

Special Meeting
July 4, 1979

His Worship requested that staff submit a further report on this matter dealing with the issues raised during the July 4 hearing, specifically to address the relationship between land use and zoning designations. He also asked staff to indicate the date on which the area in question was approved as an R-3 designation.

MOVED by Alderman Maley, seconded by Alderman Shannon that the matter be referred to City Council without recommendation. Motion passed.

Written submissions concerning this matter were received from the following individuals:

1. Dr. F. A. Dunsworth, 5683 Ogilvie Street (June 12/79)
2. Mr. Peter J. Andrews, 570 Young Avenue (June 13/79)
3. Mr. Charles F. Longley, 5603 Pt. Pleasant Drive (June 20/79)
4. Mr. Ian Muncaster, Chairman, Ward I Residents Association (June 29/79)
5. Petition containing approximately 30 names signed by residents of the Young Avenue, Ogilvie Street and Point Pleasant Drive area (July 4/79)

Public Hearing Re: Contract Zoning and Lot Consolidation -
741-49 Bedford Highway (Clearwater Lobster Limited)

Using area maps and conceptual drawings of the proposed building, Mr. Boyd Algee, Development Officer, presented a brief overview of the application. He noted that a contract agreement is required in this instance owing to various modifications which would not be permitted under the provisions of Schedule "E"; these include the size of the building proposed, the setback of the building from the street line, the parking facilities proposed and the fact that the site is not connected to municipal sewer and water services.

Mr. Algee emphasized, however, that in staff's opinion, the proposal is in conformance with the Municipal Development Plan policies for this area (in particular, Policy 2.3 which is designed to encourage commercial growth), and for that reason, the proposal is being recommended for approval by City Council.

Responding to a question from Alderman Shannon, Mr. Matthews noted that, in accordance with the provisions of Implementation Policy 10, which in turn relates to Section 33(2)(b) of the Planning Act and the authority to give approval to contract developments, a Municipal Development Plan amendment would not be required, should Council decide in favour of the proposal presently before it.

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Responding to a question from Alderman Moore, Mr. Algee noted that the design and operation of the sewage treatment plant proposed by the applicant will have to satisfy the requirements of the Departments of Health and of the Environment. He added that it is the intention that the waste effluent be discharged into the Bedford Basin.

Alderman Shannon recommended that, if Council decide to grant their approval regarding this application, a clause should be inserted in the contract agreement stipulating that solid waste material (in particular, bad or dead lobsters) be removed daily or as often as necessary from the site in order that the potential of an odor problem be kept to a minimum.

With reference to a question from Alderman Wooden, Mr. Algee advised that, under the provisions of the Standard Industrial Classification Manual published by Statistics Canada, a use such as that being proposed by Clearwater Lobster Limited would be considered as "retail and wholesale trade", i.e., a commercial C-2 designation. Alderman Wooden expressed concern that the Clearwater operation should more appropriately be termed an "industrial" or "harbour-related" use.

His Worship then called for those persons present wishing to speak in support of the application.

Mr. Franklyn W. Cordon, solicitor for the applicant, introduced the architect in charge of the proposed development, Mr. Gregory Lambros, who in turn submitted a slide presentation for Council's consideration.

Following the slide presentation, Mr. Cordon elaborated on various aspects of his client's application. He stressed that Clearwater Lobster Limited has made every effort, through letters and personal visits, to acquaint residents of the surrounding neighbourhood with the proposal and made reference to the fact that company representatives had also attended an executive meeting of the Ward 10 Residents' Association in order to describe their plans in greater detail.

Mr. Cordon advised that the area in which Clearwater Lobster Limited is presently located is basically one of considerable commercial activity, citing the close proximity of motels and service stations. He added that the area's commercial character extended to the pre-annexation period when it had been unzoned.

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Mr. Cordon stressed that the quality of the seawater in this particular location of the Bedford Basin had been determined to be the most advantageous to a business operation such as is being proposed. However, he also emphasized that his clients were concerned that the conduct of their business activity would not, in any way, have adverse repercussions on the surrounding neighbourhood, particularly in terms of garbage and air pollution, and are willing to enter into a contract to this effect.

In closing, Mr. Cordon advised that the convictions previously referred to by the City Solicitor had been against the former owner of Clearwater Lobster Limited, and that the present owners have never had any prosecutions, relating to violation of the zoning regulations or other like matters, brought against them.

Responding to a question from His Worship the Mayor, Mr. Cordon advised that approximately 90% of the operation's volume would relate to the handling and export of live lobsters with approximately 4% concerned with the retail of fresh fish and other types of crustaceans. He stressed that the operation should not be misconstrued as a fish processing plant, adding that there are no plans to erect wharves or to permit fish-trawlers to dock adjacent to the property.

Responding to a further question from His Worship the Mayor, Mr. Lambros advised that the estimated value of the proposed development would be approximately \$2.5 million.

There were no further persons present wishing to address Council in support of the application.

His Worship then called for those individuals wishing to speak in opposition to the said matter.

Mr. Jonathan Welch, a resident of 720 Bedford Highway, voiced various concerns relating to his objections to the Clearwater proposal. Referring to Mr. Cordon's previous remarks, he noted that there appears to be some confusion concerning the illuminated sign located in the vicinity of the existing building and suggested that staff review the subject of its ownership further.

Mr. Welch disagreed that the proposed development would be consistent with Plan policies, citing Policy 1.2 which states that new developments shall "be

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related to the needs or characteristics of the neighbourhood." He emphasized that approval of this application prior to the formulation of a detailed area plan for the Bedford Highway Area could be detrimental to the surrounding neighbourhood, observing that plan policies would then be required to take into consideration and place considerable emphasis on a large-scale commercial enterprise. He requested that approval of applications such as this be deferred until the land use designation of the area in question can be clarified.

Mr. Welch referred to the provisions of the Industrial Park Zone, stating that, in his opinion, the Clearwater development should more appropriately be termed an "industrial" use as it is primarily concerned with the "packing, treating or warehousing (of) goods or products".

He indicated that it was his understanding that the Bedford Basin is already reaching a dangerous state of pollution and questioned the practicality of allowing waste materials from the Clearwater plant to discharge into its waters.

Mr. Carl R. Moore, a resident of the area, addressed Council in opposition to the proposal, voicing his concern that, if additional wells were dug to service the Clearwater operation, difficulties relating to adequate water supply presently experienced by area residents would be increased. He also referred to a potential traffic hazard which could arise at the juncture of the Bedford Highway and the Clearwater plant, and further noted that approval of this application could have a detrimental effect on residential property values in the immediate neighbourhood.

His Worship requested the City Solicitor to ascertain whether the present use of the Clearwater property could be continued if the application presently before Council were refused.

Mr. Kell Antoft of 1 Foxglove Lane indicated his objection to the proposal, noting the various regulations, including those pertaining to setback requirements, the provision of municipal water and sewer services and parking facilities, which the applicant is requesting to be waived.

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Mr. Albert E. Haverstock, 724 Bedford Highway, indicated that, in his opinion, the application is inconsistent with the Municipal Development Plan policies for this area and strongly recommended that, should Council approve the proposal, the contract agreement be made as stringent as possible.

Mr. Michael C. Moore, a former resident of the area, voiced his objections to the proposal, primarily on the basis of its inconsistencies in terms of Plan policies.

Mr. Michael Bradfield, 6324 Cornwall Street, addressed Council in opposition to the proposal and asked that staff review the necessity of a railway setback pertaining to this development.

There were no further persons present wishing to address Council in opposition to this proposal.

MOVED by Alderman Sullivan, seconded by Alderman Meagher that the matter be referred to City Council without recommendation. Motion passed.

Submissions regarding this proposal were received from the following individuals:

1. Mr. Emmet Currie, President, Ward Ten Community Association (June 28/79)
2. Mr. Michael C. Moore (July 4/79)

NIP III Concept Plan

This matter was referred to this Special Meeting of City Council from the July 4 meeting of the City Planning Committee.

MOVED by Alderman Sullivan, seconded by Alderman Clarke that, as recommended by the City Planning Committee, City Council adopt the resolution attached to the staff report of June 27, 1979, and authorize staff to apply for the Certificate of Implementation for NIP III.

Motion passed.

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NIP III Pilot Project - St. Mark's Church Playground

This matter was referred to this Special Meeting of City Council from the July 4 meeting of the City Planning Committee.

It was agreed that, as recommended by the City Planning Committee, City Council approve the pilot project as outlined in the staff report of June 27, 1979, and authorize staff to proceed with design and construction within the amount of \$43,000 budgeted in Account No. Z0500 and EH007.

It was further agreed that the said design be submitted to members of City Council as soon as possible.

Award of Tender 79-69 - Sidewalk Renewals

This matter was referred to this Special Meeting of City Council from the July 4 meeting of the Finance & Executive Committee.

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

1. Tender No. 79-69 for the project(s) listed in Appendix "A" of the staff report of June 25, 1979, be awarded for the unit prices quoted as follows:
 - Items 1, 2, 7, 8, 9, and 10 to Stewiacke Contruction Limited;
 - Items 3, 4, 5, and 6 to Steed and Evans; and
 - Item 11 to Armdale Construction Limited.
2. Project funds be authorized from Capital Accounts CB182, CB181, CB180, CB044, CB069, CB090, CB092, CB179, and CB155 in the total amount of \$374,000.
3. Funding transfers be approved as shown in the staff report of June 25, 1979.

Motion passed.

July 5, 1979, 12:35 A.M. - Meeting
adjourned.

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MAYOR EDMUND MORRIS
CHAIRMAN

G. I. BLENNERHASSETT (MRS.)
CITY CLERK

Date Approved by City Council: _____

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SPECIAL CITY COUNCIL
PUBLIC HEARINGS
MINUTES

Council Chamber,
City Hall,
Halifax, N. S.
July 11, 1979
7:35 p.m.

A Special Meeting of City Council was held on the above date.

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

PRESENT: Deputy Mayor Downey, Chairman; Aldermen Shannon, Meagher, Sullivan, Clarke and Hamshaw.

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

The meeting was called as a public hearing to consider the following items:

1. the rezoning of that area fronting on the south side of Bayers Road and both sides of Oxford Street, between Connaught Avenue and Liverpool Street (Soft Area 11);
2. the rezoning of that area lying on the west side of Robie Street, between Pepperell Street and Jubilee Road (Soft Area 6);
3. the rezoning of that area on the west side of Veith Street between Richmond Street and Hanover Street from C-2 (General Business) to R-2 (General Residential) (Soft Area 13); and
4. the rezoning of that area fronting on Chebucto Road between Poplar and Elm Street and the Peninsula North Area designated for detailed area planning (Soft Area 9).

Rezoning of Area Fronting on the South Side of Bayers Road and Both Sides of Oxford Street, between
Connaught Avenue and Liverpool Street (Soft Area 11)

A public hearing re the above subject was held at this time.

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Mr. David Russell, Senior Planner, with the aid of displayed maps, described the lands under consideration as generally being the area fronting on the south side of Bayers Road and both sides of Oxford Street, between Connaught Avenue and Liverpool Street. Mr. Russell indicated the present zonings of individual properties and the proposed changes.

Mr. Russell, in response to a question, explained the differences between the C-1 and C-2 zones and the implications of a non-conforming use.

The Chairman called for those present who wished to address City Council.

Mr. Alfred Veniot, 6539 Young Street, advised that he is in support of the proposed rezoning and expressed his desire that it proceed.

Mrs. Laura Gallant, speaking on behalf of her husband, owners of the property at 2973 Oxford Street, suggested that the area on Oxford Street between Liverpool Street and Cork Street should remain as C-2 zone. She stated the property was purchased as a commercial property.

Mr. John McFarlane, solicitor representing George E. Zinck and Agnes G. Zinck, owners of the properties at 6438 - 6456 Bayers Road, addressed City Council in support of the properties from Oxford Street to Connolly Street on Bayers Road remaining C-2 zone. Mr. McFarlane submitted a sketch provided by Mr. Zinck which depicted the area as it existed in 1940 when his property was purchased. Mr. McFarlane submitted that the non-conforming use is not practical from time to time. He indicated, in response to a question, that his clients have no definitive plans at this point but they anticipate that within the next five to ten years there will be development of some sort on Bayers Road.

Mr. John P. Merrick, speaking on behalf of his client Texaco Canada Inc. and its retailer Donald Herman, operator of a service station at 3090 Oxford Street, submitted a brief, copies of which were circulated to members of City Council. Mr. Merrick submitted additional signatures received in support of the property at 3090 Oxford Street remaining as a C-2 zone.

Mr. Donald Herman, operator of the service station at 3090 Oxford Street, addressed City Council in support of the zoning on his property remaining as C-2.

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Mr. Herman advised of his investment in the property and his role in the community, indicating the negative affect of the proposed rezoning on his investment and future at that particular location.

Mr. Peter O'Brien, resident at 2815 Connaught Avenue, a customer of Mr. Herman's, indicated his support for the property at 3090 Oxford Street remaining as a C-2 zone.

Mr. Alfred Veniot, 6539 Yount Street, stated he did not object to Mr. Herman's request that the property at 3090 Oxford Street remain as a C-2 zone.

Mr. C. Arab, owner of the property at 6494 Bayers Road, addressed City Council in support of the zoning on his property remaining as C-2. He advised that he purchased the property in 1949 at a commercial value, has invested in the site, and it is his sole livelihood.

No other persons present wished to address City Council on the matter.

Correspondence was received from the following:

Letter and attached brief, dated July 11, 1979, from John P. Merrick, Burchell, Jost, Macadam, Hayman & Merrick.
Letter dated July 9, 1979, from Mr. & Mrs. Alfred Veinot, 6539 Young Street.
Letter dated June 25, 1979, signed by Doug Zinck, on behalf of George E. and Agnes E. Zinck, 6438-56 Bayers Road.
Letter dated July 9, 1979, from Arnold Woo Shue, 6475 Bayers Road.
Letter dated July 9, 1979, from Joyce E. and Robert W. Saturley, 6469 Young Street.
Letter dated July 9, 1979, from Steve and Mary Korman, 6541 Bayers Road.
Letter dated July 9, 1979, from W. Roger Weston, 6549 Young Street.
Letter dated July 9, 1979, from Mrs. Anita Barnes, 6453 Young Street.
Letter dated July 8, 1979, from James C. and Mary L. Strachan, 6429 Bayers Road.
Letter dated July 7, 1979, from D. B. Fraser, 6455 Bayers Road.
Letter dated July 8, 1979, from Mr. & Mrs. M. P. Caley, 6571 Young Street.
Letter dated June 2, 1979, from Rita Seffern, 6545 Young Street.

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Letter dated July 9, 1979, from Mrs. L. J. Gaguén, 6535 Young Street.
Letter dated July 6, 1979, from Sara P. Oliver, Connolly Street.
Letter dated July 9, 1979, from Mr. J. H. LeBlanc, 6568 Young Street.
Letter dated July 7, 1979, from Clyde H. Boyd, 6555 Young Street.
Letter dated July 7, 1979, from Warren R. Fraser, 6417 Bayers Road.
Letter dated July 9, 1979, from Harold Vaughan, 6471 Bayers Road.
Letter, undated, from Mrs. K. White, 6558 Young Street.
Letter dated July 7, 1979, from Mrs. Dorothy M. Scott, 6529 Young Street.
Letter dated July 7, 1979 from M. Cameron, 6512 Bayers Rd.
Letter dated July 8, 1979, from Mrs. B. Edwards, 6435 Bayers Road.
Letter dated July 6, 1979, from Mr. & Mrs. C. C. Mitton, Connolly Street.
Letter dated July 9, 1979, from John Levy, 6421 Bayers Rd.
Letter, undated, from Gladys and Purvins Conrad, 6473 Young Street.
Letter dated July 3, 1979, from A. R. Mullenger, President, Provincial Sanitary Products Limited, P.O. Box 834, Halifax, N. S.
Letter dated June 22, 1979, from Lawrence Perry, President, Perry's Pharmacy Ltd., 6426 Bayers Road.
Letter dated June 22, 1979, from Wilfred W. Conrad, 6531 Bayers Road.
Letter dated July 9, 1979, from R. C. Hollis, Area Supervisor, Texaco Canada, P.O. Box 1651, Halifax, N.S.
Letter, undated, from George E. and Audrey Hue, 6528 Bayers Road.
Letter dated July 6, 1979, from Robert A. Lunn, President, Air-Page Communications Ltd., 2979 Oxford Street.

MOVED by Alderman Clarke, seconded by Alderman Sullivan that the matter be referred to City Council without recommendation
Motion passed.

Rezoning of that Area Lying on the West Side of Robie Street, between Pepperell Street and Jubilee Road (Soft Area 6)

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

Mr. David Russell, Senior Planner, with the aid of displayed maps, noted that the area under review lies on the west side of Robie Street between Jubilee Road and Pepperell Street, presently zoned R-3, (Multiple Residential)

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and is presently proposed for an R-2 zone (general residential), with the exclusion of the property at 6038-6040 Cedar Street which is presently awaiting a hearing by the Planning Appeal Board. Mr. Russell stated staff considered two options, the one relating to the extension of Schedule "C" was found to be inappropriate.

The Chairman called for those persons present who wish to address City Council on the matter.

Mr. Keith Vaughan, representing the Ward 2 Residents' Council, addressed City Council in support of the staff recommendation that the designated area on Robie Street be rezoned from R-3 to R-2. With respect to the long-term land use of the area, Mr. Vaughan emphasized that the Residents' Council feels the R-2 zone is appropriate for this area and any zone above that level would be unacceptable.

Ann Lucane, a resident of Henry Street, on the other side of Robie Street between Pepperell Street and Jubilee Road, addressed City Council in support of the proposed rezoning from R-3 to R-2 which would maintain the residential character of the neighbourhood.

Mary Burke, a resident of Jubilee Road around the corner from Robie Street, addressed City Council in support of the rezoning of west side of Robie Street from Pepperell Street to Jubilee Road from R-3 zone to R-2 zone.

Dr. Malcolm McAulay, representing Detailed Area Planning Committee II, addressed City Council in support of the proposed rezoning. He indicated that the Committee supports staff's statements in regard to the nature of the existing zoning and is in agreement with the policies addressed by staff.

Mrs. Vivian Currie, owner of the property from Pepperell to Shirley Streets on Robie Street, addressed City Council stating that in 1965 when the properties on the corner of Shirley and Robie Street was purchased, it was zoned commercial, the properties being 1934-40-44 Robie Street. She indicated that subsequently two other adjacent properties were purchased to complete ownership of the entire block.

Mrs. Currie stated her reasons for opposing the downzoning of the properties from R-3 to R-2 zone, suggesting that the area is not conducive to residential zoning because of surrounding property uses.

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Alderman Shannon requested that staff advise if and when commercial zoning existed on Mr. Currie's properties.

Mr. Hedley Ivany, a resident of Jubilee Road, expressed support for the control of high-rise development in the area. He suggested, however, that there is too much variance between the R-2 controls and the R-3 controls. He suggested that if there is not some provision for other than R-2 uses, there will be too much restriction in the area.

Mr. Richard McLaughlin, a recent resident of Jubilee Road, one property west of Robie Street, addressed Council in support of the proposed rezoning.

Correspondence was received from the following:

Letter dated July 5, 1979, from Mrs. Wm. Hanrahan, 6037 Shirley Street.
Letter dated July 7, 1979, from Mr. & Mrs. R. A. McDonah, 6029 Jubilee Road.
Letter dated July 11, 1979, from Aza Avramovitch, Aza Avramovitch Associates Ltd., 1714 Robie Street, on behalf of Mrs. Margot Avramovitch.
Letter dated July 6, 1979, from Mary J. and Bernard Burke, 6047 Jubilee Road.
Letter dated July 3, 1979, containing signatures of Emmerson King and five others, 1735 Henry St., 1732 Henry Street and 1762 Henry Street.
Letter undated, from Mr. & Mrs. T. P. Dixon, 6054 Cedar St.
Letter dated June 30, 1979 from Ruth Laing, 6050 Cedar St.
Letters dated June 26, and June 28, 1979, from Hedley G. Ivany, 6190 Jubilee Road.

MOVED by Alderman Shannon, seconded by Alderman Meagher that the matter be referred to City Council without recommendation.
Motion passed.

Rezoning of that Area on the West Side of Veith Street between Richmond Street and Hanover Street from C-2 (General Business) to R-2, (General Residential) (Soft Area 13)

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

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Mr. David Russell, Senior Planner, advised that the matter under consideration is the rezoning of properties abutting the west side of Veith Street between Richmond Street and Hanover Street from C-2 (general business) to R-2 (General Residential) and, also, the rezoning of properties located at the southwesterly corner of the intersection of Russell and Barrington Streets from C-2 (General Business) to R-2 (General Residential) Zone. With the aid of displayed maps, he indicated the lands under review and their proposed zonings. Mr. Russell responded to questions from members of City Council and explained the difference between the R-1 and the R-2 zone. Mr. Russell stated it is his understanding that an application for expansion of a property located on the southwesterly corner of Richmond and Barrington Streets has been received by staff. He indicated that he will check and advise if any other applications in the area under review have been filed with City staff.

The City Manager stated information on any further applications filed with City staff will be provided prior to the next meeting of City Council.

The Chairman called for those persons present who wished to address City Council in regard to the above noted matter.

Mrs. Judge, a resident of the area, asked if the rumour that a tavern is to be located on the corner of Barrington Street can be confirmed by City Council. The City Manager advised that he is not aware of an application for a tavern being received by City staff. The City Solicitor advised that City Council may not have input into such a decision as an application would be considered by the Liquor Licensing Board before a tavern could be permitted, pointing out that the Board is a Provincial and not a City Board.

Mr. Bruce Nickerson, solicitor representing Mr. Fong Yong, owner of the property at 5210-20 Russell Street, stated the property was purchased by Mr. Yong in 1955. He stated Mr. Yong and his wife have now reached retirement age and their only asset is this property which the proposed rezoning will affect adversely. He noted that the property was purchased as a commercial property and has existed as a commercial area for twenty five years. Mr. Nickerson responded to questions from members of City Council.

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Dr. Richard Lewis, owner of the property at 5339 Russell Street, addressed City Council in support of the staff recommendation to rezone the properties to R-2. Dr. Lewis related problems in the neighbourhood associated with the Fleet Club. He stated that the residents patronized Mr. Yong's store when it was in operation but are now concerned about the future use of the property if it was sold.

Reverend Calvin Pretty, resident at 5515 Russell Street, reiterated the problems created in the neighbourhood by the Fleet Club and a pool hall, and suggested that the residents do not deserve the risk of destroying the solemnity, wholesomeness, and the goodness of Russell Street.

Mr. John McFarlane, solicitor representing Mrs. Betty Levick, owner of a property which the solicitor pointed out on the displayed map, advised that Mrs. Levick last week became the involuntary owner of the said property through a Sheriff's Sale, and signed an option on the land this date. Mr. McFarlane suggested it would be difficult to find a purchaser for the land if it was rezoned to R-2 or R-1 and, in effect, it would be expropriation without compensation. He suggested that a lot depends on what commercial use would be proposed for the site and asked members of City Council to keep an open mind on the matter.

Mary Murphy, resident at 5275 Russell Street, addressed City Council in support of the proposed rezoning. She stated she would prefer an R-1 zone but could compromise for an R-2 zone.

Mr. Carl Meade, resident at 5267 Russell Street, referred to the property on Barrington Street around the corner from Russell Street, adjacent to the vacant properties on Barrington Street, and asked if the said property is zoned R-1, R-2 or commercial. Mr. Russell advised that the property is zoned C-2.

Mr. Meade reiterated problems in the neighbourhood associated with patrons of the Fleet Club. He suggested that the location of a tavern would make the area unbearable for present residents to live in. He stated that the relocation of the entrance to the Club to Barrington Street would be of assistance to residents of Russell Street.

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Madeline Murphy, a resident of Russell Street, suggested that the traffic situation at the corner of Russell and Barrington Streets should prohibit commercial development at that corner.

Dr. Lewis, a previous speaker, asked for clarification of the property referred to by Mr. Meade, and its current use, as well as the current use of Mr. Fong's properties on Russell and Barrington Streets.

Mr. Axel Smith, owner of the property at 2872 Barrington Street, stated that the location is not suitable because of its proximity to the Fleet Club and the entrance to the Dockyard. He suggested the property should be used for other than residential purposes. He advised that he signed an option to sell the property and the proposed purchaser has indicated plans to build an apartment building at that location.

Mr. Russell MacKenzie, a resident of Russell Street, suggested that caution has to be taken when considering a development for the corner of Russell and Barrington Streets as its implications will affect the whole neighbourhood.

No other persons wished to address City Council at this time.

MOVED by Alderman Sullivan, seconded by
Alderman Hamshaw that the matter be referred to City Council
without recommendation. Motion passed.

Rezoning of the Area Fronting on Chebucto Road between
Poplar and Elm Streets and the Peninsula North Area
Designated for Detailed Area Planning (Soft Area 9)

A public hearing re the above matter was held
ad this time.

Mr. David Russell, Senior Planner, with the aid of displayed maps, indicated the area under review is located on Chebucto Road between Poplar and Elm Streets, and pointed out the present and proposed zonings.

Alderman Wooden entered the meeting at 10:05
p.m.

Mr. Pat King, representing Pat King Real Estate, owner of the property at 6456 Chebucto Road, addressed City Council in opposition to the proposed rezoning, stating that it would interfere with plans for expansion of the existing building to allow for normal expansion of the company's operations.

Mr. John Hilton, owner of the property at 6495 Chebucto Road, addressed City Council and stated he has been operating a business at that address for the past five years. He advised that the property was purchased as a commercial property with the understanding that his business could expand on the site. He stated he has been negotiating for financing and with architects re expansion of his business, however, such expansion will be prohibited under the proposed zoning.

Ruth E. Longley, owner of the property located at 6430 Chebucto Road, addressed City Council and stated the property was purchased four years ago and has existed for at least forty years as a commercial site. She stated that the site is presently for sale and she will suffer a severe financial loss if the proposed rezoning takes place.

Mr. John Merrick, speaking on behalf of his client Texaco Canada Inc. and its retailer, Mr. Kenneth Butler, operator of a service station at 6482 Chebucto Road, submitted a brief, copies of which were circulated to members of City Council. Mr. Merrick submitted additional signatures received in support of the property at 6482 Chebucto Road remaining as a C-2 zone.

Alderman Meagher asked that the Legal Department comment on the feasibility of permitting the property to remain as a C-2 zone as long as Texaco Canada Inc. owned the property, and if there was to be any change in the use of it from that of a service station, the Company would have to make application to City Council.

Mr. Kenneth Butler, operator of a service station at 6482 Chebucto Road, addressed City Council in opposition to the proposed rezoning of the property and advised that he plans to remain at that location for many years.

Mr. Frank Powell, solicitor representing Steven Metlege, owner of the properties at 6489-91 Chebucto Road and 2621-35 Connolly Street, advised that the properties were purchased in 1970 and were zoned C-2. He advised that the properties were purchased with intentions of developing commercial or residential complexes thereon in future, but has no concrete plans at the present time. He stated that if the properties are down zoned, the owner will certainly lose considerable monies on the resale of these properties. He requested that the properties remain as C-2 zone, or, if necessary, as C-1 zone.

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Mr. Frank Berrigan, representing Mary Charlton, owner of the property at 2586 Beech Street, addressed City Council stating that since the property was purchased it has been extensively improved and the intended use at present is residential, there being no contemplated change in that use. He advised that the zoning of the property was reflected in the purchase price. He requested that if the property be downzoned, it be C-1 rather than the proposed R-2.

Mr. Lionel Jackson referred to the three properties on Connolly Street alluded to by a previous speaker and asked if at that site three buildings exist on two lots. He received a reply in the affirmative.

No further persons wished to address City Council at this time.

Correspondence was received from the following:

Letter dated July 6, 1979 from Franklyn W. Cordon, Kanigsberg, Cordon, Stern & Freeman.
Letter dated July 6, 1979, from Joseph S. Roza, Wolfson & Pink.
Letter dated July 9, 1979, from R. C. Hollis, Area Supervisor, Texaco Canada Inc.
Letter dated July 3, 1979, from John Hilton, 2645 Oxford Street.
Letter dated July 5, 1979, from Patrick King, Pat King Management Ltd.
Letter dated June 28, 1979, from J. H. Gallant, J. H. Gallant Real Estate Ltd.
Letter dated July 11, 1979, from Frank J. Powell, Kitz, Matheson, Green & MacIsaac.
Letter dated July 9, 1979, from Ruth E. Longley, 6430 Chebucto Road.

MOVED by Alderman Meagher, seconded by Alderman Shannon that the matter be referred to City Council without recommendation. Motion passed.

Meeting adjourned - 10:45 p.m.

HEADLINES

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Special Council,
Public Hearings,
July 11, 1979

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DEPUTY MAYOR GRAHAM L. DOWNEY
CHAIRMAN

G. I. BLENNERHASSETT (MRS.)
CITY CLERK

Date Approved by City Council: _____

CITY COUNCIL
MINUTES

Council Chamber
City Hall
Halifax, N. S.
July 12, 1979
8:15 P. M.

A meeting of 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 Downey, and Aldermen Shannon, Meagher, Sullivan, Clarke, Wooden, Hanson, and Hamshaw.

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

MINUTES

Minutes of City Council meetings held on July 3 & 4, 1979, were approved on Motion of Alderman Hanson, seconded by Alderman Wooden.

APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS AND DELETIONS

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

20.1 - Mainland South Community Centre

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

11.1 - Ruinous Building - Civic No. 60½ Williams Lake Road

The City Clerk also proposed to delete item 10.7 relating to "Lease - 337 Herring Cove Road" but it was agreed that Council could delete the item when it reached that point on the agenda.

The agenda, as amended, was approved.

DEFERRED ITEMS

Zoning Review - Soft Area 19 (MDP Map 4) - DATE FOR PUBLIC HEARING

The above item was last considered at the July 3, 1979 meeting of City Council.

A staff report dated July 10, 1979, was submitted.

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MOVED by Alderman Clarke, seconded by Alderman Wooden that, as recommended by the City Planning Committee at its meeting held on June 20, 1979, City Council set a date for a public hearing to consider the rezoning of those properties within Soft Area 19 from C-2 (General Business) to C-1 (Local Business) as shown on Map 2, Plan No. P200/9043.

Motion passed.

The City Clerk advised that the public hearing was scheduled for September 19, 1979 at 7:30 P. M.

Zoning Review - Soft Area 4

A public hearing was held into the above matter on July 4, 1979.

A supplementary staff report dated July 11, 1979, was submitted.

Alderman Hanson advised that he required further information from staff and MOVED, seconded by Alderman Wooden that the item be deferred.

Motion passed.

Zoning Review - Soft Area 5

A public hearing was held into the above matter on July 4, 1979.

A supplementary staff report dated July 11, 1979 was submitted.

Alderman Shannon, in referring to the supplementary staff report, noted that the Alderman for the Ward was not present at the meeting.

MOVED by Alderman Shannon, seconded by Alderman Wooden that the matter be deferred.

Motion passed.

Case No. 3659 - Contract Zoning and Lot Consolidation,
Civic Nos. 741-49 Bedford Highway

A public hearing was held into the above matter on July 4, 1979.

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Alderman Meagher advised that he was concerned with the problem of water and sewage and waste disposal and asked whether these matters have been cleared with the Department of the Environment.

Mr. Algee advised that the items have not been approved by the Department but noted the draft contract attached to the staff report provides that such matters must be approved before any permits will be issued.

A short discussion ensued on the matter and it was noted that a recommendation had not been made by the City Planning Committee with respect to the lot consolidation matter as required by the City Charter, and it was suggested that perhaps Council should deal with the lot consolidation prior to dealing with the contract development matter.

The Development Officer suggested that in similar previous cases, Council approved the contract development and considered the lot consolidation at a subsequent Committee of the Whole Council meeting.

Alderman Wooden also referred to the question of a billboard which was raised at the public hearing relating to whether it was located on the lot in question or on the property of another owner, and the Development Officer noted the City has received a letter from the applicant indicating they are attempting to remove the sign. His Worship suggested that matter could be included in the contract relating to the development. Alderman Shannon noted the contract was also to contain a provision with respect to the garbage collection.

The City Solicitor indicated that Council could approve the principle of the contract development saying that if the lot consolidation matter is to be brought back, staff could work out the final details with respect to the contract. Mr. Murphy noted there were a number of items discussed at the public hearing such as garbage removal, truck storage, etc., saying that if the principle is to proceed with the contract development, staff could come back with the final contract with the lot consolidation matter at the next meeting.

MOVED by Alderman Hamshaw, seconded by Deputy Mayor Downey that City Council grant approval to the proposed development as shown on Plan Nos. P200/8973/79 of Case No. 3659 subject to the lot consolidation of the properties known as Civic Nos. 741-49 Bedford Highway with Lot L-1 to create Lot "A" as shown on Plan No. P200/8747 of Case No. 3659, and subject to a contract being entered into concerning matters raised by City Council such as signs, garbage removal, solid waste removal, and sewer and water.

Motion passed.

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Tender 79-29 - Sidewalk Renewals (Items 1 and 4)

The above item was last considered at the July 3, 1979 meeting of City Council at which time Item Nos. 1 and 4 as contained in the staff report of May 30, 1979 relating to Tender No. 79-29, were not dealt with.

MOVED by Alderman Clarke, seconded by Alderman Hanson that:

1. Items 1 and 4 as contained in the staff report of May 30, 1979 relating to Tender No. 79-29, be awarded to Armdale Construction Co. Ltd. for the unit prices quoted;
2. Project funds be authorized from Capital Accounts CB027, CB150, BA005, and CC028 in the total amount of \$201,000;
3. Funding transfers be approved as shown in the staff report of May 30, 1979.

Motion passed.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on July 4, 1979, as follows:

Award of Tender 79-33, Construction of Multi-Purpose Courts, Graves Oakley and J. W. McLeod Schools

MOVED by Alderman Hanson, seconded by Alderman Wooden that, as recommended by the Finance and Executive Committee:

1. Tender 79-33 for the project(s) listed in Appendix "A" attached to the staff report of June 20, 1979, be awarded to Municipal Spraying & Contracting Ltd. for the prices quoted.
2. Project funds be authorized from Capital Accounts FA001 and FA009.
3. Funding transfers be approved as shown on Appendix "A" attached to the staff report of June 20, 1979.

Motion passed.

Award of Tender No. 79-34, Construction of Recreation Area, Ardmore School, and Tennis and Basketball Courts at L. O'Connell Field

MOVED by Alderman Hanson, seconded by Alderman Meagher that, as recommended by the Finance & Executive Committee:

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1. Tender No. 79-34 for the project(s) listed on Appendix "A" attached to the staff report of June 20, 1979, be awarded to Standard Paving Maritime Ltd. for the prices quoted;
2. Project funds be authorized from Capital Accounts FA023 and FA047.
3. Funding transfers be approved as shown on Appendix "A" attached to the staff report of June 20, 1979.

Motion passed.

Award of Tender 79-24 - Traffic Improvements

MOVED by Alderman Clarke, seconded by Alderman Hamshaw that, as recommended by the Finance and Executive Committee:

1. Tender No. 79-24 for the project(s) listed in Appendix "A" attached to the staff report of June 19, 1979, be awarded to Standard Paving Maritime Limited for the unit prices quoted.
2. Project funds be authorized from Capital Accounts CJ050, CJ053, CJ055, and CJ061 in the total amount of \$95,000.
3. Funding transfers be approved as shown in the staff report of June 19, 1979.

Motion passed.

Authority to Expropriate - Rockingham North Services Project

MOVED by Alderman Hamshaw, seconded by Alderman Hanson that, as recommended by the Finance & Executive Committee, City Council authorize:

- (a) expropriation of easements for underground services over lands of:

The Rector, Wardens and Vestry of the Parish of St. Johns'
Plan No. TT-26-25382;
Thomas L. MacNeil, Plan No. TT-25-23128;
Vincent C. Dohaney, Plan No. TT-25-23129;
Marion & Frank Wamback, Plan No. TT-25-23130;
Floyd and Myran Smith, Plan No. TT-26-25384; and
James A. Stewart, Plan No. TT-26-25386.

- (b) expropriation of easements for underground services over lands of:

J. William Thorpe, Plan No. TT-25-23114;
G. D. Hogan, Plan No. TT-25-23115;
G. D. Hogan, Plan No. TT-25-23116;
Annabel Cuvelier, Plan No. TT-25-23117;
Cresthaven Estates Limited, Plan No. TT-25-23138,
in the event the proposed Cresthaven Estates
Subdivision is not approved for development.

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(c) application to the Attorney General for such orders for possession as may be required should the City not be granted possession of any of the expropriated lands or interests in land as required by the construction schedule.

Motion passed.

Pollution Control Fund

The above item was forwarded to City Council without recommendation.

Council agreed that the matter be referred to the next regular meeting of the Committee of the Whole Council.

Designation of Reserve Funds

The above item was forwarded to City Council without recommendation.

Council agreed that the matter be referred to the next regular meeting of the Committee of the Whole Council.

Lease - 377 Herring Cove Road

The above item was forwarded to City Council without recommendation.

The City Clerk requested that the item be deleted from the agenda as further staff work was required on the matter.

Council agreed that the item be referred to the next regular meeting of the Committee of the Whole Council.

Quinpool Road Project

The above item was forwarded to City Council without recommendation.

Council agreed that the matter be referred to the next regular meeting of the Committee of the Whole Council.

Possible Change in the Pension Plan Contributions and Benefits

The above item was forwarded to City Council without recommendation.

The Committee agreed that the matter be referred to the next regular meeting of the Committee of the Whole Council.

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Award of Tender No. 79-23 - Traffic Improvements

The above item was forwarded to City Council without recommendation.

A short discussion ensued with respect to what was actually approved during the capital budget deliberations.

Mr. Sullivan of the Engineering and Works Department advised that he had not checked the actual minutes relating to the proposed improvements but suggested the present proposal was included in the budget.

Council agreed that the matter be referred to the next regular meeting of the Committee of the Whole Council.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on July 4, 1979, as follows:

Ruinous Building - Civic No. 60½ Williams Lake Road

The above item was deleted from the agenda at the request of the City Clerk during the approval of the Order of Business at it had been dealt with to finality at the Committee on Works meeting.

Petition Sylvia Avenue - Against Installation of Paving, Curb and Gutter, Sidewalk, Sod, and Trees

The above item was forwarded to City Council without recommendation.

Alderman Wooden indicated she was prepared to Move the recommendation contained in the staff report of June 15, 1979 but said she would like to receive a staff report on the possibility of installing a sidewalk on one side of the roadway only.

The Chairman suggested that Council not approve a Motion on the matter but not to advance with the project and let staff consider the alternatives. His Worship suggested that staff be asked to look at the possibility of a sidewalk on one side only and at the pedestrian movement, to which Council agreed.

Alderman Wooden suggested the sidewalk should be installed on the north side of the street where the school is located.

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Sidewalk Policy

The above item was forwarded to City Council without recommendation.

Council agreed that the matter be referred to the next regular meeting of the Committee of the Whole Council.

Fencing Policy

The above item was forwarded to City Council without recommendation.

Council agreed that the matter be referred to the next regular meeting of the Committee of the Whole Council.

Dairy Lands - Chebucto Road and Chebucto Lane

The above item was forwarded to City Council without recommendation.

Alderman Meagher suggested that the problem relating to the above subject was almost alleviated saying the necessary fill has been dumped on the site and it just has to be spread.

Flamingo Drive - New Sidewalk

The above item was forwarded to City Council without recommendation.

MOVED by Alderman Hamshaw, seconded by Alderman Hanson that City Council:

1. Authorize staff to negotiate an extra with C. B. Potter Ltd. to install a new sidewalk including sodding and trees at a cost not to exceed \$25,000 on Flamingo Drive from the Bedford Highway to approximately 200 feet west of Skylark Street and that these funds be approved from Account No. CA005.
2. Approve that the remainder of the sidewalk from 200 feet west of Skylark Street to Swallow Street be included in the future phases of the Bridgeview Storm Sewer Project.

Motion passed.

REPORT - SAFETY COMMITTEE

Council considered the report of the Safety Committee from its meeting held on July 4, 1979, as follows:

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Legal Fees - A Constable

The above item was forwarded to City Council without recommendation.

MOVED by Alderman Meagher, seconded by Alderman Shannon that City Council authorize the payment of \$9,458.00 to a Constable in connection with legal costs associated with the defence of charges as outlined in a report from the Chief of Police dated June 14, 1979 entitled "Legal Fees - A Constable".

Motion passed.

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Case No. 3717 - Lot Consolidation, Civic Nos. 2683-2691
(Lots M.K.4 and M.K.5) Agricola Street

MOVED by Deputy Mayor Downey, seconded by Alderman Meagher that, as recommended by the City Planning Committee, the application to consolidate Lot M.K.4 and Lot M.K.5 to create Lot M.K.6, as shown on Plan No. P200/9032 of Case No. 3717, be approved by City Council. Motion passed.

MOTIONS

Motion Alderman Wooden re: Amendment of Section 61(1) of the Halifax Zoning Bylaw (Mainland Area)

The City Solicitor advised that this matter requires that a date for a public hearing be set.

MOVED by Alderman Wooden, seconded by Alderman Hanson that a date be set for a public hearing to consider an amendment to Section 61(1) of the Halifax Zoning Bylaw (Mainland Area), specifically to delete Subsection 61(1)(d) and to substitute therein Subsection 61(1)(d), to read "the office of a professional person located in the dwelling house used by such professional person as his private residence" and Subsection 61(1)(e), to read, "any use other than a privy accessory to any of the uses in a, b, c, and d." Motion passed.

The City Clerk advised that the public hearing is scheduled for Wednesday, September 19, 1979, at 7:30 p.m. in the Council Chamber.

Motion Alderman Wooden Re: Amendment of Section 66(b) of the Zoning Bylaw (Mainland Area)

Alderman Wooden requested that this matter be deferred as an amendment to the Municipal Development Plan is required, for which she will give Notice of Motion later in the meeting. It was so agreed.

MISCELLANEOUS ITEMS

Appointments

A memorandum dated July 9, 1979, from His Worship the Mayor was submitted.

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July 12, 1979

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on July 4, 1979, as follows:

Rezoning and Lot Consolidation, Lands Abutting 6025
Livingstone Street - DATE FOR HEARING

MOVED by Alderman Clarke, seconded by Alderman Hamshaw that, as recommended by the City Planning Committee, a date be set for a public hearing to consider the application to rezone Lots A-1 and B-1, lands of Ronald Simms, from R-2, General Residential Zone, to C-2, General Business Zone, abutting Civic No. 6025 (Lot A) Livingstone Street, as shown on Plan P200/9041 of Case No. 3716. Motion passed.

The City Clerk advised that the public hearing is scheduled for Wednesday, September 19, 1979, at 7:30 p.m. in the Council Chamber.

Home Occupations

MOVED by Alderman Sullivan, seconded by Alderman Hanson that the matter of home occupations be referred to the next regular meeting of Committee of the Whole Council.

His Worship noted that the staff report of June 29, 1979, merely asked City Council to identify more accurately a certain staff report.

Alderman Sullivan stated that his motion to rescind was made because it was his understanding that City Council would be dealing with the matter along the guidelines in the original report.

The motion was put and passed.

Seaview Avenue Rezoning

A staff report dated July 10, 1979, was submitted.

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

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MOVED by Alderman Meagher, seconded by Alderman Hamshaw that Mr. George Knox be appointed to the Halifax Dartmouth Port Commission while Manager of the Halifax International Airport. Motion passed

MOVED by Alderman Shannon, seconded by Alderman Wooden that Mayor Edmund Morris be appointed to the Metropolitan Transit Commission and Alderman Doris Maley be appointed to the Metropolitan Authority, both appointments to be for the duration of the Planning Act Review Committee activities.

Alderman Shannon explained that the Planning Act Review Committee is holding public hearings throughout the Province from the fall through to the end of January which necessitates her absence from the City for the first three days of most weeks during that period.

Motion passed.

Offers of Compensation - Rockingham North Services -
Expropriated Sewer Easements

A confidential staff report dated July 10, 1979 was submitted.

MOVED by Alderman Hamshaw, seconded by Alderman Hanson that City Council authorize offers of compensation to the parties listed in the confidential staff report dated July 10, 1979, for the amounts stated, relating to the easements interests as defined by the corresponding official City plans. Motion passed.

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QUESTIONS

Question Alderman Clarke re: Service Stations in C-2 Zone

Alderman Clarke stated that it is his understanding that up until 1965 service stations were permitted in the C-1 zone and asked that an information report be submitted by staff on the reasoning for changing service stations from a C-1 to a C-2 use.

Question Alderman Shannon re: Progress Report on Planning Advisory Committees & Old South End Detailed Area Plan

On behalf of Alderman Maley, Alderman Shannon requested that a staff report be available for the next regular meeting of City Council re a progress report on the Planning Advisory Committees in the south end, particularly DAPC I, the anticipated schedule for the Old South End Detailed Area Plan, and the advisability and legality of a Council decision under the authority of Section 538 of the City Charter to have all application for building and demolition permits over a certain value in the Old South End referred to City Council for disposition.

Question Alderman Shannon re: Provincial Review of Regional Plan and Transportation Section Thereof

Alderman Shannon stated that the Provincial Government is presently actively reviewing the Regional Plan and the Department of Highways is reviewing the transportation section thereof, and asked if municipalities are being involved in the review.

The City Manager advised that he is not aware of staff's participation but he will check with all staff members and advise.

Alderman Shannon suggested if staff are not participating in the review, the City should be inquiring of the Province when some input is going to be required of the City.

Question Alderman Shannon re: Curbs and Sodding on University Avenue

Alderman Shannon asked when the report will be forthcoming re the curbs and sodding on University Avenue.

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Alderman Meagher suggested that a review be made of the whole area.

Question Deputy Mayor Downey re: Wading Pools at the North Commons

Deputy Mayor Downey requested a staff report on the wading pools at the North Commons.

Question Deputy Mayor Downey re: Traffic Lights at the Corner of North Park Street and Cogswell Street

Deputy Mayor Downey asked if a walk sign could be installed at the intersection of North Park Street and Cogswell Street.

Question Deputy Mayor Downey re: Overhead Crosswalk Light - Queen and Clyde Streets

Deputy Mayor Downey advised that the light in the overhead crosswalk sign at Queen and Clyde Streets has been inoperative for a couple of weeks and asked that it be repaired.

Question Alderman Wooden re: Settlement Act

Alderman Wooden referred to recent information received re the Settlement Act and asked that additional clarification be forthcoming from staff and advice on what the implications of the Act are.

His Worship advised that correspondence with the Legal Department is on file and requested that copies of same be forwarded to all members of City Council.

Question Alderman Wooden re: Control of Dogs in Point Pleasant Park

Alderman Wooden stated that it has recently been brought to her attention that there is practically no area of the park in which a person can walk a dog without using the Shore Road, and dogs are not permitted on the Shore Road. She pointed out that the roadway is not out of bounds to horses.

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Alderman Wooden further suggested that the present signs regarding dogs in the Park be lowered so they can be more easily viewed by the public.

His Worship stated that staff will take note of the views expressed and will determine whether they can improve upon the performance.

Question Alderman Meagher re: Date of Completion for
Sewer Work on the Commons

Alderman Meagher asked when it is expected sewer work on the Commons will be completed.

The City Manager advised that completion is expected by the end of July.

Question Alderman Meagher re: St. Mary's Lawn Bowling
Green

Alderman Meagher asked if, as previously requested, staff have inspected St. Mary's Lawn Bowling green.

The City Manager stated he is sure staff must have made the inspection. His Worship stated Mr. Waye will report by telephone to Alderman Meagher tomorrow.

Question Alderman Sullivan re: Construction Work on North
Gottingen Street

Alderman Sullivan asked what work is underway on North Gottingen Street. The City Manager advised that the Public Service Commission is replacing water pipes.

Question Alderman Sullivan re: Senior Citizens Building -
Convoy Lands

Alderman Sullivan asked if there has been any communication as yet from the Province of Nova Scotia if or when they are considering commencing construction on the building. He asked that staff check on the matter and advise.

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Question Alderman Sullivan re: Fence on Property Line of
Bridge Commission Lands and Northridge Road

Alderman Sullivan stated that the fence is down in two or three places along the property line of Bridge Commission lands and Northridge Road. He asked that staff take the initiative, get in touch with the Bridge Commission, and have the necessary repairs made.

Question Alderman Sullivan re: Excavation at the End of
Gottingen Street

Alderman Sullivan requested an update on the status of the excavation at the end of Gottingen Street.

Question Alderman Hamshaw re: Cutting of Grass on Dunbrack
Street

Alderman Hamshaw stated that the grass has been cut on Dunbrack Street and asked if any amendment is suggested by staff to resolve the grass cutting problem.

His Worship stated that the Director of Engineering and Works advised City Council that he is trying to work out a solution without compromising the City's legal position.

Question Alderman Hamshaw re: Widening of Pioneer Avenue

Alderman Hamshaw stated that the Works Department staff widened Pioneer Avenue yesterday and expressed his appreciation.

Question Alderman Meagher re: City Market in Devonshire
Centre

Alderman Meagher reported that the market is working well in the Devonshire Centre. He asked that, at the request of workers who have stalls there, a larger sign be placed on the building.

Question Alderman Wooden re: Construction at 179 Herring
Cove Road

Alderman Wooden stated that some construction work is underway at 179 Herring Cove Road and the soil is

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composed of a powdery, black soot which blows into the homes in the area. She asked that staff investigate and try to resolve the nuisance to the residents.

The City Manager advised that he would have the Building Inspector view the site tomorrow.

Question Alderman Shannon re: Lane from Brunswick Street
to Sackville Street

Alderman Shannon stated that for a City that does not believe in rumble strips, there is a great imitation on the lane that runs from Brunswick Street to Sackville Street and asked that staff have a look at it.

Question His Worship the Mayor re: On Street Parking -
Halifax Forum

His Worship advised that he has had telephone calls regarding parking in the area of the Halifax Forum arising out of City Council's decision to proceed with renovations at the Forum. He stated the questions raised relate to whether the City could now institute a firmer policy on on-street parking. He suggested that it largely relates to enforcement and asked that staff supply some information on the matter.

Question Alderman Wooden re: Traffic on Barrington Street

Alderman Wooden referred to the traffic problem on Barrington Street created by construction in the area and asked if the situation could be relieved by placing policemen in the area.

His Worship advised that the Traffic Engineering Department will review the matter.

Question His Worship the Mayor re: Trees in Sidewalk Spaces
on North End of Vernon Street

His Worship asked if it is possible to install a few trees in the sidewalk spaces on the north end of Vernon Street, particularly from Quinpool Road almost to Shirley Street.

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NOTICE OF MOTION

Notice of Motion Alderman Wooden re: Amendment to
Municipal Development Plan - Implementation
Policy 3.2.2.

Alderman Wooden gave notice that at the next regular meeting of City Council, to be held on Thursday, July 26, 1979, she will move an amendment to the Municipal Development Plan, specifically to delete from Implementation Policy 3.2.2 the phrase '5,000 sq. feet in floor area' and substitute therein '1,500 sq. feet in floor area'.

She stated the purpose of the proposed amendment is to enable amendment of Schedule D, provisions of the Zoning Bylaw, in a similar manner, so that City Council is afforded an opportunity to discourage proposed commercial, industrial, and/or institutional uses which may, by the policies of the Municipal Development Plan, be inappropriate.

ADDED ITEMS

Mainland South Community Centre - Alderman Wooden

Alderman Wooden stated that she had received an information report concerning the Community Centre on Mainland South. She advised that she had asked that the City set up a Task Force to look into the need, as well as the way and means, of obtaining such a Centre, and staff have suggested that a Task Force be set up for the whole City. She stated that the staff suggestion is not what she is seeking. She requested that staff reconsider her request and seek possible funding for the Centre.

His Worship advised that the Social Planner had discussed the matter with him and the intent of his memorandum was that while he thought we should be looking at the whole City, in response to the specific inquiry, particular and initial emphasis would be given to Mainland South.

Alderman Wooden stated that it has been looked at in a larger frame at other times and no action resulted.

His Worship stated that the matter will be reconsidered.

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Dunbrack Street - Grass Cutting - Alderman Hamshaw

Alderman Hamshaw stated that something should be done for residents whose property abut Dunbrack Street insofar as their obligation to cut the grass is concerned.

The City Solicitor advised that the subject matter is quite involved and suggested it might be more appropriate if staff submitted a report.

His Worship advised that staff will submit a report on the factors that would be involved in any such change in responsibility.

Meeting adjourned - 9:30 p.m.

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MAYOR EDMUND L. MORRIS
CHAIRMAN

G. I. BLENNERHASSETT (MRS.)
CITY CLERK

Date Approved by City Council: _____

Record

SPECIAL MEETING
HALIFAX CITY COUNCIL
MINUTES

Council Chamber
City Hall
Halifax, N. S.
July 18, 1979
7:45 P. M.

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

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

PRESENT: His Worship the Mayor, Chairman; Deputy Mayor Downey; Aldermen Maley, Clarke, Wooden, Hanson, Moore and Hamshaw.

ALSO PRESENT: City Manager; W. Anstey, Acting City Solicitor; City Clerk and other members of staff.

The meeting was called as a public hearing with respect to the following items:

1. To consider an application under Schedule "C", Section 83 of the Zoning Bylaw (Peninsula Area) to permit a Sisters' Residence at 5820 Spring Garden Road (Convent of the Sacred Heart);
2. To consider an application under Schedule "D", Section 66(c) and (d) of the Halifax Zoning Bylaw (Mainland Area) to permit the erection of a 16-unit apartment building at 138 Old Sambro Road;
3. To adopt certain amendments to the Halifax Zoning Bylaw (Peninsula Area), specifically to amend Sections 84(b), 85(b) and 86(b) to read, "No parking lot shall be permitted";
4. To consider an application under Schedule "J", Section 86 of the Halifax Zoning Bylaw (Peninsula Area) for the development of a bus bay shelter and fish market at Chebucto Landing.