Municipal Planning Strategy

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outlining the detailed study of the Plan undertaken in the development of the design. He noted in closing that he felt the proposal did not in any way contravene the intent and fact of the Municipal Planning Strategy.

Mr. Alan Ruffman, a resident of Ferguson's Cove and property owner in the area of the proposal, addressed Council noting that the lack of persons present to speak with regard to this matter was a conscious decision on the part of those previously involved in this matter.

Mr. Ruffman indicated that he could see no way that Council could deny this application as they had moved the CBD to allow just such a development.

Alderman O'Malley rose to a Point of Order indicating that Mr. Ruffman should speak to the proposal before Council this evening rather than action taken in the past by Council. The chairman agreed with this opinion and directed Mr. Ruffman appropriately.

Mr. Ruffman then indicated that Council had reason for concern in a number of areas, firstly, the five year clause with regard to construction start-up, secondly, the location of a parking garage directly across from historic properties, the fact that the Schedule G covering the area has been supplanted due to the change to the boundary, the fact that the change to the boundary constituted a spot replanning, the fact that other proposals approved in the recent months were having difficulty in getting started on construction, he noted that the marina had disappeared from the proposal as the underground parking extended quite far into the Halifax Harbour and that this should be of concern to Council.

Mr. Ruffman further indicated that Council should be concerned with the wall effect created by the development proposal and noted that underground parking would suggest that persons living in the residential component would not be out and about the downtown area as indicated. He went on to say that Council should be concerned that the development was not primarily residential as was planned before the change to the Boundary and voiced concern regarding the precedent set by Council with regard to completely non-residential development on the waterfront.

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

There were no further persons present wishing to address Council regarding this matter. No further correspondence has been received regarding this matter.

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outlining the detailed study of the Plan undertaken in the development of the design. He noted in closing that he felt the proposal did not in any way contravene the intent and fact of the Municipal Planning Strategy.

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

There were no further persons present wishing to address Council regarding this matter. No further correspondence has been received regarding this matter.

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MOVED by Alderman Downey, seconded by Alderman O'Malley
that this matter be forwarded to the next regular meeting of
Halifax City Council without recommendation.

Motion passed.

10:10 p.m. The meeting adjourned

HEADLINES

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|--|-----|
| Case No. 4444 - Rezoning - Bayers/Westwood Park | 545 |
| Case No. 4408 - Contract Development - 1505 Lower Water St.. | 551 |

HIS WORSHIP MAYOR RON WALLACE
DEPUTY MAYOR RON CROMWELL
CHAIRMEN

Mrs. G.I. Blennerhassett
City Clerk

DATE APPROVED BY COUNCIL: _____

CITY COUNCIL
MINUTES

Record

Council Chamber
City Hall
Halifax, N. S.
December 1, 1983
8:00 P. M.

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

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

Present: His Worship the Mayor, Chairman; Deputy Mayor Cromwell, and Aldermen Doehler, Downey, Meagher, O'Malley, Dewell, Grant, Nolan, Jeffrey, Flynn, and Hamshaw.

Also Present: City Manager, City Solicitor, City Clerk, and other members of City staff.

The Royal Canadian Dragoon Regimental Association, Presentation

Major L. G. Del Villano, Royal Canadian Dragoons, addressed Council and noted that during the past summer, Freedom of the City was granted to the Royal Canadian Regiment. Major Del Villano advised that the Royal Canadian Dragoons was founded the same day as the R.C.R. and that the Dragoons were presently serving in Germany with approximately 150 men stationed in Gagetown as well.

Major Del Villano noted the Association has had a long connection with the Maritimes and advised a number of retired Officers living in Nova Scotia felt the Dragoons should present to the Capital City a token of their appreciation for the way the Regiment has been welcomed in the past.

Major Del Villano then presented His Worship with a copy of the Centennial History of the Royal Canadian Dragoons and a plaque mounted with the Regimental Badge. Major Del Villano expressed the hope that the plaque would join other such plaques displayed at City Hall.

His Worship expressed appreciation for the presentation and advised that the plaque would have a special place at City Hall as a constant reminder of the contribution the Regiment has made. His Worship then presented the Regiment with a copy of a book of Halifax by Sherman Hines.

Halifax Explosion Memorial Bells

Mr. Reginald A. Prest, Treasurer of the Halifax Explosion Memorial Bells Committee, addressed Council and introduced Mrs. Janet Kitz, an historian and a member of the Committee, and requested that she address Council in connection with how the memorial bells came to be.

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Mrs. Kitz addressed Council and advised of the events in connection with the Halifax Explosion leading to the donation of a carillon tower of nine historic bells to the United Memorial Church by Mrs. T. W. Thompson. Mrs. Kitz advised the bells were played for many years from the tower of the church until the tower became too weak and the bells had to be removed.

Mr. Prest then presented some of the history in connection with the subject and advised of the makeup and mandate of the Memorial Bells Committee.

Mr. R. MacLean and Mr. Frank Harrington, members of the Committee, displayed plans of the proposed memorial to be constructed at Fort Needham and advised of the process in selecting the proposed site.

Mr. Prest again addressed Council in connection with the proposal advising that the estimated cost of the projects was \$200,000 with an amount of up to \$100,000 being pledged by the Province with the other \$100,000 to be raised by the Committee. Mr. Prest also advised that the Committee will be leaving a trust fund when the project is completed so that there will be no costs to the City. Mr. Prest advised that the Committee was seeking Council's permission for the use of the proposed site at Fort Needham.

Alderman Meagher expressed appreciation for this evening's presentation and expressed the view there were different things Council should know before permitting such an undertaking on the land in question.

MOVED by Alderman Meagher, seconded by Alderman Nolan that the matter be referred to City staff for review and Council establish a Committee composed of representatives of City staff from the Engineering and Works Department and the City Manager's Office, and Aldermen O'Malley and Grant for the purpose of providing Council with a report on the feasibility of the proposed memorial.

Alderman Meagher expressed the desire that a report be submitted to a meeting of the Committee of the Whole Council as soon as possible.

Following a discussion and questioning of Mr. Prest, the Motion was put and passed.

MINUTES

Minutes of City Council meetings held on November 17 & 23, 1983 were approved on Motion by Alderman Hamshaw, seconded by Deputy Mayor Cromwell.

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

At the request of the City Clerk, Council added:

- 20.1 - Convention Centre - Operating Expenses -
His Worship the Mayor
- 20.2 - Update Cost - World Trade Centre/Scotia Square Tunnel
- 16.2 - Motion Alderman O'Malley - Appointment of Auditor
General - FIRST READING

At the request of Alderman Flynn, Council added:

- 20.3 - Fairview Cove Container Pier

MOVED by Alderman Doehler, seconded by Deputy Mayor
Cromwell the agenda, as amended, be approved.

Motion passed.

DEFERRED ITEMS:

Case No. 4444 - Rezoning - Bayers/Westwood Area

A public hearing was held into the above matter on November 23, 1983. An information report dated November 24, 1983 was submitted.

The following correspondence was received on the subject since the public hearing:

Letter dated November 29, 1983 from the Micmac Street Residents' Committee.

Letter dated November 28, 1983 from Gary Moors of Civic No. 3292 Micmac Street.

A petition in support of the project containing approximately 320 signatures.

Alderman Flynn spoke to the item and MOVED, seconded by Alderman Jeffrey that:

1. Council approve the rezoning of the norther portion of Westwood Park as shown on Plan No. P200/12394, from Park and Institutional (P) Zone to General Residential (R-2) Zone;
2. The lease agreement between the City and the developers of the site contain a clause stating that the site services, including the driveway, walkways, sewer and water services, lighting, fire hydrants, and landscaping which will be on the site to be rezoned, and the extension of Regent Road west of Micmac Street will be constructed and maintained by the developer;

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3. Staff be directed to prepare a site plan of the St. Andrew's School grounds which creates more recreational opportunities for the people in the neighbourhood; and

4. Staff also look at the Federal lands located in the area and in Ward 6 such as the D.N.D. lands and C.M.H.C. properties between Cook and Vaughan Avenues concerning the possibility of there being a joint effort in providing recreational space for older persons.

Alderman Doehler, in referring to the plot plan for the proposal, noted the southern portion extended diagonally and questioned whether the diagonal could be moved down a bit to provide more open space. Alderman Doehler referred to the northern end of the plan which shows the land coming to a narrow point which has the potential for becoming quite scrubby, and asked if consideration could be given to sparing the area off and perhaps selling it to the adjoining property owners.

His Worship indicated the suggestions could be looked into.

Following a further short discussion, the Motion was put and passed.

MOVED by Alderman Flynn, seconded by Alderman Jeffrey
that Council forward a letter to the Minister in Charge of Central Mortgage and Housing Corporation, and the Honourable Gerald Regan, Minister of Industry, Trade, and Commerce requesting funding for the project for the 1984 year.

Motion passed.

Case No. 4408 - Contract Development - 1505 Lower Water Street

A public hearing was held into the above matter on November 23, 1983.

A letter dated November 30, 1983 was submitted from Mr. Alan Ruffman relating to the subject.

MOVED by Alderman O'Malley, seconded by Alderman Downey
that:

1. City Council approve of a contract development under Schedule "G" of the Land Use Bylaw subject to the conditions in the draft contract, and lot consolidation, to allow the development of a 13-storey commercial/residential building at 1505 Lower Water Street.

2. The Contract shall be signed within 120 days, or any extension thereof granted by Council on request of the applicant, from the date of final approval by Halifax City Council and any other bodies as necessary, whichever approval is later, including any applicable appeal periods; otherwise, this contract approval will be void and obligations arising hereunder shall be at an end.

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3. Staff be directed to prepare a site plan of the St. Andrew's School grounds which creates more recreational opportunities for the people in the neighbourhood; and

4. Staff also look at the Federal lands located in the area and in Ward 6 such as the D.N.D. lands and C.M.H.C. properties between Cook and Vaughan Avenues concerning the possibility of there being a joint effort in providing recreational space for older persons.

Alderman Doehler, in referring to the plot plan for the proposal, noted the southern portion extended diagonally and questioned whether the diagonal could be moved down a bit to provide more open space. Alderman Doehler referred to the northern end of the plan which shows the land coming to a narrow point which has the potential for becoming quite scrubby, and asked if consideration could be given to sparing the area off and perhaps selling it to the adjoining property owners.

His Worship indicated the suggestions could be looked into.

Following a further short discussion, the Motion was put and passed.

MOVED by Alderman Flynn, seconded by Alderman Jeffrey that Council forward a letter to the Minister in Charge of Central Mortgage and Housing Corporation, and the Honourable Gerald Regan, Minister of Industry, Trade, and Commerce requesting funding for the project for the 1984 year.

Motion passed.

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A letter dated November 30, 1983 was submitted from Mr. Alan Ruffman relating to the subject.

MOVED by Alderman O'Malley, seconded by Alderman Downey that:

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The Motion was put and passed.

Transit Route 14 - Lieblin Park

The above item was deferred to this meeting from the November 17th meeting of Council.

MOVED by Alderman Grant, seconded by Alderman Flynn that the item be deferred to the next regular meeting of City Council.

Motion passed.

Natal Day Committee Report

The above item was deferred to this meeting from the November 17th meeting of Council.

MOVED by Alderman Dewell, seconded by Alderman Doehler that the item be deferred to the next regular meeting of City Council.

Motion passed.

PUBLIC HEARINGS, HEARINGS, ETC.:

Minor Variance Appeal - 6217 Lawrence Street

A report dated November 21, 1983 was submitted from the Development Officer relating to the above subject.

Mr. Boyd Algee, the Development Officer, addressed Council outlining the application and the reasons for refusing to grant the requested variances as is outlined in the submitted report.

A brief was submitted from Mr. S. Gramlewicz, the appellant, in connection with the appeal.

Mr. S. Gramlewicz addressed Council noting that the brief had been circulated to members of Council and advised the land was purchased for his family's residence, and in consideration of the neighbourhood where there are a number of small apartment buildings, duplexes, and rooming houses, it was thought there would be no objection to a two-family dwelling on a lot which is reasonably comparable to other lots in the area. He advised that consideration was given to the proposed Area Development Plan for Peninsula North which, if adopted, would allow a two-family dwelling in the form of a duplex.

Mr. Gramlewicz suggested the building has followed the most up-to-date engineering practices and has been arranged whereby each dwelling is occupying one-half of the building rather than being constructed in an over-under fashion.

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Mr. Gramlewicz suggested the duplex requirement of the Bylaw really permits a larger building on a smaller lot by forcing the developer to construct two storeys. He suggested that this is what is taking place except that for good engineering reasons and for fire safety, the building has been divided side-by-side.

Mr. Gramlewicz indicated he had no difficulty with staff's recommendation concerning revised parking and advised he has submitted a revised sketch of the placement of the building which complies with the five foot side yard and provides easier access to the parking, and also moves the building forward more in line with existing buildings and increases the rear yard to thirty feet which, he suggested, should be considered adequate.

Mr. Ross Stinson addressed Council and advised he was also speaking on behalf of others in the neighbourhood who were the Toths on Duncan Street, Miss Muriel Conrad, Jack Stewart and Brenda Taylor, Cyril & Ester Pellerin all on Duncan Street; and Mr. & Mrs. Gordon Coadic; Mr. & Mrs. J. E. Cookson, Mr. Craig Carson, Mr. & Mrs. Adam Mueller, and Trudy Carion and Jerry Latine all of Lawrence Street.

Mr. Stinson advised that they were opposing the development and were in agreement with staff's position that it was not a minor variance. He advised that they did not wish to restrict a person's right to build on the lot but it was their feeling there should be controlled development in the area. He noted the proposal was almost 1,000 square feet deficient in lot area suggesting the proposal represented over-development of the lot and was not in keeping with the development of the neighbourhood.

Mr. Stinson acknowledged that duplexes were located in the area but suggested most of them were the over/under type which make better use of the lot size available to them. He advised that the group had no objections to a reasonable single family dwelling being located on the lot and suggested the owner was aware of the restrictions at the time of purchase. Mr. Stinson suggested the sideways type of development was not in keeping with the housing on the street which generally fronts the street suggesting the project did not represent good planning and would represent a bad precedent to set in the area.

Mr. Stinson suggested it was the feeling of the majority of the residents that while they would not object to a single family dwelling and would welcome the applicant into the neighbourhood, it is felt the proposal is an over-development of the lot and detrimental to the area.

No further persons wished to address Council in relation to the appeal.

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Alderman Meagher spoke to the item and MOVED, seconded by Alderman Nolan that the appeal of the Development Officer's decision to refuse a minor variance of the Land Use Bylaw requirements for the property at 6217 Lawrence Street be refused, and the Development Officer's decision be upheld by City Council.

Motion passed.

REPORT - FINANCE AND EXECUTIVE COMMITTEE:

Council considered the report of the Finance & Executive Committee from its meeting held on November 23, 1983, as follows:

Cerescorp Tax Concession

MOVED by Alderman Dewell, seconded by Alderman Hamshaw that, as recommended by the Finance & Executive Committee:

1. The request of Cerescorp that the tax rate for the early years remain as proposed by the City but, by way of minor variation, the tax rate be reduced from 2½% to 2¼% for the years 1985, 1986, and 1987, and the rate of 2¼% of gross revenue apply for the balance of the term, be approved by City Council.
2. The total tax agreement with Cerescorp only be entered into if the Province agrees that it will not result in reduction of the City's Provincial grant.

Motion passed.

Petition for Relief of Taxes - Templeton Place
Limited, Main Avenue

MOVED by Alderman Jeffrey, seconded by Alderman Doehler that, as recommended by the Finance & Executive Committee, Council exercise its powers under Section 142(1) (B) of the Assessment Act and adjust taxes for a reduced amount of \$1,190.74 in respect to the existing tax account for Templeton Place Limited, Lot P1D1 Main Avenue.

Motion passed.

Petition for Relief of Taxes - 545 Purcell's Cove Road

The following is the recommendation from the Finance and Executive Committee:

"That Council exercise its powers under Section 142(1) (B) of the Assessment Act and adjust taxes for the total reduced amount of \$1,538.74 for both years 1982 and 1983, and forward a refund to the property owner of 545 Purcell's Cove Road in respect to the tax account."

His Worship referred to the wording of Section 142(1) (B) of the Assessment Act and asked whether Council could reduce taxes for two years.

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The City Solicitor suggested the section did lead to ambiguity and indicated it does not appear to have been decided upon by the Courts. The City Solicitor advised it was not mandatory that Council make a rebate where there has been an error but expressed the view it would not be improper for Council to grant a rebate for two years if that were the desire of Council. The City Solicitor advised, however, that he has not had an opportunity to review all the records.

His Worship indicated that on different occasions this year, Council has refused to grant refunds beyond one year with the reason being that Council did not have the power to do so.

A short discussion followed and the Chairman suggested that since there is some question relating to the subject, it may be helpful to refer the item to the Legal Department for further review and report.

Alderman O'Malley suggested that if the City has been collecting taxes on the supposition that the assessment was correct which was provided by another level of government, and in paying taxes the taxpayer has accumulated a measure of interest, there should be some measure of responsibility on the assessor for the loss of interest or opportunities. Alderman O'Malley referred to previous discussions to the effect that one has to appeal in the year in which the assessment was made or forgo one's right to any redress, and suggested there was ambiguity in the Act.

Alderman O'Malley suggested the City should write to the Minister of Municipal Affairs asking that the Provincial Auditor General's department review the Statute and analyze it in terms of the problems and difficulties it has presented to the taxpayers of Halifax. Alderman O'Malley suggested there should be justice in the Act and be such that it can be interpreted in law.

MOVED by Alderman Nolan, seconded by Alderman Jeffrey that the item be deferred and referred to the Legal Department for review and report.

Motion passed.

Halifax Athletic Commission - Regulation of Wrestling

The following is the recommendation from the Finance and Executive Committee:

"That the Halifax Athletic Commission be re-instated to govern wrestling."

The Chairman referred to the present membership on the Commission suggesting that if one further Alderman were appointed, the Commission would be legally constituted.

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MOVED by Alderman Jeffrey that the Halifax Athletic Commission be re-instated to govern wrestling and that a further Alderman be appointed to legally constitute the Commission making a four member Commission of two Aldermen and two citizens.

Alderman Jeffrey, in referring to the two citizen members presently on the Commission, suggested they would have to be consulted to determine if they wished to continue to serve.

Alderman Flynn questioned whether the Commission would be returning to Council with the regulations it wishes to have apply, and His Worship advised that such would be the case.

Alderman Flynn then seconded the Motion.

Following discussion, the Motion was passed.

Sale - 50 Kearney Lake Road

MOVED by Alderman Hamshaw, seconded by Alderman Doehler that, as recommended by the Finance & Executive Committee, the property known as Civic No. 50 Kearney Lake Road be sold to Mr. and Mrs. Gordon MacNeil for the sum of \$73,016.00.

Motion passed.

Appointment of Consultants - Kaye & Young Streets, Sewer Study

MOVED by Alderman O'Malley, seconded by Alderman Meagher that, as recommended by the Finance & Executive Committee:

1. The firm of CBCL Ltd. be awarded the contract to undertake the Kaye and Young Streets sewers study; and
2. The payment of the consultant for the works be made on the basis of per diem rates as outlined under the Association of Professional Engineers of Nova Scotia 'Compensation Guidelines for Consulting Engineering Services on General Projects', at a total amount including disbursements not to exceed \$25,000.00.

Motion passed.

Tender Nos. 83-E-104 and 83-E-105 - Surplus Vehicles

MOVED by Alderman Downey, seconded by Alderman Hamshaw that, as recommended by the Finance & Executive Committee, Tender 83-E-105 be awarded to Elmsdale Landscaping Ltd., Box 119, Elmsdale, Nova Scotia, BON LMO in the amount of \$2,151.00.

Motion passed.

The City Manager requested that Council also approve the sale of the unit involved in Tender 83-E-104 to the Metropolitan Authority.

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MOVED by Alderman Downey, seconded by Alderman Hamshaw that in the case of Tender 83-E-104, Council approve the sale of one surplus 1974 Ford tractor c/w bucket and backhoe to the Metropolitan Authority for \$6,000.00.

Motion passed.

Expropriation - Easement R-4, Near Theakston Avenue and McIntosh Street

MOVED by Alderman Grant, seconded by Alderman Nolan that, as recommended by the Finance & Executive Committee, Easement R-4 as shown on Plan TT-33-27516 be expropriated from Food City Limited and that compensation of one dollar be offered to the owners.

Motion passed.

Women's Residential Facility - 2421 Brunswick Street (Hawkins House)

MOVED by Alderman Downey, seconded by Deputy Mayor Cromwell that, as recommended by the Finance & Executive Committee, City Council approve the lease in the form as contained in the November 10, 1983 staff report, and that the Mayor and City Clerk be authorized to execute same on behalf of the City.

Motion passed.

Construction of Walkway System - Richmond Lane - Fort Needham

MOVED by Alderman O'Malley, seconded by Alderman Nolan that, as recommended by the Finance & Executive Committee, the Walkway System (Richmond Lane - Fort Needham) be constructed in 1984, and that a transfer of funds be authorized from Capital Account No. CK104 for the project.

Motion passed.

Parking Proposal - Area "P" (North of Purdy Brothers)

MOVED by Alderman Downey, seconded by Alderman Flynn that, as recommended by the Finance & Executive Committee:

1. Staff be authorized to negotiate the terms of a one-year lease with Canpark Services Ltd. with month-to-month renewal thereafter, the terms to be reviewed by Council.
2. Council authorize a supplementary appropriation of \$30,000.00 to allow for installation of the necessary equipment as listed at the site as soon as possible, and to provide for a walkway on the service road leading to Area "P".

Motion passed.

Council
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Surplus School Buildings

MOVED by Alderman O'Malley, seconded by Alderman Doehler that, as recommended by the Finance & Executive Committee:

1. City Council endorse Schedule "A" attached to the staff report dated November 18, 1983 with Schedule "A" being the report of the Use of Space Committee which was adopted by the Halifax District School Board on October 25, 1983, except that Council not approve the section of Schedule "A" entitled "Policy and Procedures for Disposal of Surplus School Buildings".
2. The section of Schedule "A" attached to the staff report dated November 18, 1983 entitled "Policy and Procedures - Disposal of Surplus School Buildings" be reviewed by staff at a future time to establish framework on policy to be submitted to City Council.

Motion passed.

Canertech Conservation (Nova Scotia) Inc. and the
Halifax Forum Commission

MOVED by Alderman O'Malley, seconded by Alderman Dewell that, as recommended by the Finance & Executive Committee, City Council approve the entering into of an agreement with Canertech Conservation (Nova Scotia) Inc. for energy improvement to be undertaken at the Forum and financed out of energy savings as a consequence of those improvements.

Following a discussion, the Motion was passed.

Red Cross Blood Donation Drive

MOVED by Alderman Flynn, seconded by Alderman Nolan that, as recommended by the Finance & Executive Committee, the matter of possible financial support in connection with the Red Cross Blood Donation Drive be forwarded to the Tax Concessions and Grants Committee for its consideration and recommendation to City Council.

Motion passed.

Volunteer's Recognition and Reception

MOVED by Alderman Doehler, seconded by Alderman Flynn that, as recommended by the Finance & Executive Committee, consideration be given to instituting the Volunteer's Recognition and Reception as an annual practice and that funding be included in the 1984 budget for such an event.

Motion passed.

10:00 P. M. - Meeting adjourned for a short recess.

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December 1, 1983

Surplus School Buildings

MOVED by Alderman O'Malley, seconded by Alderman Doehler that, as recommended by the Finance & Executive Committee:

1. City Council endorse Schedule "A" attached to the staff report dated November 18, 1983 with Schedule "A" being the report of the Use of Space Committee which was adopted by the Halifax District School Board on October 25, 1983, except that Council not approve the section of Schedule "A" entitled "Policy and Procedures for Disposal of Surplus School Buildings".
2. The section of Schedule "A" attached to the staff report dated November 18, 1983 entitled "Policy and Procedures - Disposal of Surplus School Buildings" be reviewed by staff at a future time to establish framework on policy to be submitted to City Council.

Motion passed.

Canertech Conservation (Nova Scotia) Inc. and the
Halifax Forum Commission

MOVED by Alderman O'Malley, seconded by Alderman Dewell that, as recommended by the Finance & Executive Committee, City Council approve the entering into of an agreement with Canertech Conservation (Nova Scotia) Inc. for energy improvement to be undertaken at the Forum and financed out of energy savings as a consequence of those improvements.

Following a discussion, the Motion was passed.

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MOVED by Alderman Flynn, seconded by Alderman Nolan that, as recommended by the Finance & Executive Committee, the matter of possible financial support in connection with the Red Cross Blood Donation Drive be forwarded to the Tax Concessions and Grants Committee for its consideration and recommendation to City Council.

Motion passed.

Volunteer's Recognition and Reception

MOVED by Alderman Doehler, seconded by Alderman Flynn that, as recommended by the Finance & Executive Committee, consideration be given to instituting the Volunteer's Recognition and Reception as an annual practice and that funding be included in the 1984 budget for such an event.

Motion passed.

10:00 P. M. - Meeting adjourned for a short recess.

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10:10 p.m. - The meeting reconvened with all members present except Aldermen LeBlanc and Jeffrey.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works, from its meeting held on November 23, 1983, as follows:

Local Improvement Rates - Sidewalk Renewal

MOVED by Alderman Meagher, seconded by Alderman O'Malley, as recommended by the Committee on Works, that City Council not establish a Local Improvement Rate for sidewalk renewals for 1984.

Motion passed.

Local Improvement Rates

MOVED by Alderman O'Malley, seconded by Deputy Mayor Cromwell, as recommended by the Committee on Works, that the 1984 Local Improvement Rates as shown in Appendix "A" attached to the staff report dated November 7, 1983 entitled "Local Improvement Rates", be approved by City Council with the exception of Item No. 9, dealing with sidewalk renewals.

Motion passed.

REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS AND COMMISSIONS:

Repeal of Ordinance Number 17A respecting the Licensing of
Bottle Dealers - SECOND READING

This matter was given First Reading at the Council meeting held on November 17, 1983.

MOVED by Alderman Flynn, seconded by Alderman Doehler that Ordinance Number 17A respecting the Licensing of Bottle Dealers be now read and passed a SECOND TIME.

Motion passed.

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on November 23, 1983, as follows:

Case No. 4414 - Lot Consolidation, 17 & 18 Yeadon Street

MOVED by Alderman Grant, seconded by Alderman Nolan, as recommended by the City Planning Committee that the application to consolidate Lots 17 and 18 on Yeadon Street, to create Lot GW, lands of J. Gerard Walsh and Susan E. Walsh, as shown on Plan No. P200/12347 of Case No. 4414, be approved by City Council.

Motion passed.

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Case No. 3889 - Contract Development, Dalhousie Rink, LeMarchant Street

MOVED by Deputy Mayor Cromwell, seconded by Alderman Doehler, as recommended by the City Planning Committee that Council declare the resolution of December 11, 1980, approving a contract development to permit a rink on the land of Dalhousie University at LeMarchant Street and South Street, be discharged and at an end.

Motion passed.

Case No. 4331 - Lot R, Sheffield in the Park

MOVED by Alderman Hamshaw, seconded by Deputy Mayor Cromwell, as recommended by the City Planning Committee, that the revised proposal for Lot R, Sheffield in the Park, as shown on Plan Nos. P200/12441-44 of Case No. 4331, be approved by City Council and the contract development agreement be amended accordingly.

Motion passed.

Heritage Evaluation Prior to Development

MOVED by Deputy Mayor Cromwell, seconded by Alderman Doehler, as recommended by the City Planning Committee, that City Council forward the suggestion that buildings be evaluated by the Heritage Advisory Committee prior to development applications being submitted to Council, to the Planning Advisory Committee for a recommendation.

Motion passed.

MOTIONS

Motion Alderman O'Malley re: Standing Commission on Parking for the City of Halifax

Notice of Motion was given at the Council meeting held on November 17, 1983.

Alderman O'Malley advised he had given Notice of Motion and had discussions with the Traffic Authority and others with respect to this matter, and has discovered that an Ordinance respecting off-street parking exists in a dormant state. Alderman O'Malley briefly familiarized members of Council of the contents of the Ordinance No. 124 and MOVED, seconded by Alderman Grant that Ordinance No. 124 be forwarded to the next meeting of the Committee of the Whole Council for review.

Deputy Mayor Cromwell advised of a study on downtown parking with Alderman O'Malley suggesting that the most recent of these studies along with the ordinance be circulated to members of Council.

Alderman O'Malley advised of his concern in attempting to set up an organization to determine what the City's needs are, will be, what does exist, what should exist, how the problem that might exist in future may be resolved, and parking in relation to the World Trade Centre Limited and Scotia Square.

Alderman O'Malley requested that Ordinance No. 124, the most recent Downtown Parking study and any other pertinent information circulated to members of Council so that a complete discussion on the parking needs of the City of Halifax may take place.

The Motion was put and passed.

Motion Alderman O'Malley - Appointment of Auditor General
FIRST READING

During the approval of the Order of Business, Additions and Deletions, this item was added to the agenda at the request of the City Clerk.

MOVED by Alderman O'Malley, seconded by Alderman Grant that Administrative Order with respect to the City Auditor General as outlined in Draft # 9 be read and passed a FIRST TIME.

Motion passed.

MOVED by Alderman O'Malley, seconded by Alderman Grant that Draft # 4 of the enabling Legislation to establish the Office of City Auditor General, as determined by the Special Meeting of Halifax City Council on November 29, 1983, be approved by City Council.

Motion passed.

MISCELLANEOUS ITEMS

Appointments

Information with attached material from His Worship the Mayor dated November 30, 1983, and December 1, 1983, was submitted.

MOVED by Alderman Nolan, seconded by Alderman Grant that the following appointments be approved by City Council:

(Stipends Committee)

Judge Pat Curran
Mr. Ken Mader
Mrs. Brenda Shannon

Term to expire when task is completed.

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(Tax Concessions & Grants Committee)

Alderman Nick Meagher
Alderman Gerald O'Malley
Alderman Alfred Hamshaw

Term to expire on November 29, 1984.

(Point Pleasant Park)

Alderman Murray Doehler

Term to expire on November 29, 1984.

(Library Board)

Alderman Murray Doehler
Alderman Rick Grant

Term to expire on November 29, 1984.

(Visitors and Convention Board)

Deputy Mayor Ronald Cromwell
Alderman Nick Meagher
Alderman Randy Dewell
Alderman Rick Grant

Term to expire on November 29, 1984.

(Retirement Committee)

Alderman Don LeBlanc

Term to expire on November 29, 1984.

(Committee on Concerns of Ageing)

Deputy Mayor Ronald Cromwell
Alderman Randy Dewell

Term to expire on November 29, 1984.

(Non Profit Housing)

Alderman Graham Downey
Alderman Rick Grant
Alderman Tom Jeffrey

Term to expire on November 29, 1984.

(Planning Advisory Committee)

His Worship Mayor Ron Wallace
Alderman Nick Meagher
Alderman Walter Nolan
Alderman Alfred Hamshaw
Alderman Rick Grant

Term to expire on November 29, 1984.

(Natal Day Committee)

Alderman Randy Dewell
Alderman Alfred Hamshaw

Term to expire on November 29, 1984.

(Board of Health)

Alderman Rick Grant
Alderman Tom Jeffrey
Alderman Alfred Hamshaw

Term to expire on November 29, 1984.

(Metropolitan Authority)

Alderman Walter Nolan
Alderman Art Flynn

Term to expire on November 29, 1984.

(MAPC 11)

Alderman Walter Nolan

Term to expire on November 29, 1984.

(Court House)

Alderman Donald LeBlanc

Term to expire on November 29, 1984.

(Metro Transit)

Alderman Arthur Flynn

Term to expire on November 29, 1984.

(Election Procedures Committee)

Alderman Alfred Hamshaw

Term to expire on November 29, 1984.

(Halifax Civic Hospital)

His Worship Mayor Ron Wallace
Alderman Alfred Hamshaw
Alderman Walter Nolan
Alderman Nicholas Meagher

Term to expire on November 29, 1984.

(Recreation Committee)

Mr. Paul Murray
Mr. William Reid
M. Ferguson
Mr. Thomas O'Malley

Term to expire on November 27, 1986.

(Forum Commission)

Mr. Jack Armitage
Marion McNeil
Alan Barkhouse

Term to expire on November 27, 1986.

(Planning Advisory Commission)

Mr. John Bryant
Dr. M. MacAulay
Mrs. Jura Smith
Mrs. J. Thompson

Term to expire on November 29, 1984.

Motion passed.

Deputy Mayor Cromwell referred to the appointments to the Stipends Committee and asked if this Committee was given a mandate to review all Boards and Commissions, to include City Council as well.

The Chairman advised the appointments were made to the Stipends Committee due to a member moving to another City and advised this Committee would be reviewing stipends for various Boards and Commissions, in particular the Chairman, Board of Police Commissioners.

Alderman O'Malley referred to the matter and expressed the view that all Boards and Commissions be reviewed by the Stipends Committee, advising that various other Chairmen were contributing much through their endless meetings and hours.

Council
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The Chairman advised of the practice over the years in which the Stipends Committee is reactivated at the end of the term of Office of the Mayor and Members of Council.

MOVED by Alderman O'Malley, seconded by Deputy Mayor Cromwell that all Boards and Commissions be examined by the Stipends Committee.

The Chairman advised that the Motion has been approved at a previous Council meeting.

Alderman O'Malley MOVED an amendment to the previously approved Motion, seconded by Deputy Mayor Cromwell that the words ' and City Council ' be added to the Motion.

A brief discussion ensued, and the Amendment to the Motion was put and passed with Aldermen Downey and Meagher voting against.

The Motion, as amended, was put and passed with Aldermen Meagher and Downey against.

Ordinance Number 177 respecting the Keeping of Animals - Alderman Grant

This item was placed on the agenda of tonight's meeting at the request of Alderman Grant. The matter was discussed at the Committee of the Whole Council held on November 23, 1983 and deferred, at that time, to the next Committee of the Whole Council.

Alderman Grant addressed the matter and read the Motion put forth by the Board of Health and clarified that it was not Council's intention to limit the normal everyday pets, but only those inappropriate in an urban environment.

Alderman Grant advised of numerous calls from concerned residents and stated he had discussed the matter with various persons with positive reaction that some type of control for all animals be initiated by the City. Alderman Grant advised he will bring forward at the next Committee of the Whole meeting a proposal for an approach towards animal control.

MOVED by Alderman Grant, seconded by Alderman Nolan that consideration of Ordinance No. 177, respecting the Keeping of Animals, be deferred and further, that a proposal for a type of control for all animals be discussed at the next meeting of the Committee of the Whole Council.

Alderman Flynn referred to the proposal and expressed the feeling that the Alderman should check with someone in authority with respect to what is manageable, what can be controlled without getting into exorbitant costs, and that these matters be taken into consideration before being submitted to Council.

Motion passed.

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Recommendation - Transit Advisory Committee re: Transit Service
to Richmond Manor

This item was last discussed at the Council meeting held on September 29, 1983.

A report from Metropolitan Transit Commission, prepared by G.K. Silver, Schedule Planner, and dated November 25, 1983, was submitted.

Alderman Flynn advised of a recent meeting of the Transit Advisory Committee in which this matter was discussed and the Committee had agreed that Metro Transit should cost the suggested service to the Richmond Manor, with the cost to be in the \$8,000 to \$9,000 range and recommend to Council.

Alderman Flynn referred to the approval of the extension of service until repairs to the cul-de-sac was improved.

MOVED by Alderman Flynn, seconded by Alderman O'Malley that City Council approve up to the amount of \$9,700 as the maximum amount for the extension of the service of Route 7 for the year 1984.

Motion passed.

Alderman Flynn advised this matter would be forwarded to the next meeting of Metropolitan Transit and indicated it would be approximately January 1, 1984 before this service would be put into effect.

Agreement - Market Vendors

This item has been discussed at various other meetings of Council.

A memorandum to the City Manager, dated November 14, 1983, from Alderman Flynn, was submitted.

MOVED by Alderman Flynn, seconded by Deputy Mayor Cromwell that this matter be deferred to the next meeting of the Committee of the Whole Council; and further that the President and Secretary, Market Vendors Association be requested to attend this meeting to discuss the agreement.

Motion passed.

Alderman Flynn requested that the proposed agreement and staff's recommendations be circulated to all members of Council.

10:35 p.m. - His Worship retires from the Chamber and Deputy Mayor Cromwell takes the Chair.

QUESTIONS

Question Alderman Doehler re: Metro Transit Route 9 - Southern Terminus

Alderman Doehler advised at the present time, Route 9 terminates at the Point Pleasant Park canteen and then comes back up along the route, and stated that the bus stops at the corner of Young Avenue and Point Pleasant Drive and citizens are expressing concern that they are being dropped off on the Park side of Point Pleasant Drive, stating it is dangerous and dark, and requested they be dropped off on the north side of Point Pleasant Drive. Alderman Doehler advised it was necessary to pay another fare should those passengers wish to leave the bus by the North side of Point Pleasant Drive.

Alderman Doehler requested Transit Authority to review for consideration the terminus to be the last three stops, so that if anyone wished to go through the loop, they may do so.

Question Alderman Downey re: Grounds Condition - Fairview Cemetery

Alderman Downey advised that the grounds at the Fairview Cemetery were in poor condition due to flooding and asked that fill be placed in the area.

The City Manager advised this matter would be considered.

Question Alderman Grant re: Amendment to Minutes - Special Meeting - Halifax Visitors and Convention Board

Alderman Grant referred to the discussion during the Special meeting held on November 2, 1983 with respect to the Halifax Visitors and Convention Board in which he had mentioned at that time, that we as a collective group should consider the possibility of all public promotions within the City, whether it be Public Affairs, the Industrial Commission, and advised this was not included in the minutes and asked that this be inserted.

The Chairman advised that the City Clerk would adjust the minutes accordingly.

Question Alderman Dewell re: Roof lights - Taxis

Alderman Dewell referred to a question regarding the roof lights on Taxicabs raised about a year ago; and asked that this question be answered. Alderman Dewell asked if the matter could be reviewed for consideration to the procedures followed in other cities in Canada, indicating in other cities, when the roof light is on, the cab is free, and when the roof light is off, the taxi is engaged. Alderman Dewell asked that the Taxi Commission review and report.

Council
December 1, 1983

The Chairman advised this request would be forwarded to the Taxi Commission for a report as soon as possible.

Question Alderman Meagher re: Treatment - Halifax Commons

Alderman Meagher asked the Director of Engineering and Works if the City made any special treatment of weed preparation or fertilizer on the Central Commons.

Mr. Peter Connell, Director of Engineering and Works, advised the matter would be reviewed and reported.

Alderman Meagher thanked the Director and Staff, Engineering and Works Department, for the great job in removing the leaves this season.

Question Deputy Mayor Cromwell re: Reports- November 18, 1983
Report on Status of Major and Industrial Projects, and Statement
of Revenue and Expenditures with respect to Provincial Transfers

Deputy Mayor Cromwell referred to the report on the status of Major and Industrial Projects and advised that the World Trade Centre did not apply for a Building Permit; and requested the reasons .

Alderman O'Malley advised it was not necessary for them to apply for a Building Permit by law.

Deputy Mayor Cromwell referred to the statement of Revenue and Expenditures with respect to Provincial Transfers, and in particular to the provincial transfers at 75.9%, advising a problem might be created during the preparation of the 1984 budget and asked the City Manager to report.

His Worship replied that an appointment has been made with the Premier to discuss this and other items with the Provincial Government.

Question Alderman Doehler re: Overnight Winter Parking Ban

Alderman Doehler advised of the overnight winter parking ban which will be in effect on December 12, 1983, and raised the point of investigating the all night parking during the winter months. Alderman Doehler asked what progress has been made in this respect or is it now a dead issue.

The City Manager advised he would request the Traffic Authority to report in writing on this matter.

10:45 p.m. - His Worship returns to the Chair and Deputy Mayor Cromwell returns to his Normal Seat in the Chamber.

ADDED ITEMS

Convention Centre - Operating Expenses

This item was added to the agenda at the request of His Worship the Mayor.

MOVED by Alderman O'Malley, seconded by Alderman Flynn that City Council make a payment to the World Trade and Convention Centre in the amount of \$240,000 under Section 201(1) of the City Charter, to cover the operating costs incurred during the year 1983.

Following a short discussion, the Motion was put and passed with Aldermen Doehler, Downey and Meagher voting against.

Update Cost - World Trade Centre / Scotia Square Tunnel

At the request of the City Clerk, this matter was added to the agenda of today's meeting.

A memorandum from His Worship the Mayor, dated November 28, 1983, was submitted.

MOVED by Alderman Hamshaw, seconded by Deputy Mayor Cromwell that City Council approve an amount up to \$2,000 as the City of Halifax's commitment on the update cost - World Trade Centre/Scotia Square Tunnel.

The Chairman advised this amount represents one-third of the cost; to be shared equally by the World Trade Centre and Scotia Square.

Alderman Meagher referred to the matter and indicated that a report has not been submitted with respect to this matter; and MOVED, seconded by Alderman O'Malley that the matter be deferred to the next meeting of the Committee of the Whole Council for further information and discussion.

The latter Motion was put and passed.

Fairview Cove Container Pier - Alderman Flynn

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

Alderman Flynn advised that the City of Halifax was not a member of the Halifax Dartmouth Port Development Commission; and referred to a recent press release in which the Commission would like Ports Canada, the operators of the Fairview Cove, to proceed with the extension of the Fairview Cove Container Pier.

MOVED by Alderman Flynn, seconded by Alderman O'Malley that Halifax City Council lend support to the Commission with respect to their request to Ports Canada for the extension of the

Fairview Cove Container Pier.

Following a brief discussion, the Motion was put and passed.

11:00 p.m. - No further business, the meeting adjourned.

HEADLINES

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| Tender Nos. 83-E-104 and 83-E-105 - Surplus Vehicles | 561 |
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| Women's Residential Facility - 2421 Brunswick Street (Hawkins House) | 562 |
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| Convention Centre - Operating Expenses | 574 |
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MAYOR RON WALLACE
CHAIRMAN

G. I. BLENNERHASSETT
CITY CLERK

Date approved by City Council: _____

SPECIAL COUNCIL
PUBLIC HEARINGS
MINUTES

Council Chamber
City Hall
Halifax, Nova Scotia
December 7, 1983
7:30 p.m.

A Special Meeting of Halifax City Council was held at this time.

PRESENT: Deputy Mayor Ronald Cromwell, Chairman and Aldermen Doehler, Downey, Meagher, Dewell, Nolan, Jeffrey, Flynn and Hamshaw.

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

The meeting was called to order and members of Council attending joined the City Clerk in the recitation of the Lord's Prayer.

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

Greenhouse Header House - New Roof
Tender #83-122 - Mainland South - Roach's Pond
Pumping Station - Trunk Sewer Phase II

Reaffirmation and/Or Relocation of the North Street Line of Morris Street

A staff report dated December 2, 1983, was submitted.

Mr. C.L. Dodge, Assistant Director, Development Department addressed the members of Council with respect to this application and with the aid of maps, briefly outlined the proposal as contained in the staff report dated December 2, 1983.

Mr. Dodge advised Council and pointed out on the map the various widths of Morris Street at the present time; and advised of Heritage properties in the area and indicated that a request had come from a developer proposing mixed residential/commercial development for the northeast corner of Barrington and Morris Streets.

Mr. Dodge further advised Council members of the comments from the Planning and Engineering Departments in respect to this request. Mr. Dodge indicated that the report has been submitted to Council for their consideration and decision; and advised that no recommendation had been formulated by staff.

Mr. Dodge then responded to various questions put forth by Council members.

Mr. Peter McDonough, on behalf of interested developers, Metcalfe Realty Limited, addressed Council in favour of removing the street line and indicated that a proposal for development in this area had the support of the area residents through meetings held in which input had been received and proposed plans altered to meet the requests.

Mr. Peter Ryan, a local developer, addressed the Council members and spoke in favour of removing the street line, giving indication that he had recently purchased property in the area with a development proposal in mind.

Mr. Ivor Harrington, 5170 Morris Street, Halifax, addressed the Committee advising he had lived at that address for eight years and referred to the now vacant service station which is an eyesore to the neighbourhood. With reference to the traffic on the street, Mr. Harrington advised there was only congestion for approximately five minutes during evening rush hour, and favoured the removal of the street lines to provide for development in the area.

Alderman Dewell referred to the Municipal Planning Strategy and in particular to the portion which deals with Lower Water Street in that it has been designated to retain its current width, with vehicular traffic not to be encouraged to be routed through that portion of the CBD; and made mention of Section 4.1 of the Strategy in which it states that Morris Street should be developed for pedestrian access to the land water's edge should development occur and requested a report as to Development Department's position with respect to this matter and in relation to the Municipal Planning Strategy.

The Chairman advised that a report would be submitted prior to the next meeting of Halifax City Council.

Mr. Howard MacNutt, on behalf of the Downtown Residents Association, addressed Council in favour of the removal of the street line and encouraged development of residential nature for the area.

Mr. G. Surette, a property owner in the area, addressed Council in favour of the removal of the street line, advising of the funds he has spent recently in renovating property in this area of the City.

Ms. Mila Reading, 1346 Hollis Street, Halifax, addressed Council and reiterated previous speakers' remarks in favour of the removal of the street line to encourage further residential development.

Mr. Alan Ruffman, Ferguson's Cove, addressed Council and advised he was in favour of the removal of the street line, and expressed the view that any traffic problems might be solved by means other than a Northwest Arm Bridge. Mr. Ruffman suggested a report be prepared on all other street lines throughout the City in view of future developments.

Special Council
Public Hearings
December 7, 1983

Mr. Mike Susnick, 5647 Morris Street, addressed Council and spoke in favour of the removal of the street line.

Mr. Paul Prosse, 5633 Morris Street, addressed Council in favour of the removal of the street line.

Mr. Roger Bureau, a recent property owner in the area addressed Council in favour of the removal of the street line.

There were no other persons present wishing to address Council with respect to this matter.

The following correspondence was received with respect to the application:

Correspondence dated December 6, 1983 from Mrs. Maud Rosinski, 5285 South Street, Halifax. (supporting Planning Department's comments)

Correspondence dated December 7, 1983 from Mr. Donald Higgins, Chairman, Ward I Residents Association, The South End, from South St. and Morris St. to Point Pleasant Park (supports Planning Department's comments)

Petition containing eight signatures from residents of the Morris Street area (against widening)

Correspondence dated December 7, 1983 from Joanne Lamey, for Board of Director, Community Planning Association of Canada, Nova Scotia Division (supporting Planning Department's comments)

Correspondence dated December 7, 1983 from Ian Muncaster, Former Chairman, O.S.E.C.A., 5415 Doyle Street, Halifax, N.S. (support of relocating the north street line of Morris Street)

Correspondence from Andrew B. Lynch, MRAIC, Lydon Lynch Associates Limited, dated December 6, 1983 (supporting the removal of the blueline from the south site boundary)

MOVED by Alderman Downey, seconded by Alderman Doehler the matter be forwarded to the next meeting of City Council without recommendation. Motion passed.

Case No. 4302 - Contract Development - Arcade - Halifax Shopping Centre

A staff report dated October 6, 1983, was submitted.

Mr. Philip Francis, Subdivision Engineer, Development Department, addressed Council members with respect to this application. With the aid of sketches, Mr. Francis advised of this application under Section 90 of the Land Use Bylaw, Peninsula Area, to make the existing arcade at the Halifax Shopping Centre a conforming use; with staff recommending approval.

Mr. Francis advised of the number of machines existing at the present time and indicated the arcade would be governed under the provisions of Ordinance 151.

There were no persons present wishing to address Council with respect to this application. There was no correspondence received.

MOVED by Alderman Flynn, seconded by Alderman Jeffrey
the matter be forwarded to the next regular meeting of Halifax
City Council without recommendation. Motion passed.

Case No. 4422 - Contract Development, Corner of Charles and
Maynard Streets

A staff report dated October 5, 1983, was submitted.

Mr. Philip Francis, Subdivision Engineer, Development Department, addressed Council and briefly outlined this application for a contract development under Schedule "C", Section 83 of the Land Use Bylaw, Peninsula area. With the aid of maps and sketches, Mr. Francis advised of the location of the proposal, the R-3 zoning in existence and the application to permit five additional units to be contained within the presently planned 25-unit apartment building. The proposal would create a small deficiency in open space area as well as parking spaces.

Mr. Francis advised of staff' recommendation to approve this application and responded to various questions put forth.

Mr. Remy Richard, E.F.S. Holdings Limited, the applicant, addressed Council in favour of the proposal and advised he was prepared to sign the agreement that the contract would be completed within a two-year period. Mr. Richard responded to various questions put forth.

There were no other persons present wishing to address Council with respect to this application. There was no correspondence received in this respect.

MOVED by Alderman Downey, seconded by Alderman
Nolan the matter be forwarded to the next regular meeting of
Halifax City Council without recommendation. Motion passed.

Greenhouse Header House - New Roof

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

MOVED by Alderman Meagher, seconded by Alderman Jeffrey,
as recommended by the Finance and Execution Co. Ltd., in the amount of
\$11,972., to supply all labour and materials and equipment required
to erect a gable roof system on the Parks and Grounds Division
Header House building as per specifications and the conceptual drawing.
Funds are available in unexpended 1983 Current Budget Special Item
accounts of the Engineering and Works Department.

Motion passed.

Tender # 83-122 - Mainland South - Roach Pond Pumping Station,
Trunk Sewer Phase II

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

MOVED by Alderman Nolan, seconded by Alderman Jeffrey,
as recommended by the Committee on Works, that Tender 83-122 for projects, materials or services listed be awarded to L.J. Casavechia Contracting Ltd., for the unit prices quoted for trunk sewer construction and a total project cost of \$941,830; funding to be authorized from Account number(s): DD017.

Motion passed.

9:00 p.m. - No further business, the meeting adjourned.

HEADLINES

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|---|-----|
| Reaffirmation and/Or Relocation of the North Street Line of Morris Street | 577 |
| Case No. 4302- Contract Development, Arcade, Halifax Shopping Centre | 579 |
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| Tender # 83-122 - Mainland South, Roach Pond Pumping Station, Trunk Sewer Phase II | 581 |

DEPUTY MAYOR RONALD CROMWELL
CHAIRMAN

/wc

CITY COUNCIL
M I N U T E S

Council Chamber
City Hall
Halifax, Nova Scotia
December 15, 1983
8:10 p.m.

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

The meeting was called to Order and those attending joined the City Clerk in the recitation of the Lord's Prayer.

PRESENT: His Worship Mayor Ron Wallace, Chairman; Deputy Mayor Cromwell and Aldermen Doehler, Downey, Meagher, O'Malley, Dewell, Nolan, Jeffrey, Flynn and Hamshaw.

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

Presentation - Long Service Award - Mr. Frank Hoskins

The Chairman presented a long service award to Mr. Frank Hoskins, a member of the Halifax Police Department for a period of 33 years and wished him well in his retirement. Along with the service award, His Worship presented a gift on behalf of Council and the citizens of the City of Halifax.

Alderman O'Malley presented a token of appreciation to Mrs. Hoskins on behalf of members of Council and the citizens of the City.

Mr. Hoskins addressed Council members and expressed satisfaction with his years of service and stated he was proud to have served the citizens for this period.

Report of the Advisory Committee on City Hall Renovations

A report of the Advisory Committee on City Hall Renovations, with covering letter dated December 13, 1983, was submitted.

Mr. James Cowan, Chairman, addressed Council and gave a brief outline of the recommendations contained in the report.

8:15 p.m. - Alderman Grant enters the meeting.

It was agreed that this matter be tabled later in this meeting.

The Chairman thanked Mr. Cowan and the Committee for their efforts in this regard.

Council
December 15, 1983

MINUTES

Minutes of the regular Council meeting held on December 1, 1983 and the Special Council meeting held on December 7, 1983 were approved on a Motion by Alderman Hamshaw, seconded by Alderman Flynn.

APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS AND DELETIONS:

At the request of the City Clerk, it was agreed that the following items be added to the agenda:

- 2b Report on the Advisory Committee on City Hall Renovations
- 5.7 Petition for Relief of Taxes - 545 Purcell's Cove Road
- 20.1 Case No. 4370 - Contract Development, 2468-80 Robie Street - Agreement
- 20.2 Housing Co-Operative - Lynch and Vestry Streets, Land Lease - Alderman O'Malley
- 20.3 Non-Union Cost of Living Adjustment

At the request of the City Clerk, it was agreed that the following items be deleted from the agenda:

- 17.4 Explosion Memorial - Alderman Rick Grant
- 5.5 Case No. 4302 - Contract Development - Arcade-Halifax Shopping Centre

At the request of Alderman Flynn, Council added:

- 20.4 Non-Conforming Use Properties

At the request of Alderman Meagher, Council added:

- 20.5 Property Relief - Allan Street

MOVED by Alderman Doehler, seconded by Alderman Downey
the agenda, as amended, be approved. Motion passed.

Report of the Advisory Committee on City Hall Renovations

A presentation of the report was given earlier in this meeting.

MOVED by Alderman Doehler, seconded by Alderman O'Malley
the report be tabled and forwarded to the next meeting of the
Committee of the Whole Council for discussion. Motion passed.

DEFERRED ITEMS

Amendment to the Municipal Planning Strategy and the Land Use Bylaw - Summer Street/Spring Garden Road

This item was dealt with at the November 17, 1983 meeting of Halifax City Council, at which time it was deferred for a period of approximately one month.

An information report dated December 13, 1983 was submitted.

Correspondence dated December 15, 1983 from F.B. Wickwire, MacInnis, Wilson & Hallett, was submitted.

MOVED by Deputy Mayor Cromwell, seconded by Alderman Doehler that the following amendments be made to the Municipal Planning Strategy and Land Use Bylaw:

1) Municipal Planning Strategy

- (a) to amend the Generalized Future Land Use Map of the Municipal Planning Strategy (Section VI, Peninsula Centre Area) to redesignate the the property at the southwest corner of Spring Garden Road and Summer Street from "University" and "Medium-Density Residential" to "High-Density Residential" as per map attached;
- (b) to amend the Municipal Planning Strategy (Section VI, Peninsula Centre Area) to add Policy 8.1.4 as follows:

Policy 8.1.4 For that area located at the intersection of Spring Garden Road, Summer Street, and College Street, designated "High Density Residential", the City may consider applications for any specific development consistent with the zoning designation and in considering such applications, the City may:

- 1) permit development to exceed the height precinct established through Policy 8.1.1; however, any proposed development shall not cast any shadow on the Public Gardens after 10:00 a.m. Atlantic Standard Time between March 21 and September 21; and shall be similar in scale to buildings found in the area, but shall not in any case exceed 100 feet;
- 2) permit modifications to the provisions of the zoning designation, provided that all other policies of this plan and (1) above are met .

Council
December 15, 1983

Following a brief discussion, the Chairman called for the question and requested a Recorded Vote.

The Motion was put and resulted as follows:

FOR: Deputy Mayor Cromwell, Alderman Meagher, Alderman Grant,
Alderman Nolan and Alderman Doehler - 5

AGAINST: Alderman Downey, Alderman O'Malley, Alderman Dewell,
Alderman Jeffrey, Alderman Flynn and Alderman Hamshaw - 6

Motion LOST.

MOVED by Alderman O'Malley, seconded by Alderman Flynn
that the following amendments be made to the Municipal Planning
Strategy and Land Use Bylaw:

1. Municipal Planning Strategy

- (a) to amend the Generalized Future Land Use Map of the Municipal Strategy (Section VI, Peninsula Centre Area) to redesignate the property at the southwest corner of Spring Garden Road and Summer Street from "University" and "Medium-Density Residential" to "High-Density Residential" (Map 2 as attached to the September 9, 1983 staff report);
- (b) to amend the Municipal Planning Strategy (Section VI, Peninsula Centre Area) to add Policy 8.1.4 as follows:

Policy 8.1.4 For that area located at the intersection of Spring Garden Road, Summer Street and College Street, designated "High-Density Residential", the City may consider applications for any specific development consistent with the zoning designation. In considering such applications, the City may:

- 1) permit development to exceed the height precinct established through Policy 8.1.1; however, any proposed development shall not cast any shadow over the Public Gardens after 10:00 a.m. Atlantic Standard Time between March 21 and September 21;
- 2) permit modifications to the provisions of the zoning designation, provided that all other policies of this Plan and (1) above are met.

MOVED in amendment by Alderman Doehler, seconded by
Deputy Mayor Cromwell that the date stated in Policy 8.1.4 (1)
be changed to read November 21.

Following a brief discussion and question, it was MOVED by Alderman O'Malley that the decision in this matter be deferred and that a full and detailed report from staff be requested containing what height buildings may legally be and outlining all the controlling factors.

There was no SECONDER to this Motion.

The Chairman put the question on the amendment and requested a Recorded Vote, as follows:

FOR: Deputy Mayor Cromwell and Aldermen Doehler, Meagher,
Dewell, Grant, and Nolan - 6

AGAINST: Aldermen Downey, O'Malley, Jeffrey, Flynn and
Hamshaw - 5

Motion passed.

The Motion, as amended, was put and passed with a Recorded Vote as follows:

FOR: Deputy Mayor Cromwell, and Aldermen Cromwell, Downey,
O'Malley, Grant, Nolan, Jeffrey, Flynn and Hamshaw; - 9

AGAINST: Alderman Meagher and Alderman Dewell - 2

MOVED by Deputy Mayor Cromwell, seconded by Alderman Doehler, the Land Use Bylaw be amended as follows:

Land Use Bylaw:

1. Amend the City of Halifax Zoning Map by rezoning the area generally described as abutting on the west side of Summer Street between College Street and Spring Garden Road from "Low Density University (U1) and Second Density Residential (R-2) to "Third Density Residential (R-3) as per map; and
2. Amend the City of Halifax Land Use Bylaw (Peninsula Area) Section 16AB to renumber Subsection (f) as Subsection (g) and to add as Subsection (f) the following:

" Council may, by resolution under the authority of the Planning Act and Policy 8.1.4, Part II, Section VI of the Municipal Planning Strategy, permit any residential development which would not otherwise be permitted by this Bylaw in accordance with said Policy. "

Motion put and passed.

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MOVED by Deputy Mayor Cromwell, seconded by Alderman Doehler that Council go on record as looking favourably on any development which protects and integrates the Hart House.

Following a brief discussion, the Motion was put and passed unanimously.

The following correspondence has been received with regard to this matter:

Correspondence dated November 7, 1983 and received Nov. 16, 1983 by the Mayor's Office from Cameron R.J. Man, FCSLA, University of Guelph, School of Landscape Architecture, Guelph, Ontario;

Correspondence dated November 9, 1983 and hand-delivered Dec. 14, 1983 from Doris Maley, resident of Ward One;

Correspondence dated November 10, 1983 and hand-delivered Dec. 12, 1983 from John Murchie, 2328 Maynard Street, Halifax, N.S.

Correspondence dated November 9, 1983 and circulated previously on November 21, 1983 from Brenda M. Clements, 4 Wenlock Grove, Halifax;

Correspondence dated November 14, 1983 from Christopher, Deborah, and Dylan Heide, 33 Elliot St., Dartmouth, Nova Scotia;

Correspondence dated November 15, 1983 from Peter B. Corkum, President, H.W. Corkum Construction Co., Ltd. Halifax, N.S.;

Correspondence dated November 25, 1983 and hand-delivered on December 12, 1983 from Austin M. Cooper, Q.C., 70 Bond Street, Toronto, Canada;

Correspondence dated December 7, 1983 from Michael Hough, Hough, Stansbury & Michalski Limited, Rexdale, Ontario;

Correspondence dated December 13, 1983 from Louis W. Collins, Halifax, N.S.;

Correspondence dated December 13, 1983 from F.W. Matthews, President, Heritage Trust of Nova Scotia, 1579 Dresden Row, Halifax, N.S.;

Correspondence dated December 13, 1983 from Mrs. Maud Rosinski, 5285 South Street, Halifax, N.S.

The following correspondence had been received earlier and redistributed to members of Council on December 14, 1983:

Correspondence dated September 20, 1983 from F.H. Theakston, P. Eng., F.H. Theakston & Associates, Guelph, Ontario;

Correspondence dated September 12, 1983 from Friends of the Public Gardens;

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Correspondence dated July 26, 1983 from Charlotte Lindgren,
Coordinator, Friends of the Public Gardens.

9:30 p.m. - The meeting adjourned for a 5-minute
period with the Sergeant-at-Arms removing the Mace from the Stand.

9:40 p.m. - The meeting reconvened with all members
as previously stated present.

Natal Day Committee Report

This item was deferred to this meeting from the
December 1, 1983 meeting of Halifax City Council.

The Chairman advised of requests that this item
be deferred to the next meeting of the Committee of the Whole
Council.

MOVED by Alderman Hamshaw, seconded by Alderman
Meagher the matter be deferred to the next regular meeting of
the Committee of the Whole Council. Motion passed.

Transit Route 14 - Lieblin Park

This item was discussed at the December 1, 1983 meeting
of Halifax City Council; at which time it was deferred to this
meeting of Council.

Alderman Grant advised of his meetings with Metro
Transit officials and MOVED, seconded by Alderman Flynn the matter
be deferred to the next regular meeting of Halifax City Council.

Motion passed.

Reaffirmation and/or Relocation of the North Street Line of
Morris Street

A public hearing into this matter was held on
December 7, 1983.

A supplementary staff report dated December 14, 1983
was submitted.

MOVED by Alderman Downey, seconded by Alderman Flynn
that the following resolution by approved by City Council:

Resolved that the street line on the north side
of Morris Street from the western lot line of
Civic No. 5303 Morris Street to Water Street be
lifted and that it be moved to the original street
line or to 60' in width and that the street lines
on the north side of Morris Street between South
Park Street and Brenton Street be confirmed at
its present location of 80' in width and from

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Brenton Street to Queen Street at its present location of 60' in width and from Queen Street to the western lot line of Civic No. 5303 Morris Street at its present location of 80' in width '.

The City Clerk advised that His Worship the Mayor and Aldermen O'Malley and Grant were not present at the Public Hearing.

The Motion was put and passed with Aldermen O'Malley and Grant abstaining.

Case No. 4302 - Contract Development - Arcade - Halifax Shopping Centre

A public hearing into the above matter was held on December 7, 1983.

During the Approval of the Order of Business, Additions and Deletions, this item was deleted from the agenda at the request of the City Clerk.

Case No. 4422 - Contract Development - Corner of Charles and Maynard Streets

A public hearing into the above matter was held on December 7, 1983.

MOVED by Alderman Downey, seconded by Alderman Doehler
that:

1. The application from E.F.S. Holding Company for a contract development to permit an additional 5 units to be contained within the presently planned 25-unit apartment building proposed to be constructed at the northwest corner of Charles and Maynard Streets, as shown on Plans No. P200/12289-12293 of Case No. 4422, be approved by City Council;
2. the contract shall be signed within 120 days or any extension thereof granted by Council on request of the applicant from the date of final approval by Halifax City Council and any other bodies as necessary, whichever approval is later, including any applicable appeal periods; otherwise, this contract approval will be void and obligations arising hereunder shall be at an end.

The City Clerk advised that Aldermen O'Malley and Grant were not present at the Public Hearing.

Motion put and passed with Aldermen O'Malley and Grant abstaining.

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Petition for Relief of Taxes - 545 Purcell's Cove Road

During the Approval of the Order of Business, Additions and Deletions, this item was added to the agenda of today's meeting.

A private and confidential report from the City Solicitor, dated December 7, 1983, was submitted.

MOVED by Alderman Doehler, seconded by Alderman Hamshaw
the matter be deferred to the next meeting of the Committee of the Whole Council. Motion passed.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee, from its meeting held on December 7, 1983, as follows:

Continuing Expenditures in 1983 Social Planning Sundries

MOVED by Alderman Downey, seconded by Deputy Mayor Cromwell, as recommended by the Finance and Executive Committee, that permission be granted to expend funds in January and February, or until the 1984 budget is approved, to agencies normally receiving funding on a monthly basis through Social Planning Sundries Accounts H0210, H0200, and N010.

Motion passed.

Richmond School - Re-use or Redevelopment

MOVED by Alderman O'Malley, seconded by Alderman Meagher, as recommended by the Finance and Executive Committee, that under the Park and Institutional Zoning, staff request proposals for re-use of Richmond School, which conform to same, which do not have a negative impact on the City's operational budget, and which preserve the land in civic ownership.

Motion passed.

Agreement - Market Vendors

The following recommendation was forwarded by the Finance and Executive Committee:

- ' that both the Halifax Market Vendors Association and Clarence Investment Ltd. be approached with a recommendation that the City Market be located in the Keith Brewery on a trial basis for a period of one year, and that the terms of the contract found in the December 6, 1983 contract be followed, and further, that one representative from the City

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of Halifax be added to the Halifax City Market Association Executive allowing for an input by the City to the Market and a liaison between Council and the Halifax City Market Vendors '

Alderman Flynn advised of discussions with the Halifax Market Vendors Association and his suggestion to go on a one-year's trial basis at Keith's Brewery and further that a representative of the City of Halifax be part of the Executive to assist and co-ordinate efforts so that the City of Halifax may be kept up-to-date on the progress of the Market and of any other problems encountered at that location.

MOVED by Alderman Flynn, seconded by Alderman Hamshaw the Halifax Market Vendors Association be requested to locate the Halifax City Market in the Keith Brewery on a trial basis for a period of one year with City representation on the Executive to monitor the success during that time and review again at this time next year.

Alderman O'Malley indicated the requirement that the Market continue to be known as the Halifax City Market; and the Chairman advised it would be contained in the Motion.

Motion put and passed.

Homes for Independent Living (N.S.) - Lease of 26 Lyons Avenue

MOVED by Alderman Grant, seconded by Alderman Nolan, as recommended by the Finance and Executive Committee, that the Mayor and City Clerk be authorized to execute a lease similar to the lease as attached to the November 29, 1983 staff report with Homes for Independent Living (N.S.) Limited for the lease of 26 Lyons Avenue for a term commencing January 1, 1984; and further that the name Ida Mae Marriott be retained.

Following a brief questioning on the terms of the lease, an amendment to the Motion MOVED by Alderman O'Malley, seconded by Alderman Flynn that the lease term be 50 years.

The amendment to the Motion was put and passed.

The Motion, as amended, was put and passed.

NIP I Land Acquisition

MOVED by Alderman Downey, seconded by Alderman Doehler as recommended by the Finance and Executive Committee, that Council authorize negotiations towards the purchase of the following properties:

- 1) Civic numbers 5522-5532 Gerrish Street and 2375-2379 Creighton Street, owned by the Estate of M. A. Newman,

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- 2) Civic Number 2330 Gottingen Street, owned by C. and T. O'Hearn Enterprises Limited, and
- 3) Civic number 2371 Gerrish Lane, owned by Mr. Frederick C. Johnston Junior and Mrs. Marie Johnston.

Motion passed.

Interim Tax Billing - 1984

MOVED by Alderman Jeffrey, seconded by Alderman Doehler, as recommended by the Finance and Executive Committee, that Council, under Section 120(1) of the Provincial Assessment Act, approve the issuance of an interim tax billing based on 50% of the 1983 taxes due for payment by February 29, 1984, with interest accrual commencing March 1, 1984; further, that the final billing of taxes be due on May 31, 1983 with interest commencing on amounts unpaid from that billing on June 1, 1984.

MOVED in amendment by Alderman Downey, seconded by Alderman Meagher that the interim tax billing be due by March 31, 1984, with interest commencing April 1, 1984.

The amendment to the Motion was put and Lost.

The Main Motion was put and passed with Aldermen Downey and Meagher voting against.

Current Borrowing Resolution

MOVED by Deputy Mayor Cromwell, seconded by Alderman Grant, as recommended by the Finance and Executive Committee, that the Mayor and City Clerk be authorized to sign the current borrowing resolution as attached to the November 20, 1983 staff report in a sum of \$7,000,000 for the period January 1 to June 30, 1984, in accordance with Section 213 of the Halifax City Charter.

Motion passed.

Tender # 83-225 - One 1984 Model Cargo Van

MOVED by Alderman Hamshaw, seconded by Alderman Grant, as recommended by the Finance and Executive Committee, that Tender # 83-225 for one 1984 Model Cargo Van, 3,900 G.V.W. be awarded to Nova Chrysler Plymouth Ltd., 6050 Livingstone Street, Halifax, Nova Scotia, B3J 3C4 at a total cost of \$9,663.40; funds are available from Account Number 126104.X1710.83007.

Motion passed.

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Downtown Parking Study

MOVED by Alderman O'Malley, seconded by Alderman Grant, as recommended by the Finance and Executive Committee, that the City Manager be authorized to form a Committee of staff to be responsible for the review of the parking situation in the downtown area and including all departments related to this matter.

Alderman O'Malley requested information as to the membership and the City Manager indicated that a report containing this information and the terms of reference and other related items is being prepared for submission to the Council members.

Motion passed.

Report of the Investment Policy Committee of the City of Halifax

MOVED by Alderman Doehler, seconded by Deputy Mayor Cromwell, as recommended by the Finance and Executive Committee that:

1. The report of the Investment Policy Committee dated December, 1983 be approved by City Council and City staff be instructed to implement same.
2. The Investment Policy Committee remain constituted to:
 - a) Formulate specific recommendations for City Charter revisions in connection with the City's restrictions in the type of investment available to it under the Trustee Act and its City Charter; and
 - b) carry out a semi-annual review of investments and an annual review of the approved investment guidelines.

Alderman Flynn suggested this policy report should go to those Boards and Commissions who do their own separate investments, to provide guidelines to such Commissions as the Public Service Commission and others. The Chairman advised this suggestion would be forwarded to the Boards and Commissions.

Motion passed.

Update Cost - World Trade Centre/Scotia Square Tunnel

The following recommendation was forwarded to this meeting from the Finance and Executive Committee:

- ' that City Council authorize the expenditure of \$2,000 as the City's share in connection with ascertaining the cost of constructing a tunnel between the World Trade Centre and Scotia Square '

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MOVED by Alderman O'Malley, seconded by Alderman Grant that the expenditure of \$2,000 as the City's share in connection with ascertaining the cost of constructing a tunnel between the World Trade Centre and Scotia Square not be spent at this time.

Following a brief discussion, the Motion was put and passed.

Transportation - Use of City Owned Vehicles

MOVED by Alderman Flynn, seconded by Alderman Doehler, as recommended by the Finance and Executive Committee, that City Council approve the Policy attached to the staff report dated December 2, 1983 as Appendix "A" and known as "Use of City Owned Equipment", and that City Council instruct the City Manager under Section 159(1)(a) of the City Charter to administer the subject policy, and report back to Council in six month's time with respect to the implementation of the policy.

Alderman Grant noted the proposed policy does not address the matter of insignia on City owned vehicles and questioned whether it was intended that there would be additions to the policy. The City Manager advised that the subject of decals was not included in the policy as most vehicles are displayed with decals and those that are not, are not intended to be. The City Manager noted he was to present a policy on items to be implemented, and in the case of items the Manager did not feel he could implement, he was to provide a rationalization. The City Manager apologized for not including a rationalization as to why the matter of decals was not included in the proposed policy.

MOVED by Alderman Grant, seconded by Alderman Dewell that the subject be deferred until Council receives a rationalization on the items which were left out of the policy.

The Motion to defer was put and Lost.

Further discussion ensued following which the main Motion was put and Lost.

MOVED by Alderman Jeffrey, seconded by Alderman O'Malley that the Transportation Committee be reactivated with Alderman Grant to serve in the place of former Alderman Hanson, and that the Transportation Committee work closely with the City Manager in determining the problems concerning implementation of the Transportation Policy.

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A discussion followed with respect to what the terms of reference would be for a re-activated Transportation Committee and it was MOVED by Alderman Hamshaw, seconded by Alderman Flynn that the item be deferred to the next regular meeting of the Committee of the Whole Council for further discussion and clarification of the Motion.

The Motion to defer was put and Lost.

MOVED in Amendment by Alderman Doehler, seconded by Alderman Grant the Motion be amended by the addition of "; and that the only term of reference for the Committee be to review with the City Manager the implementation of the Transportation Committee report approved by Council, and to report to Council following the review or in six month's time, whichever is first.

The Amendment to the Motion was put and passed.

The Motion, as amended, was put and passed.

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REPORT - SAFETY COMMITTEE

Council considered the report of the Safety Committee from its meeting held on December 7, 1983, as follows:

Animal Control - Tender #83-214

Alderman O'Malley questioned whether the contract addressed the matter of the successful tenderer cooperating with the Dalhousie Medical School, and the City Manager expressed the view that the contract did not address the issue and indicated it would be a decision for Council to make.

Alderman O'Malley suggested that perhaps it was best the contract did not address the subject but suggested that those concerned with the issue could forward documentation to Council for future discussions. His Worship suggested that perhaps Council should also receive a confidential memo from staff on the subject as well.

MOVED by Alderman Nolan, seconded by Alderman Doehler that, as recommended by the Safety Committee, the low bid meeting tender criteria of Harbour Cities Veterinary Hospital, totalling \$347,000 for a five (5) year period, be accepted by Council and further, that a review of the vehicle complement be carried out in one year.

Motion passed.

Control of Animals

The following is the recommendation of the Safety Committee:

"That the subject be deferred until such time as both public and professional input has been received regarding the institution of an Ordinance dealing with Control of Animals."

Alderman Grant indicated he wished to slightly amend the recommendation and MOVED, seconded by Alderman Nolan that the subject be deferred until such time as an appropriate mechanism can be established to provide for both public and professional input regarding the institution of an Ordinance dealing with Control of Animals.

Motion passed.

REPORT - CITY PLANNING COMMITTEE:

Council considered the report of the City Planning Committee from its meeting held on December 7, 1983, as follows:

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Case No. 4327 - Rezoning, 6124 Lawrence Street

The above item was forwarded to City Council without recommendation. A letter dated December 13, 1983, was submitted from Kempton Appraisals Limited relating to the item.

MOVED by Alderman Meagher, seconded by Deputy Mayor Cromwell that the application to rezone 6124 Lawrence Street from R-2 to R-3, be refused by City Council for the reasons outlined in the staff report dated December 1, 1983.

Following a discussion, the Motion was put and passed with Alderman Jeffrey against.

MOTIONS:

Administrative Order - Auditor General - SECOND READING

The proposed Administrative Order respecting the City Auditor General was read and passed a First Time at the December 1, 1983 meeting of Council.

MOVED by Alderman O'Malley, seconded by Alderman Grant that the Administrative Order respecting the City Auditor General, Draft #10, be read and passed a Second Time by City Council.

Motion passed.

MISCELLANEOUS BUSINESS:

Set Date for Heritage Hearing - Nominated Heritage Properties

A staff report dated December 12, 1983 was submitted.

MOVED by Alderman Doehler, seconded by Deputy Mayor Cromwell that a date be set for the required hearing to consider the registration of the six properties as outlined in the staff report dated December 12, 1983, as heritage properties.

Motion passed.

The City Clerk advised that the hearing was scheduled for Wednesday, February 8, 1984 in the Council Chamber commencing at 7:30 p.m.

Proposed Use of O.S.E.C.A. Funds in the Interest of Heritage Protection

A staff report dated December 13, 1983 was submitted.

MOVED by Alderman Doehler, seconded by Alderman Nolan
that:

1. The proposal of the Old South End Community Association as set forth in the letter attached to the staff report dated December 13, 1983, be accepted.
2. A Special Item be added to the Heritage Protection Section of the Development Department Budget in the amount of \$2,000 representing the amount of the gift and an addition of \$1,000 of civic funds for the purpose of carrying out the proposed research.

Motion passed.

Audit Committee

Alderman O'Malley referred to the various City Council dates dealing with the formation and duties of the Audit Committee suggesting that Council's actions with respect to the Committee's mandate etc. have been carried out on an ad hoc basis. Alderman O'Malley suggested that Council has never passed a firm resolution creating the Audit Committee.

MOVED by Alderman O'Malley, seconded by Alderman Grant
the City Solicitor be requested to review the different resolutions of Council dealing with the Audit Committee, consolidate them into one resolution creating an Audit Committee including its structure and responsibilities, and to present the matter at the next meeting of the Committee of the Whole Council for consideration.

Following a discussion, the Motion was passed.

Explosion Memorial - Alderman Rick Grant

The above item was deleted from the agenda during the Approval of the Order of Business.

His Worship left the meeting and Deputy Mayor Cromwell took the Chair.

QUESTIONS:

Question Alderman Flynn Re: Time Limits, Development Re-applications

Alderman Flynn questioned whether he could receive a report from the Legal Department concerning time limits in the case of re-applications for development changes not permitted as of right. Alderman Flynn indicated there was a property located in the Ward which he represents for which Council has refused to grant a development application on two occasions and questioned how many times applications can be made, and whether Council should have rules concerning re-applications.

MOVED by Alderman Doehler, seconded by Alderman Nolan
that:

1. The proposal of the Old South End Community Association as set forth in the letter attached to the staff report dated December 13, 1983, be accepted.
2. A Special Item be added to the Heritage Protection Section of the Development Department Budget in the amount of \$2,000 representing the amount of the gift and an addition of \$1,000 of civic funds for the purpose of carrying out the proposed research.

Motion passed.

Audit Committee

Alderman O'Malley referred to the various City Council dates dealing with the formation and duties of the Audit Committee suggesting that Council's actions with respect to the Committee's mandate etc. have been carried out on an ad hoc basis. Alderman O'Malley suggested that Council has never passed a firm resolution creating the Audit Committee.

MOVED by Alderman O'Malley, seconded by Alderman Grant
the City Solicitor be requested to review the different resolutions of Council dealing with the Audit Committee, consolidate them into one resolution creating an Audit Committee including its structure and responsibilities, and to present the matter at the next meeting of the Committee of the Whole Council for consideration.

Following a discussion, the Motion was passed.

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His Worship left the meeting and Deputy Mayor Cromwell took the Chair.

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Question Alderman Jeffrey Re: Status of Bus Shelter
Request, Old Sambro Road

Alderman Jeffrey inquired as to the status of his request for a bus shelter on the Old Sambro Road and Alderman Flynn of the Transit Advisory Committee advised of a meeting to be held at the Metropolitan Transit Offices next Wednesday at 11 a.m. suggesting that Alderman Jeffrey might wish to attend. Alderman Jeffrey indicated he would attend the meeting.

Question Alderman Jeffrey Re: Gesner Street & Adelaide Avenue

Alderman Jeffrey advised that Gesner Street was a dead-end street and that over the past few years, a number of vehicles have crashed through the guardrail. Alderman Jeffrey also indicated the street is sloped in the area of the guardrail. Alderman Jeffrey asked that staff look into the situation including the erection of proper signage.

Question Alderman Nolan Re: Walkway, Ridgevalley Road

Alderman Nolan advised the condominium corporation would like to have a walkway installed and questioned the method by which the cost could be obtained and whether the City would participate in the project. The City Manager suggested that if the location in question is located on private property, the owners would have to construct the walkway.

The Chairman asked that staff check into the matter and prepare a report on the subject.

Question Alderman Grant Re: Football Team, J. L. Illsley School

Alderman Grant indicated he has been approached concerning the possible establishment of a high school football team at the J. L. Illsley school and asked that a report be requested from the School Board advising of the on-going costs, whether it is feasible, when a team could be established, and what would be involved.

Question Alderman Grant Re: Free Bridge Crossing - Christmas Day

Alderman Grant advised that he has received inquiries with respect to whether it would be possible for the Bridge Commission to have a token-free day on Christmas Day.

Question Alderman Downey Re: Barrington Street Repairs

Alderman Downey referred to a previous request by the City to the Province concerning improvements on Barrington Street between Cornwallis and Gerrish Streets, and asked if any information has been received.

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The City Manager advised that a definite response has not been received but indicated that His Worship has been discussing the subject with Provincial authorities. Alderman Downey asked if a letter could be written in an attempt to receive a response prior to the conclusion of the budget exercise.

Question Alderman Downey Re: Winter Works Program

Alderman Downey questioned whether Federal funds have been allocated for a Winter Works Program, and the City Manager advised that staff is presently seeking information with respect to the details of how the program is to be administered.

Question Alderman Dewell Re: Dresden Row/Spring Garden Road Parking Lot

Alderman Dewell advised that those using the above parking lot have been informed by the parking attendant that the monthly parking fee will be increasing commencing the first of the year by an additional \$20.00 per month. Alderman Dewell indicated that users of the lot are concerned with the proposed increase which is well in excess of the 5% and 6% policy of the City.

The City Manager advised that new rates have not been approved and the City has not been requested to approve rate increases.

Question Alderman Doehler Re: Overnight Winter Parking Ban

Alderman Doehler referred to mild weather such as that which is presently being experienced and questioned whether there was any way the rules could be amended so that motorists would not expect to receive parking tickets during such situations. Alderman Doehler also suggested that a test be carried out involving a half-dozen streets or so where parking is permitted on one side for a number of blocks rather than the total no parking ban.

Question Alderman Doehler Re: Commercial Vacant Land

Alderman Doehler referred to situations involving vacant commercial buildings which are demolished and removed from the site by their owners. Alderman Doehler suggested that owners are almost encouraged to demolish such buildings under the existing law in order to save taxes, and questioned whether consideration could be given to a method by which the City could maintain taxes as if the building were still constructed on the site. Alderman Doehler indicated that such a situation exists in other Cities.

The City Solicitor advised that the question could be reviewed and indicated that such a change would require permission from the Province.

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NOTICE OF MOTIONS:

Notice of Motion, Alderman Doehler Re: Proposed Amendment to Ordinance No. 137 respecting the Deferred Payment of Taxes

Alderman Doehler gave notice that at the next regular meeting of City Council to be held on Thursday, January 12, 1984, he proposes to introduce a motion amending Section 3(1)(b) of Ordinance No. 137 to add after the figure (\$8,500), the words "starting in 1984, will be indexed for inflation as determined by Statistics Canada".

Notice of Motion, Alderman Doehler Re: Proposed Amendment to Administrative Order No. 5 respecting Stipends

Alderman Doehler gave notice that at the next regular meeting of City Council to be held on Thursday, January 12, 1984, he proposes to introduce a motion amending Administrative Order No. 5 respecting Stipends to add a Section 5 providing that "Except in the calendar year 1984, the remuneration of the Mayor shall be \$45,480.00 and for the Aldermen \$15,160.00.

ADDED ITEMS:

Case No. 4370 - Contract Development -
2468-80 Robie Street - Agreement

The above item was added to the agenda at the request of the City Clerk. A staff report dated December 7, 1983, was submitted.

MOVED by Alderman Meagher, seconded by Alderman Hamshaw
the contract development agreement for 2468-80 Robie Street be approved by City Council as attached to the supplementary staff report dated December 7, 1983.

Motion passed.

Co-Operative Housing Projects - Lynch & Vestry Streets

The above item was added to the agenda at the request of the City Clerk. A staff report dated December 15, 1983, was submitted.

MOVED by Alderman Meagher, seconded by Alderman Nolan
that City Council give authorization to North Harbour and Rocky Road Co-Operative groups to commence construction on the site with the provision that the lease be executed within 60 days after the beginning of 1984.

Motion passed.

Non-Union Salary Increases

A private and confidential staff report dated December 15, 1983 was submitted.

MOVED by Alderman Flynn, seconded by Alderman Hamshaw that Halifax City Council approve a total percentage increase of 6% for the non-union payroll in 1983, and reaffirm that it will be applied by the City Manager in accordance with appropriate administrative policy and practices including performance assessment.

Motion passed.

Non-Conforming Use Properties

The above item was added to the agenda at the request of Alderman Flynn who advised he would like a proposal referred to the Planning Advisory Committee for review. Alderman Flynn advised the proposal related to the possibility of non-conforming properties being permitted to have additions carried out to the living accommodation portion only. Alderman Flynn indicated that expansions to living accommodations perhaps could be permitted but not to the portion of the building which makes it non-conforming.

Alderman Flynn advised that the property on the corner of Phillip Street and Chebucto Road was an example of the type of situation he had in mind.

MOVED by Alderman Flynn, seconded by Alderman Nolan the proposal relating to the possibility of non-conforming properties being permitted to have additions carried out to the living accommodation portion only, be referred to the Planning Advisory Committee for review.

Motion passed.

Property Relief - Allan Street

The above item was added to the agenda at the request of Alderman Meagher who advised that he would like a matter referred to staff for a report. Alderman Meagher advised that Mr. Vaughan, owner of 5267 Allan Street, moved to Halifax from Ontario and unknown to him, his tax bill was sent to Ontario. Alderman Meagher said the property owner was of the opinion the mortgage company was paying the taxes which turned out not to be the case and he was charged interest. Alderman Meagher advised that the taxes plus interest were paid by the property owner but in addition, he was required to pay an amount of \$125.00 representing a title search.

Alderman Meagher expressed the view that the cost of the title search should be refunded and asked that the matter be reviewed by staff and placed on the agenda of perhaps the first meeting of the Committee of the Whole Council meeting in January.

11:15 P. M. - Meeting adjourned.

HEADLINES

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| Presentation - Long Service Award - Mr. Frank Hoskins | 582 |
| Report of the Advisory Committee on City Hall Renovations ... | 582 |
| Minutes | 583 |
| Approval of the Order of Business, Additions, and Deletions .. | 583 |
| Report of the Advisory Committee on City Hall Renovations ... | 583 |

DEFERRED ITEMS:

| | |
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MAYOR RON WALLACE &
DEPUTY MAYOR R. CROMWELL
CHAIRMEN

G. I. BLENNERHASSETT
CITY CLERK

Date Approved by City Council: _____