

SPECIAL COUNCIL
ADJOURNED PUBLIC HEARING
M I N U T E S

Council Chamber
City Hall
Halifax, Nova Scotia
July 18, 1985
7:30 p.m.

A Special meeting of Halifax City Council, adjourned Public Hearing was held on the above date.

After the meeting was called to order members of Council present joined the Deputy City Clerk in the recitation of the Lord's Prayer.

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

Also Present: City Manager, Mr. B. Allen, Acting City Solicitor, Deputy City Clerk and other members of city Staff

Proposed Amendment to the Municipal Planning Strategy
Proposed Amendment to the Land Use Bylaw (Peninsula Area)
Case #4682 - Contract Development Application for 1450-88
Summer Street/5852-72 Spring Garden Road (United Equities)

A continuation of the public hearing held on July 17, 1985 was held at this time. An information report dated July 17, 1985 from Barry S. Allen, Acting City Solicitor, was submitted.

His Worship addressed Council outlining the events of the previous evening noting that a staff presentation, a presentation from the applicant and a number of citizen presentations had been heard at the meeting last evening. His Worship again cautioned Council regarding their absence from the Chamber during the hearing and further noted that at the close of the meeting last evening, a listing of persons wishing to address Council had been taken and that the persons on this list would be heard in order.

Ms. Joanne Lowell, 5655 Fenwick Street, addressed Council in opposition to the proposed development and introduced her colleague Ms. Quanita Short noting that they both attended the School of Architecture.

Ms. Lowell indicated that as students of architecture they learned about consistency and context in the creation and retention of stable neighbourhoods. Ms. Lowell further noted that the fabric of the existing neighbourhood surrounding Summer Street and Spring Garden Road was one of Victorian Houses, 2-3 stories in height and heritage resources such as the Public Gardens.

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Ms. Lowell indicated that the United Equities did not consider the life of the street and ignored the environmental impact on the gardens.

Ms. Lowell then referred to a two hour design exercise carried out by the architecture students and with the aid of Ms. Short and an overhead projector, demonstrated to Council the various designs which had resulted from that exercise.

Ms. Lowell suggested that United Equities had taken a rigid position with regard to the development of this property and further suggested that Council should take a similarly rigid position.

In closing, Ms. Lowell indicated that cooperative work would result in the corner of Summer Street and Spring Garden Road being a better place.

Ms. Lowell then responded to questions from members of Council. Ms. Lowell submitted a copy of her presentation to the Deputy City Clerk and it now forms a part of the official file of this public hearing.

Mr. Donald Patton, Payzant Avenue, Chairman of the Friends of the Public Garden, addressed Council in opposition to the proposed development before Council.

Mr. Patton indicated that the Friends of the Public Gardens were not opposed to development and in fact were strong supporters of development within the City. However, Mr. Patton indicated they were strongly opposed to irresponsible development in this area and the contract development application before Council this evening.

Mr. Patton indicated that the Friends of the Public Gardens felt there was no rational grounds on which to base an approval of this development and in fact felt that the development would be a detriment in the long term to both the City and the Public Gardens.

Mr. Patton further noted that there were many ways in which to develop this valuable and strategic site without causing harm or irreversible changes to the Public Gardens. Mr. Patton noted that the requirements for high density, tax base, commerce on the Peninsula and jobs could be met with a more suitable development acceptable to both City Council and the public.

Mr. Patton further noted that Council is not obligated to agree to ad hoc changes to the Municipal Planning Strategy unless these changes are perceived to carry out the spirit and intent of the Plan. Mr. Patton indicated that it is the intent of the Friends of the Public Gardens to support the recommendations of the Planning Advisory Committee.

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Mr. Patton indicated that the Friends of the Gardens had arranged for five speakers this evening to present the case of the Friends. Mr. Patton further advised that it had been the hope of the Friends of the Public Gardens that Mr. David Russell, a former member of the City of Halifax Planning staff, would be present this evening, however, Mr. Russell had been unable to attend. Mr. Patton then read a letter from Mr. David Russell dated July 16, 1985 in support of the Planning Advisory Committee recommendation which he submitted and which forms part of the official file of this meeting.

Mr. Patton then called upon Mr. Robert Parker, MCIP, outlining his educational and employment experience, to make his presentation.

Mr. Parker addressed Council on behalf of the Friends of the Public Garden indicating that he would deal with a number of points in his presentation as follows:

Use of the Development Agreement Process - Mr. Parker indicated that the proposal requested an amendment to the City's Municipal Development Plan and Land Use Bylaw as well as a Contract development. Mr. Parker indicated that it was never the intention to employ development agreements as development control for large scale developments once the MPS had been adopted suggesting the development agreement was intended to be used as an interim control mechanism for specific sites.

Mr. Parker indicated that the proposal, if approved, without adherence to the Policies of the Municipal Planning Strategy and Detailed Area Plan would undermine the intent of these documents. Mr. Parker further noted that the approval of development of such magnitude while a review of the MPS is being carried out could be considered to be a spot rezoning and should not be undertaken without the existence of a set of urban design and planning criteria.

Changes in Use of Former University Held Properties - Mr. Parker indicated that the proposed change in use designation for the subject property does not imply a general policy of tying use to ownership and suggested that the change in use designation should happen only after specific policies and guidelines are set down by the City for conversion of these formerly held university lands.

Effect of Proposals on MPS Policies - Mr. Parker referred to the Detailed Area Plan Policies which address infill and family housing indicating that this proposal for a high rise development contravenes both of these planning policies. Mr. Parker indicated that type of unit to be developed could not really be said to be a family type unit nor could this development be said to be infilling of a type compatible with and enhancing to the existing development in the neighbourhood.

Scale and Density of Proposed Development - Mr. Parker indicated that relative to the existing dimensions of built form on adjacent and immediately surrounding properties the proposals scale stands in marked contrast. Mr. Parker referred to various policies and reports outlining the appropriate scale for the area. Mr. Parker indicated that the proposal was not in scale or compatible with adjacent structures on surrounding streetscapes. Mr. Parker noted that there was no need for a high rise tower.

Mr. Parker further noted that density and form diagrams prepared by City staff conclusively demonstrate that the developer's density and open space requirements could easily be satisfied by a low rise built form of three to four storeys on the subject site.

Character of Proposed Development - Mr. Parker referred to the cladding of the proposed high rise indicating that the concrete, glass and metal exterior did not blend with the brick and wood buildings located in the area. Mr. Parker indicated that the attempt at disguising its contrasting character by setting it back, from the street lines and/or creating a landscaped foreground does not achieve the objectives of meeting character compatibility.

Effect of Proposal on Public Gardens and Heritage Issues - Mr. Parker noted that the proposal, under the existing criteria for shadow free protection of the Public Gardens, would cast shadows on the Gardens although the development has requested a less restrictive guideline in relation to this matter. Mr. Parker further noted that the proposal to create another Victoria garden in front of the high rise along Spring Garden Road impairs and jeopardizes the integrity of this nationally valued resource.

Mr. Parker indicated that changing the criteria by which shadow effects are evaluated from specific proposals is tantamount to spot development zoning and noted that any amendments to these criteria should be part of the five year plan review process. Mr. Parker indicated that only the Public Gardens had importance and to mimic it through a scaled down version is to mock it.

Effect of Proposal on Height Restrictions - Mr. Parker indicated that the proposal would significantly alter the present height restrictions of 35 and 45 feet if plan amendments were approved for the project. Mr. Parker noted that the removal of these restrictions and allowing a structure of 192 feet high to be erected on the site, would result in all height compatibility with existing structures being lost.

Appropriateness of Open Space and Landscape Design Solutions -
Mr. Parker indicated that the landscaping proposed for the site to create a lush garden and dense tree growth to ameliorate the effects from the overpowering effect of the high rise structure is an inadequate solution to a problem which need not exist if an alternative form of high density, low rise development were to take place on the site.

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

Mr. Patton then introduced Mr. Jack Diamond, Architect, briefly outlining his educational and employment experience and professional awards.

Mr. Diamond addressed Council complimenting them on the completeness and cohesiveness of the Municipal Planning Strategy. Mr. Diamond indicated that the Planning Advisory Committee recommendation reinforced the position of the Plan.

Mr. Diamond indicated that in many municipalities minor variances were approved, however, this proposal was definitely not minor. Mr. Diamond suggested that a change such as is being proposed should only be undertaken if the proposal would have a very negligible effect or a very significant positive effect. Mr. Diamond noted that the proposal varied greatly with the well established policies and was not in any way consistent with either the PAC recommendations or the Detailed Area Plan policies.

Mr. Diamond indicated that the question was whether a development could be found to meet both the objectives of the developer and the requirements of the City regulations. Mr. Diamond suggested that the development of such a proposal would not be a hardship to the proponent. Mr. Diamond further suggested that there were many common views in relation to this development. Mr. Diamond indicated that there could be no argument that housing was needed, the creation of employment and the extension and continuation of the tax base were of vast importance.

Mr. Diamond then presented a number of slides depicting proposals which would be more agreeable to the public and represent a profit to the applicant as the present proposal.

Mr. Diamond then suggested that all the present proposal had was height and noted that once other high rise buildings were developed in equally desirable locations in the City, it would be difficult for this particular development to remain competitive. Mr. Diamond noted that this eventuality would threaten the yield on the tax base.

Mr. Diamond then noted that the proposal was 333% higher than what was presently permitted suggesting that Council must agree that this was not a minor variance.

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Mr. Diamond then commented on the presentation made by the applicant suggesting that the applicant had sought to minimize the negative aspects of the the development by the introduction of positive semi-remedial factors.

Mr. Diamond went on to note that an alternate proposal could, he believed, be developed within a few weeks suggesting that this would cause no hardship to the developer.

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

9:00 p.m. The meeting adjourned for a short break.

9:10 p.m. The meeting reconvened with all the same members being present.

Mr. Patton then introduced Proffessor Allan Penny, Technical University of Nova Scotia, outlining his educational and employment experience.

Professor Penny addressed Council and with the aid of the overhead projector outlined the effect of buildings on wind and vice versa. Professor Penny then outlined the results of wind studies he had carried out on the subject site in relation to the proposed development. Professor Penny indicated that his results differed from those obtained by Dr. Isymov noting that his studies demonstrated a much greater wind impact should the development proceed.

Proffessor Penny, with the aid of a slide presentation, demonstrated the effects of wind from large buildings on pedestrians and damage which can occur to large buildings through the effects of wind.

In closing Professor Penny suggested that present wind problems in the area of the proposed development would not be ameliorated in any way by this development and in fact would be increased.

Professor Penny then responded to questions from members of Council.

Mr. Patton then introduced Proffessor K. E. von Maltzahn briefly outlining his educational and employment experience.

Proffessor von Maltzahn addressed Council referring to the reports prepared by Professor Bidwell for United Equities in relation to the environmental impact of the proposed development on the Public Gardens.

Professor von Maltzahn indicated that he did not believe that Professor Bidwell's reports represented scientific environmental impact studies nor that his conclusions were based on scientific evidence.

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Professor von Maltzahn indicated that Professor Bidwell had not addressed such things as the heterogeneity, the diversity and variety of kinds of plants within the Garden; the existence of plants in the garden not native to the area which likely now exist close to their critical limits and would no doubt be negatively affected by any change to their environment; and the fact that no data with regard to the microclimates within the Gardens had been obtained.

Professor von Maltzahn noted that no statement of what observations Professor Bidwell had made, nor of observations from the scientific literature relevant to the question had been included in Professor Bidwell's report. Professor Maltzahn indicated that in the absence of evidence as previously outlined it was his feeling that the concluding statement's in Dr. Bidwell's reports represent merely his personal views or opinions and do not form a basis for reaching an informed decision.

A copy of Professor von Maltzahn's brief was submitted at the Public Hearing and now forms a part of the official file.

10:10 p.m. The meeting adjourned for a short break.

10:20 p.m. The meeting reconvened with all the same members being present.

Mr. Patton then introduced Mr. Douglas Franklin, Heritage Canada Foundation briefly outlining his education and employment experience.

Mr. Franklin noted that the Heritage Canada Foundation had focused their attention on the situation of the Public Gardens since 1983. Mr. Franklin indicated that there was more and more evidence that the Public Gardens were not receiving the full measure of protection that should be granted such an important historic property and one of such importance to the city.

Mr. Franklin indicated that the mandate of the Heritage Canada Foundation recognized the special characteristics of each Canadian City and encouraged the protection of these. Mr. Franklin noted that this was not meant to imply that the Heritage Canadian Foundation wished to retain all of Canada as a museum.

Mr. Franklin further noted that Heritage Canada Foundation was a charitable organization having some 25,000 members dedicated to the preservation of the historic value of Canada. Mr. Franklin noted that Halifax had many heritage resources of great value and giving great character to the City. Mr. Franklin noted that two of the most important of these was the Citadel and the Public Gardens.

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Mr. Franklin noted that the comparison of Central Park in New York and that of the Halifax Public Gardens was erroneous as the parks had been developed for altogether different reasons. Mr. Franklin noted that a more apt comparison would be Gramercy Park in New York and the Public Gardens.

In closing Mr. Franklin indicated that the Heritage Canada Foundation supported the 45 ft. height limitation along Spring Garden Road noting that this would develop the area within the same context and character as presently exists.

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

Mr. Patton in his closing remarks, indicated that the Friends of the Public Gardens believed that the proposal was seriously flawed, and noted that the question was not one of which expert opinion was correct, but rather the conclusive and fundamental benefits of the development would be to the population of the city. Mr. Patton further noted that the Friends of the Public Gardens supported unanimous agreement with the Planning Advisory Committee recommendations although they were concerned with the 100ft height requirement feeling this was excessive.

Mrs. Tessa Hebb, 6121 Shirley Street, addressed Council in opposition to the proposal noting that it was usual for the developer of a controversial proposal to cry anti-development in the fact of organized opposition, however, Mrs. Hebb indicated that she felt this was not a cry of anti-development but one of over development.

Mrs. Hebb referred to the enjoyment obtained from the Gardens by the many residents and visitors to Halifax and indicated that the development in the area should meet the guidelines of the Municipal Planning Strategy.

Mrs. Hebb then referred to the need for housing acknowledging the housing which would be provided if the development were to go ahead, however, Mrs. Hebb noted that this development would not supply the medium to low income housing which is most desperately needed.

Mrs. Hebb further noted that the extension of the tax base was important and suggested that developers looking toward Halifax for possible development would be discouraged from locating in Halifax due to the lack of adherence to the planning guidelines and the long delays in a clear cut decision with regard to this particular site. Mrs. Hebb further suggested that if the developer had been told at the outset that high rise development in this area was inappropriate, a new more acceptable proposal would have been forthcoming some time ago and the matter would be settled by now.

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Mrs. Hebb indicated that in general she supported the recommendation of the Planning Advisory Committee. Mrs. Hebb referred to the reference to the Gardens as a jewel in the crown of Halifax and noted that many enjoyed the effect of an oasis in the urban setting. Mrs. Hebb indicated the intrusive effect of the proposed development would impact on the visual enjoyment of the gardens.

Mrs. Hebb further referred to the comment that the Tupper Building was at present an intrusion on the Garden and that the development of this proposal would not make a difference, and noted that a further erosion of the Gardens would result if such an attitude were permitted.

Mrs. Hebb then addressed the landscaping of the proposal suggesting that it was slightly misleading to suggest that 10 foot trees could mask the effect of a 190 foot building. Mrs. Hebb further noted that the approval of the 21 storey building would result in a private garden for those living in the building but would indeed impact on the visual enjoyment of those not fortunate enough to live in the building.

In closing Mrs. Hebb urged Council to act on the assumption that a human scale development was required in keeping with the scale and character of the area at present. Mrs. Hebb urged Council to relay the message that Council was willing to deal with developers with proposals in keeping with the Municipal Planning Strategy as well as considering the interests of developers. Mrs. Hebb indicated that she felt that the proposal before Council was inappropriate and would rob the City of the enjoyment of the Public Gardens.

Also submitted at this evening's meeting was a letter from Mrs. Ann Fraser in opposition to the proposal.

11:00 p.m. The meeting adjourned to be reconvened on Monday, July 22, 1985 at 7:30 p.m.

HEADLINES

Adjourned Public Hearing re:
Proposed Amendment to the Municipal Planning Strategy
Proposed Amendment to the Land Use Bylaw (Peninsula Area)
Case #4682 - Contract Development Application for
1450-88 Summer Street/5852-72 Spring Garden Road
(United Equities) 425

HIS WORSHIP MAYOR RON WALLACE
CHAIRMAN

Mr. E. A. Kerr
Deputy City Clerk

DATE APPROVED BY COUNCIL: _____

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SPECIAL COUNCIL
PUBLIC HEARINGS AND
ADJOURNED PUBLIC HEARING
MINUTES

Council Chamber
City Hall
Halifax, Nova Scotia
July 22, 1985
7:30 p.m.

A special meeting of Halifax City Council, Public Hearings and a Public Hearing adjourned from July 18, 1985, was held on this date.

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

Present: Deputy Mayor G. O'Malley, Acting Chairman; and Aldermen Dochler, Cromwell, Downey, Meagher, Dewell, Nolan, Jeffrey, LeBlanc, Flynn and Hamshaw.

Also Present: City Manager; Mr. W. Anstey, Acting City Solicitor; Deputy City Clerk and other members of City staff.

Deputy Mayor O'Malley outlined the items for the agenda this evening noting that the hearing on Case No. 4733 - Contract Development for 1546 Barrington Street would not be heard this evening as the applicant had withdrawn his application.

Deputy Mayor O'Malley noted that the public hearing regarding an Amendment to the Municipal Planning Strategy and Land Use Bylaw and Contract Development for 1450-88 Summer Street/5852-77 Spring Garden Road had been adjourned to this meeting from the July 18, 1985 hearing held on the matter and indicated that Council would have to make a decision regarding the order of the agenda at this time.

His Worship joins the meeting and Deputy Mayor O'Malley takes his seat in Council.

MOVED by Alderman Flynn that Council follow the agenda as publicized.

There was no seconder to the motion.

His Worship indicated that it appeared that the two rezonings advertised for this evening would be brief and suggested that these be dealt with first, to which Council agreed.

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Case No. 4797 - Rezoning - Bayers Lake Industrial 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 from Watershed (W) Zone to General Industrial (I-3) Zone of the lands lying generally south and west of the Bicentennial Drive, north and west of the Bicentennial Drive - Prospect Road Connector Road and the former City of Halifax boundary, north of Route 103 and east of the the new City of Halifax boundary in the vicinity of Bayers Lake as shown on Plan No. P200/12093 and found in the staff report dated July 17, 1985.

Mr. Campbell indicated that staff was recommending approval of this application.

Mr. Keith Birch, Director of Planning and Development, County of Halifax, addressed Council in opposition to the rezoning referring to the development plan for Beechville, Lakeside, and Timberlea area noting that commercial development had been restricted under that plan to one particular area. Mr. Birch indicated that the County was not objecting to the entire change but only to that portion that dealt with commercial development. Mr. Birch indicated that the County felt the rezoning to commercial would severely impact on the Timberlea area. Mr. Birch noted that the City Plan did not allow for unrestricted commercial developments in industrial areas and only allowed these by contract development and not as of right.

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

Correspondence dated July 17, 1985 from Mr. G. J. Kelly, Municipal Clerk in opposition to the proposed rezoning has been received.

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

Motion passed.

Case No. 4790 - Rezoning - Portion of Grosvenor School Site

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

Mr. Bill Campbell, Development Department, with the aid of maps and sketches, outlined the application for rezoning of portions of the Grosvenor School site and a portion of lands, which were formerly a part of Duke of Kent Avenue, from R-1 and C-2 zoning to R-4 zoning, as found in the staff report dated July 12, 1985.

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Mr. Campbell indicated that staff was of the opinion that the proposal meets the policies of the Municipal Planning Strategy and recommends approval of the rezoning.

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

Mr. Bill Lydon, representing the applicant, indicated that he would not make a presentation noting that he was available to respond to any questions.

Mr. Campbell, an area resident, addressed Council in opposition to the rezoning. Mr. Campbell noted that he objected to the approval of a rezoning allowing the development of townhouses in a traditionally single family dwelling area. Mr. Campbell further noted that a development of townhouses would drastically increase the density and traffic within the area. Mr. Campbell referred to developments approved by Council in the past on Castlehill and Cresthaven Drive noting that these would further increase traffic in the area.

Mr. Campbell also referred to the closure of the area school noting that the increased number of students would probably result in a requirement for an addition to the Wentworth School which would increase costs to the City. Mr. Campbell referred to the large play area located on the site in question noting that many youngsters and elderly persons used this area. Mr. Campbell indicated that workmen had started to remove the play equipment from the playground today and asked if this was permitted before approval of the rezoning had been given.

In response to a question from Alderman Dewell regarding the adequacy of school facilities His Worship indicated that the School Board statistics had upheld the closure of the Grosvenor School.

In response to a question from Alderman Hamshaw regarding the playground, Mr. Churchill noted that the play equipment was being removed by Parks and Grounds and would be located at the Wentworth School.

There were no further persons wishing to address Council in regard to this matter. No correspondence has been received in relation to this matter.

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

Motion passed.

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Proposed Amendment to the Municipal Planning Strategy
Proposed Amendment to the Land Use Bylaw (Peninsula Area)
Case #4682 - Contract Development Application for 1450-88
Summer Street/5852-72 Spring Garden Road (United Equities)

A continuation of the public hearing held on July 18, 1985 was held at this time.

Mr. Ken Wilson, 7000 Armview Avenue, addressed Council in opposition to the proposal. Mr. Wilson advised that he was an investor in Summer Gardens as a potential owner and resident within the development.

Mr. Wilson indicated that up to the time of the Planning Advisory Committee recommendation he had felt that Council had made wise decisions with regard to this matter and feared that the Planning Advisory Committee recommendation would further delay a positive decision from Council.

Mr. Wilson indicated that he felt the Planning Advisory Committee should not be permitted to impose something completely foreign to the area of the Public Gardens and the Convent, and suggested that it was obvious that none of the members of the committee lived in the area of the Public Gardens. Mr. Wilson noted that he was relieved that the Planning Advisory Committee was only an advisory Committee and its recommendations could just as easily be rejected or accepted.

Mr. Wilson indicated that he felt sure the residents of the area, the potential residents of Summer Gardens and the true friends were not willing to trade off what is being proposed by United Equities from the PAC recommendation of 65,000 sq. ft. of ground floor on-street commercial, without setbacks and little or no landscaping.

Mr. Wilson suggested that such commercial use would result in a hodge podge of traffic problems, parking problems and garbage from the food outlets contained within the commercial use. In conclusion Mr. Wilson requested that Council reject the Planning Advisory Committee recommendation.

Mr. Wilson submitted his written presentation to the City Clerk and it now forms a part of the official file of this evening's meeting.

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

Mr. Kell Antoft addressed Council indicating that he was present this evening as a private citizen who has a deep affection for the City of Halifax and a strong commitment to planning policies that are administered without constant ad hoc changes.

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Mr. Antoft then indicated that he felt it was ironic that the Institute of Public Affairs had considered the construction of a modern three storey building on this site as a possible solution to housing problems and had decided that their housing problems could be taken care of by the recycling of existing buildings. Mr. Antoft indicated that the Institute had not foreseen that by relinquishing this site, a development would be proposed which would lead to the very kind of environmental change to Spring Garden Road that they had sought to avoid.

Mr. Antoft noted that Halifax was one of the Canadian cities that has a good deal of its history reflected in its building, its public parks and streetscapes and it is these features which help to provide its charm and warmth. Mr. Antoft went on to indicate that the encouragement of development to retain and increase the population on the peninsula was desired but suggested that the transition of the friendly neighbourhood environment to the impersonal concrete towers was perhaps the reason for the exodus from the Peninsula area.

Mr. Antoft then expressed concern in relation to the willingness of Council to let the City drift into a gradual abandonment of all the values that make Halifax unique noting that it was unlikely that visitors came to Halifax to view the high rise developments presently existing in the City. Mr. Antoft suggested that it was time to take a stand, to signal to developers and to architects that the direction that is being taken is not acceptable.

Mr. Antoft then referred to the commercial use within the lower profile building recommended by PAC and suggested that the comment that this might transform the ground level of such a development into a shopping centre complex, was not to be taken seriously. Mr. Antoft noted that the location of convenience stores, restaurants and other such service commercial uses would be an attraction to the residents of such a development.

Mr. Antoft then referred to the financial benefits to the City outlined by the applicant noting that no cost calculations had been given. Mr. Antoft indicated that he was sure that Council was aware that all development has cost implications and to suggest that a development proposal be judged on the basis of how much the tax bill will be is an insult to the whole concept of the planning process.

In conclusion Mr. Antoft indicated that the change of ownership of the land in question obviously required a rezoning for another use, however, Mr. Antoft suggested that this did not justify the request for a lifting of the height restriction.

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Mr. Antoft asked what benefit this development would be to the public at large, what justification was there for setting aside the policies of the MPS and what message was to go out to the developers within the City. Mr. Antoft requested that Council consider all these questions in making their decision.

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

Mr. Antoft submitted his written presentation to the Deputy City Clerk and it now forms a part of the official file for this evening's meeting.

Mr. Patrick Moriarty, 810 Bridges Street, addressed Council in favor of the proposal. Mr. Moriarty indicated that the evidence of a similar project on Spring Garden Road, that is 5770 Spring Garden Road, should be given consideration. Mr. Moriarty indicated that this building has been successful and for the most part is taken for granted. Mr. Moriarty suggested that it served as a very relevant example of the merits of the Summer Gardens proposal.

Mr. Moriarty then referred to the PAC recommendation indicating that the introduction of a full block of commercial operation would drastically change the character of the area, radically changing the residential and institutional nature of development and certainly not enhancing the Public Gardens.

Mr. Moriarty indicated that he looked forward to the approval of this contract noting that this development would be a city landmark development.

Mr. Moriarty submitted his written presentation to the Deputy City Clerk and it now forms a part of the official file of this evening's meeting.

Mr. C. Campbell addressed Council indicating that he had been a friend of the Public Gardens for a number of years. Mr. Campbell referred to the growth of the city over the past 25 to 30 years noting that the retention of certain valuable heritage properties was important, however, an increased tax base was also important. Mr. Campbell indicated that he was in favor of the United Equities proposal and urged Council to approve the project as soon as possible.

Mr. John Fraser, 6070 Oakland Road, addressed Council in opposition to the proposal. Mr. Fraser indicated that he was puzzled by the impression given by United Equities that they were doing the City a favor and that the only choice for the city is between their tower and a parking lot.

Mr. Fraser indicated that United Equities was not in fact a group of developers but rather a group of professionals who have chose to make a profit from the Public Gardens.

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Mr. Fraser noted that United Equities was asking a large favor of the City of Halifax in the setting aside of the general principles of the Municipal Planning Strategy. Mr. Fraser suggested that it was the right of the citizens of Halifax and City Council to ensure that this proposal was right for this most important site. Mr. Fraser indicated that the decision made by Council on this matter would affect the City far into the future.

Mr. Fraser referred to the serious questions raised in relation to this proposal and indicated that he would have thought that United Equities would have taken these questions more seriously.

Mr. Fraser referred to the Planning Advisory Committee recommendation noting that staff's consideration of this recommendation during its presentation was brief. Mr. Fraser indicated that he was confused as to why staff felt immediate approval must be given to the United Equities Tower when they had given no reasons why the PAC recommendation should not be considered.

Mr. Fraser indicated that for him the PAC recommendation represented a graceful and imaginative step into the future and noted that he had been convinced by presentations made on Thursday evening that this was an entirely feasible alternative.

Mr. Fraser then referred to the present eye level character of the neighbourhood noting that United Equities has already destroyed a part of this character by the demolition of the row housing and Hart House. Mr. Fraser noted that a development such as is proposed would make the neighbourhood less safe as the informal policing and surveillance as a result of the houses which stood there once is lost and will remain so.

Mr. Fraser referred to the development as recommended by the Planning Advisory Committee noting that the density of such a development could be equal to that which is proposed and certainly be more in keeping with the neighbourhood and the Gardens. Mr. Fraser indicated that he hoped Council would stand behind the MPS and the unanimous recommendations of the City's Planning Advisory Committee.

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

Mr. Fraser submitted his written presentation to the Deputy City Clerk and it now forms a part of the official file of this evening's meeting.

Mrs. Doris Maley, 1136 Cartaret Street, addressed Council in support of the recommendation contained in the June 13, 1985 report from the Planning Advisory Committee and urged Council to approve the recommendations as the development envelope for the site.

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Mrs. Maley then referred to the detailed planning process carried out for the area involved noting that the major consideration of that process had been height restriction rather than use restriction.

Mrs. Maley indicated that the rezoning of this area should only reflect the change of ownership which reduces the number of uses that the land can be put to, meaning only residential. Mrs. Maley noted that no reasoning had been offered by United Equities or city staff why other changes should be made.

Mrs. Maley noted that in the original planning for this area the height of the trees was taken into consideration in achieving height limitations, allowing for the developments in the area to be viewed through the trees of the Gardens and not to tower over them. Mrs. Maley suggested that the trees should be taken into consideration in this instance as well.

Mrs. Maley voiced concern with regard to problems which would occur with wind and shadows and suggested that Council should stand outside the Tupper Building on a moderately windy day if they were undecided as to whether or not wind would have the effect some citizens indicated it would.

Mrs. Maley went on to note that the marketability of high priced condominiums has been limited in the City of Halifax and suggested that because of its height, this development had a number of 'second class' units. Mrs. Maley went on to note that she was greatly concerned with regard to valuable land in the city being left vacant, for use as parking lots, due to approvals of development which are of a too high density to be readily absorbed by the particular market.

Mrs. Maley then responded to questions from members of Council and Alderman Dewell noted that Council had recently instituted a time period in which construction must begin in all contracts in response to the concern voiced by Mrs. Maley with regard to the lack of approved developments going forward.

Mrs. Barabara Hines, 6135 Allen Street, addressed Council in opposition to the proposal and thanked Council for the opportunity to speak this evening.

Mrs. Hines indicated that she was one of the outraged citizens whom had witnessed the demolition of both the row housing and the Hart House indicating that it had reminded her of the bombings during World War II in Britain.

Mrs. Hines then referred to the brochure distributed by United Equities with regard to the proposed 'Summer Gardens' noting that it was a very horizontal ad for a very vertical development. Mrs. Hines indicated that she worked at the Tupper Building and had difficulty in approaching and entering the building particularly during the winter months due to the wind.

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Mrs. Hines indicated that the other high rise buildings in the area attributed to wind problems in the area and suggested that the development of the proposed high rise would result in a high rise canyon effect.

Mrs. Hines noted that there were alternatives noting that a high density, low to medium rise development could be situated on this particular site. Mrs. Hines further indicated that the Gardens would most certainly be affected, if not in other areas, most certainly in a visual sense. Mrs. Hines noted that she felt there were four dimensions to buildings in Halifax, height, width, breadth, and time. Mrs. Hines indicated that all these combined to make the buildings of Halifax beautiful to citizens and visitors alike.

Mrs. Hines then responded to questions from members of City Council.

9:05 p.m The meeting adjourned for a short recess.

9:15 p.m. The meeting reconvened with all the same members being present.

Mr. Rod Doiron, 2211 Quinn Street, addressed Council in favor of the application. Mr. Doiron indicated that he did not feel that this building would detract from the area or the Gardens noting that he personally felt it to be quite an attractive building.

Mr. Doiron referred to the comments made regarding the extreme and unyielding position of the developers noting that this certainly was not the case as this was the third and certainly most attractive proposal made by this particular developer. Mr. Doiron further noted that he was not concerned that the approval of this development would be precedent setting as any similar development proposed for the area would come before Council for consideration in the same manner as this proposal.

Mr. Doiron then referred to the expert testimony given by Dr. Isymov with regard to the wind effect and suggested that such testimony was truthful and factual. Mr. Doiron further noted that he had tested the wind effect in the area of 5770 Spring Garden Road and found there to be little change in the wind at 5770 Spring Garden Road.

Mr. Doiron further indicated that he had walked through the Gardens to ascertain if the proposed high rise would be visible from the Gardens and had noted that in very few parts of the garden were the high rise buildings in the area visible. Mr. Doiron noted that the setback of the proposed development would certainly reduce the visibility of the high rise from the gardens.

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In closing Mr. Doiron suggested that the majority of the citizens of Halifax would find the building an attractive addition to an already beautiful city.

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

Mr. Wade McLaughlin, 2120 Brunswick Street, addressed Council in opposition to the proposal. Mr. McLaughlin indicated that he was not a life long resident of the city, however, upon moving to Halifax he had found it to be a charming and attractive city and planned to make his home here.

Mr. McLaughlin noted that he was pro development and sympathized with the need for increased tax dollars and housing within the city. Mr. McLaughlin noted that developments had been carried out over the past few years which he found pleasing using Spring Garden Place and the Brewery properties as examples.

Mr. McLaughlin indicated that he felt the United Equities development for 21 storey building on the site was inappropriate. Mr. McLaughlin indicated that the question at hand appeared to him to be who was going to enjoy the Public Gardens, on what terms and from what vantage point. Mr. McLaughlin noted that he believed what United Equities was offering was an advantageous view of the Gardens to the detriment of the general public.

Mr. McLaughlin further noted that he was very much impressed with the commercial development along Spring Garden Road and suggested that additional commercial development would be attractive. Mr. McLaughlin indicated that he felt the question Council was left with was can United Equities or some other developer come forward with a more appropriate development for this site. Mr. McLaughlin referred to the implication that if the United Equities proposal was not approved the site would never be developed, and suggested that a property of such value would never be left idle.

Mr. McLaughlin, in closing, indicated that he felt the best way in which to meet the majority interest in this matter was an urban development of a street level character and not a tower with park like landscaping.

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

Mr. Michael Bradfield addressed Council referring to statements made with regard to the economics of this development. Mr. Bradfield indicated that differing opinions between professionals often resulted from starting with different assumptions while using the same methodology.

Mr. Bradfield referred to calculations included in the Doane Raymond report prepared for United Equities with regard to occupancy and noted that they were optimistic as Oxford Court, for example, had projected full occupancy within a few months of opening and was not full to this point, one year after opening. Mr. Bradfield indicated that indeed there was a need for housing in the city but suggested that it was in the low to medium cost housing that the greatest need was to be found.

Mr. Bradfield further suggested that the luxury condominium boom was predicated on the offshore oil boom and suggested that this was on the decline particularly in the face of the upcoming OPEC meeting. Mr. Bradfield noted that the tax return on this development was based upon occupancy and if occupancy should not reach the level anticipated, then the tax benefits would be reduced.

Mr. Bradfield indicated that no costs had been attributed to the development in the way of city services. Mr. Bradfield noted that no costs had been allocated as such costs were not definable, but suggested that this did not mean they did not exist as has been implied.

Mr. Bradfield further referred to the inflation by 6% of the tax rate carried out by Doane Raymond to ascertain the tax benefits over a number of years. Mr. Bradfield noted that tax rates increased due to an increase in costs and noted that this had not been considered.

Mr. Bradfield went on to note that the profit to be realized by a development is not necessarily in the best interests of the public. Mr. Bradfield indicated that Council represented the 100% of persons concerned with this matter and could not think only of the interest of the 5% of the population having some direct involvement in this development.

Mr. Bradfield noted that the implication was that the high cost of the land involved must allow for the requested change to the height restrictions. Mr. Bradfield suggested that as the development of this land has a great impact on the City of Halifax, it was Council's responsibility to ensure that any development meet the needs of the public in general irregardless of the cost of the land.

Mr. Bradfield further noted that when the property was purchased it was obvious a rezoning would be required and, therefore, the investors were aware of the risks involved. Mr. Bradfield indicated that it was obvious that a high rise in this area was not in the best interests of the people of the City and that development should be consistent with both the neighbourhood and the policies of the MPS. Mr. Bradfield referred to the importance of creation of jobs and noted that jobs would be created if another more appropriate development was to be carried out on the site.

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In summary, Mr. Bradfield, indicated that the development of this particular piece of land as proposed affected the public sensibility and that the question was how the property was to be developed.

Mr. Ernie Brennan, 6282 Yale Street, a student of Environmental Planning at the Nova Scotia College of Art and Design, addressed Council in opposition noting that he had viewed the destruction of Hart House and the row houses with much concern.

Mr. Brennan indicated that he felt the landscaping said to compliment the Public Gardens was indeed an insult and further that he did not consider this proposal to be a graceful step into the future.

Mr. Brennan referred to recent developments which have blended well with the historical nature of Halifax and suggested that United Equities should also be willing to do so. Mr. Brennan suggested that the consulting firm retained by United Equities could certainly develop an alternate proposal more in keeping with the area.

Mr. Brennan urged Council to reject this proposal and look for a proposal which would enhance rather than detract from the area of Summer Street and Spring Garden Road.

Mr. Ian Langlands, 1536 Edward Street, addressed Council in opposition to the proposal. Mr. Langlands indicated that he felt Halifax to be one of the finest cities in North America due to it's visual attractiveness and the wide range of services available.

Mr. Langlands indicated that the decision Council was soon to make with regard to this matter was of great importance as it will set the scene for the development around most of the perimeter of the Public Gardens.

Mr. Langlands referred to the matter of construction man hours and revenue to the City noting that construction man hours would result from a low to mid rise development as well as a high rise development and inflation at the rate of 6% would not affect tax revenues but also devalue the dollar.

Mr. Langlands further noted that a high density low rise development would prevent controversy over the effect of winds, shadows, the threat to plants and the effect of winds on people. Mr. Langlands indicated that the site was too valuable to remain undeveloped and that Council should set the zoning parameters rather than agreeing to developers extreme requests.

Mr. Langlands indicated that he agreed with Mr. Jack Diamond that this was no minor change and suggested that it was not the responsibility of Council as to whether a developer made a profit or not.

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Mr. Langlands referred to the competency of both the Planning Advisory Committee and the Heritage Advisory Committee and suggested that Council should take into full and serious consideration their recommendations. Mr. Langlands referred to the positive action taken by Council in response to representations from concerned citizens and groups in the past.

In closing, Mr. Langlands indicated that he was in favor of a development along the lines of the PAC recommendation, ideally with a lower maximum height, and with strict control of commercial development. Mr. Langlands implored Council to make the best decision for the citizens of Halifax and refuse the proposal before Council this evening.

10:00 p.m. The meeting adjourned for a short break.

10:05 p.m. The meeting reconvened with all the same members being present.

Mrs. Mary Wall, 6180 Regina Terrace, addressed City Council on behalf of the Local Council of Women and as a private citizen.

Mrs. Wall indicated that the Local Council of Women have always been interested in community affairs and are particularly interested in the subject before Council. Mrs. Wall indicated that on each occasion this matter has been before Council the membership of the Local Council of Women have wished to ensure that a representation come from this group.

Mrs. Wall noted that anything which was threatening to the Public Gardens was of concern to not only the residents of Halifax but also to the citizens of the communities beyond city limits. Mrs. Wall indicated that the Local Council of Women hoped that Council would take into consideration the errors made in other areas. Mrs. Wall referred to Central Park in New York and suggested that Halifax should profit from the errors of others.

Mrs. Wall then commented on the proposal as a private citizen noting that she had difficulty in walking on Granville Street due to the wind caused by the many high rise buildings in the area. Mrs. Wall also referred to difficulties she had experienced due to wind at the Tupper building and suggested that Council should take into consideration the problems caused for pedestrians by wind as a result of large buildings.

Mrs. Wall referred to her work with the St. Vincent de Paul Association noting that this organization had many calls from persons needing assistance. Mrs. Wall noted that these persons were struggling to pay rents in the area of \$450-\$650 per month and suggested that a more realistic view must be taken of the kind of housing which is being created in the City.

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

Mr. Peter Daglish addressed Council in opposition to the proposal. Mr. Daglish indicated that he felt development in the city should be practical and human scale development. Mr. Daglish suggested that United Equities could have developed a proposal which would have included both the Hart House and the row housing in the design.

Mr. Daglish went on to note that he felt the architecture of the building was totally uninspired and out of scale with the area. Mr. Daglish indicated that he agreed that United Equities should be permitted to develop the land noting that any proposal should be of the appropriate scale and architecture.

Mr. Kenneth Bell, 14 Sunnybrae Avenue, addressed Council indicating that he was proud of Halifax and proud of the Gardens. Mr. Bell noted that over the past 25-30 years Halifax had taken steps to preserve the heritage of Halifax.

Mr. Bell noted that it would be difficult to find any one form of architecture that was pleasing to all and noted that he supported the proposal for a high rise set back from the street. Mr. Bell noted that he was not in favor of street to street development and was strongly opposed to commercial in this area. Mr. Bell indicated that he supported the application for Contract Development proposed by United Equities.

Ms. Sarah Dube, 2070 Quingate Place, addressed Council indicating that she was opposed to the proposed development, however, noting that she was not opposed to development in general. Ms. Dube noted that the Public Gardens was a legacy left to us to be passed on to the next generation. Ms. Dube indicated that she had been amazed that the row housing and Hart House had been demolished noting that this was a loss to the city.

Ms. Dube noted that many of the very young and the elderly used the Public Gardens with great enjoyment and suggested that the Friends of the Public Gardens were not trying to obstruct development but merely seek something that was in keeping with area.

Mr. Allan Ruffman, 202 Ferguson's Road, County of Halifax addressed Council in opposition to the proposal. Mr. Ruffman noted that he was not in favor of the Plan amendment and contract development proposed by United Equities, but was in favor of a plan amendment and rezoning providing that it was sensitive to the site in question.

Mr. Ruffman noted that any development on this site would create jobs and increase tax revenues indicating that this was not exclusive to this particular proposal.

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Mr. Ruffman indicated that the developers had suggested that nothing but a high rise building would be marketable on this site. Mr. Ruffman suggested that the units within the proposed development which have been sold face upon the Public Gardens. Mr. Ruffman suggested that it was a fallacy that a mid rise or low rise building would not be marketable.

Mr. Ruffman went on to note that he had been unsuccessful in obtaining the names of the shareholders in United Equities noting that this was in contravention of the Companies Act of Nova Scotia. Mr. Ruffman referred to the leadership of previous Council's with regard to such things as the proposed Harbourview Express and the Scotia Square proposal indicating that similar leadership was required by Council in this instance.

Mr. Ruffman noted that Council has on a number of other occasions successfully sought a compromise position with the developer. Mr. Ruffman suggested that should Council not approve this development, the applicant would recover and would instruct their architects to bring back a much more agreeable proposal.

In closing, Mr. Ruffman read a section of the poem 'The Man with the Blue Guitar' by Wallace Stevens, a copy of which was submitted to the Deputy City Clerk and now forms a part of the official file of this meeting.

Mrs. Brenda Shannon, 1680 Vernon Street, addressed Council indicating that she was speaking to Council this evening as someone who had worked on the Detailed Area Plan for the area as well as having some experience in the decision making of Council.

Mrs. Shannon referred to the tax revenue to the City noting that whatever type of development was to be located on this site it would result in tax dollars to the City. Mrs. Shannon then referred to the tourist dollars to the city noting that she had read recently that there were two places worth seeing in Nova Scotia, Cape Breton for its scenery and Halifax for its unique character. Mrs. Shannon noted that one of those attractions was the Public Gardens and should be protected.

Mrs. Shannon referred to the need for employment noting that whatever the development on the site employment would be forthcoming. Mrs. Shannon then referred to the urgent need for housing in the City and asked Council if indeed there was an urgent need for luxury condominiums in the city. Mrs. Shannon noted that United Equities had demolished good sound housing medium rise housing stock on this site, previous to approval of a contract for the site.

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Mrs. Shannon then referred to the effect of the location of a high rise development on this site in regards to the value of other land within the area, noting that the increase in value to the land concerned many persons as it suggested further such developments in order to realize profits equal to the cost of the land.

Mrs. Shannon referred to the Detailed Area Plan for the area noting that three things had been emphasized during the development of that plan 1. The importance of the Public Gardens 2. The importance of Spring Garden Road and 3. The need or desire for low rise development in the area. Mrs. Shannon indicated that it was also emphasized during the development of the plan that this area was not to become a high rise corridor.

Mrs. Shannon further noted that it was subsequently agreed that the aim of the plan was for infilling and the retention of present housing in the area. Mrs. Shannon indicated that this plan had been signed into law only two years ago.

Mrs. Shannon referred to the PAC recommendations noting that they were consistent with the Detailed Area Plan and would be more acceptable than the proposal before Council this evening.

Mrs. Shannon noted that the density involved in the present proposal could be accommodated in a low or medium rise development and not, as suggested by the developer, require 10 to 12 city blocks. Mrs. Shannon indicated that she felt the zoning on the land should be changed and a contract development should be permitted, noting that restrictions should be placed on any contract development considered.

Mrs. Shannon compared the present proposal to the type of architecture of the 1960's and urged Council to remember the philosophy of the 1980's when making their decision.

Mrs. Shannon indicated that she felt such a great change to the plan would destroy the effect of the plan and noted that she felt the City had a good Municipal Planning Strategy.

In closing Mrs. Shannon indicated that the Public Gardens were a truly public place and were most certainly one of the special places within Halifax and should be protected.

Mr. Guy Pothier, 1263 Queen Street, addressed Council indicating that he was in favor of Plan amendment for the site in question and agreed with the PAC recommendation noting that some refinement of the envelope should be considered. Mr. Pothier noted that he was not in favor of the contract development presently before Council.

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Mr. Pothier indicated that the type of architecture depicted in this proposal was initially introduced in the 1960's and was not in character with the architecture of the 1980's. Mr. Pothier noted that a new respect for the historic character of Halifax has been shown in recent years and suggested that development of this site should continue this respect and enhancement.

Mr. Pothier voiced concern with regard to the precedent setting situation which would arise from the approval of such a proposal and noted that few advantages could be realized from approval of such a proposal.

Mr. Triedmann Brauer, 1471 Carlton Street, addressed Council noting that he lived in the same block as the site in question. Mr. Brauer noted that he supported heritage preservation and indicated that he felt this development was not in keeping with the character of the neighbourhood. Mr. Brauer indicated that he agreed with the PAC recommendations with some reservations and stressed the importance of the continuation of people oriented development in the neighbourhood.

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

Mr. John Murchie, 2328 Maynard Street, addressed Council indicating that he was present this evening to present a petition on behalf of the residents of Ward 3. Mr. Murchie then read the petition in opposition to the proposal before Council this evening.

Mr. Murchie in referring to the petition noted that it spoke from the heart about the rather ordinary human issues of living in Halifax and experiencing the Public Gardens on a daily basis as a public place for all to enjoy. Mr. Murchie further noted that the petition recognized the cosmopolitan nature of Halifax and indicates that real development will be accomplished through sensitivity to what we have and what we have been.

Mr. Murchie requested that Council heed the petition presented and plan according to the principles articulated by the Planning Advisory Committee. Mr. Murchie noted that the concerns of the citizens of Halifax have not been lessened as a result of the various presentations over the past few nights.

Mr. Murchie submitted a copy of his written presentation and the petition to the Deputy City Clerk and it now forms a part of the official file of this evening's meeting.

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Ms. Maggie Johnson, 1333 Barrington Street, addressed Council in opposition to the proposal. Ms. Johnson referred to the importance of the Public Gardens as a heritage and public resource, noting that the issue before Council this evening affected not only the Public Gardens but the entire city.

Ms. Johnson voiced concern over radical changes being made to the Municipal Planning Strategy simply to fit in with various proposals by developers. Ms. Johnson recognized that housing was indeed needed, but noted that housing is needed for those who require housing and not to those able to afford housing presently.

Ms. Johnson then read two excerpts from the Halifax newspapers of 1912 regarding planning issues in the city at that time.

Ms. Johnson referred to the Hart House and Victorian row houses and indicated that she would have liked to see a development which would incorporate these buildings into the development proposal. Ms. Johnson urged Council to uphold the MPS and refuse the application by United Equities.

Gary Lajeunesse, Robie Street addressed Council referring to the report from Dr. Isymov regarding wind affects and suggested that Council should study this document carefully.

Mr. Lajeunesse indicated that it was his belief that Dr. Isymov had not carried out a study specific to Phase 3 but that the facts included in his report were based on his Phase 2 studies. Mr. Lajeunesse noted that in Phase 3 the building was taller, 25% closer to the Tupper Building and it appeared that the row housing on Summer Street had been present in the studies used in the report.

Mr. Lajeunesse further noted that recently additional wind criteria had been developed which were not used in Dr. Isymov's study. Mr. Lajeunesse requested that Council consider all these factors in making their decision.

Mr. David Peters, Brunswick Street addressed Council noting that in 1984 he had lived in New York noting that Park Avenue was thusly named as it once had been a park. Mr. Peters indicated that the citizens of New York were aware of the error in allowing this park to be destroyed.

Mr. Peters further referred to a tour he had taken to a National Historic Park within Harlem noting that the value of the park would be lost if the area around this park were to be altered. Mr. Peters indicated that he felt a great injustice to the city had been committed with the destruction of the Hart House and Summer Street rowhousing. Mr. Peters indicated that the retention of the scale and flavour of the area around the Public Gardens was of great importance to the City of Halifax.

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Mr. Robert O'Boyle, Carlton Street, addressed Council indicating that he had been involved in this matter since 1983 and was astonished that the public interest in this matter has not waned since that time.

Mr. O'Boyle indicated that two issues were of prime concern to him, noting that these were the effect of the development on the Public Gardens and on Carlton Street. Mr. O'Boyle quoted from the MPS with regard to this area and noted that the present average height of buildings in the area was five storeys. Mr. O'Boyle further noted that Carlton Street had recently been registered as a Heritage Streetscape.

Mr. O'Boyle indicated that a development was required that was in character with the Victorian type structures and the Gardens within the area. Mr. O'Boyle indicated that there were a number of medium to low rise residential developments within the City which would serve as excellent examples of a respect for heritage.

In closing Mr. O'Boyle indicated that he supported the recommendations of the PAC, felt that a rezoning of the site was appropriate, and was not in favor of the Contract Development before Council this evening.

Mrs. Anne Hope, 1478 Carlton Street, addressed Council referring to the Heritage Legislation and noting that although it was admirable, it was some cases not sufficient to preserve buildings of heritage value. Mrs. Hope noted that development should not remain static but appropriate development was the key to development within the City. Mrs. Hope noted that the developer had one full year in which to propose an optional more acceptable development for the site in question.

Mrs. Hope further expressed concern regarding the precedent setting situation which would result if this matter was approved particularly in relation to Carlton Street. Mrs. Hope noted that she hoped development in the area would consider both the character of the area and the planning developed for the area.

Mrs. Hope indicated that she hoped Council would consider an alternate low to medium rise development for this site before approving what was presently before Council. Mrs. Hope indicated her support of the PAC recommendations indicating that she felt them to be much more in keeping with the flavor of the neighbourhood.

Mrs. Betty Moore, 1728 Robie Street addressed Council in opposition to the proposal referring to her past residence in the Hart House and noting that the destruction of these good, sound houses had been a great loss to the city.

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Mrs. Moore referred to the value of renovated heritage properties throughout the city noting that such houses brought both tax dollars and people into the City.

Mrs. Moore further referred to a comment made that United Equities would do nothing to the detriment of the city and suggested that they had already done so in the demolition of the Hart House and the Summer Street rowhousing. Mrs. Moore further indicated that she did not believe that United Equities took a serious view of the Heritage issues involved in this matter referring to the demolitions which were carried out as well as the request for an amendment to the MPS with regard to height limitations. Mrs. Moore noted these height limits had been included in the MPS to protect the Public Gardens, a property of great heritage value. Mrs. Moore went on to note that she felt United Equities had seen the heritage issues involved were an obstacle to be rid of.

Mrs. Moore further noted that she was unbelieving of the statements made with regard to their interest and respect of heritage matters and suggested that they were interested only in building a high rise building in a very sensitive heritage neighbourhood.

Mrs. Moore referred to the Heritage Advisory Committee report and the Planning Advisory Committee reports regarding this matter noting that neither supported the proposal before Council this evening. Mrs. Moore requested that Council give full consideration to these reports in making their decision.

Mrs. Moore noted that whether Council wishes it or not a precedent will be set by what is done on this site. Mrs. Moore indicated that she hoped Council would make the area around the Public Gardens a Conservation Area as soon as possible.

Mrs. Moore further went on to indicate that the planning issues were the same even though the houses have been destroyed suggesting the need is still great to ensure the appropriate development consistent with the Public Gardens and surrounding area. Mrs. Moore indicated that she supported the PAC recommendations for a human-scale, traditional streetscape on the site.

Mrs. Moore noted that the site was large enough to allow for innovative development and suggested if Council demanded this United Equities would come up with such a design. Mrs. Moore suggested that Council take a close look at the designs found in the May 4, 1985 staff report depicting more acceptable developments for the site.

In closing Mrs. Moore indicated that she hoped Council would accept the recommendations of the PAC and enter into serious and earnest negotiations with the developer for a more suitable development for the site.

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Mr. Michael Murphy, Russell Street, addressed Council noting that he felt the proposed development was inappropriate for the site and suggested that Council should consider other more imaginative uses before allowing a development of this nature to locate on the site.

Ms. Christine Broden addressed Council referring to the beauty and history of the Gardens particularly to visitors to the City. Ms. Broden suggested that the buildings around the Public Gardens were an essential part of the nature of the Gardens and should be in keeping with the Gardens. Ms. Broden further noted that she felt this was not just a municipal matter but also an important matter for the Province as a whole.

Mr. T. Wickwire, on behalf of the applicant, addressed Council responding to criticisms made in relation to the expert reports submitted by Dr. Isymov and Dr. Bidwell. Mr. Wickwire submitted responses from both Dr. Isymov and Dr. Bidwell, dated July 22, 1985 in relation to these criticisms. Mr. Wickwire read excerpts from both these letters relating to specific matters.

Mr. Wickwire indicated that he was not aware of any developer who had gone to the lengths that United Equities had to address the concerns of both Council and citizens in relation to environmental impact of a development. Mr. Wickwire indicated that the hearing had allowed for a healthy debate of all the concerns and noted that although the PAC recommendation dealt with a proposal which differed greatly from the United Equities proposal, the report did not say that the United Equities proposal did not meet the policies of the plan.

In closing Mr. Wickwire noted that the shareholders of United Equities were concerned for the well being of the Gardens, loving them as much as any citizen of Halifax and noted that no attempt had been made to mislead the public throughout this process.

Mr. Patton, Chairman, Friends of the Public Gardens, addressed Council thanking all those who had come forward to share similar views as those of the Friends of the Public Gardens.

Mr. Patton referred to the presentation made by Mr. Diamond noting that no comment had been made by Mr. Wickwire in relation to this presentation. In closing, Mr. Patton indicated that the position of the Friends of the Public Gardens was that such a drastic change to the Plan should only be undertaken if a development is to give a maximum benefit to the City with minimal damage.

The following correspondence was also submitted at this meeting:

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Correspondence from Brenda Clements, 4 Wenlock Grove; Rita Lazeurene, 1360 Robie Street and Shirlean Leurs, 1168 Waterloo Street dated July 22, 1985 in opposition to the proposal.

Correspondence from Gemey Kelly in opposition to the proposal.

Correspondence from Carol Fraser, 6070 Oakland Road in opposition to the proposal.

There were no further persons present wishing to address Council.

Following is correspondence received previous to the publication of the advertisement for the public hearing in relation to the subject:

Correspondence dated January 21, 1985 from Mrs. Aileen Meagher.

Correspondence dated February 4, 1985 from Donald J. Patton for the Friends of the Public Garden.

Correspondence dated February 12, 1985 from Mary Sparling, 6030 Jubilee Road.

A press release from United Equities dated March 6, 1985.

Correspondence dated February 16, 1985 from David Peters, 1029 Tower Road.

Correspondence dated March 25, 1985 from Roberta Jarne.

Correspondence dated March 26, 1985 from Robert G. Oxley, Announcer, CBC.

Correspondence received April 4, 1985 from James Sacmano, M.D.

Correspondence dated March 31, 1985 from Rosemary I. Allen, 6239 Chebucto Road.

Correspondence dated April 2, 1985 from Judith and Patrick Gregory.

Correspondence dated April 8, 1985 from Judith Murray, 1528 Summer Street, Apartment #24.

Correspondence dated April 8, 1985 from Chris and Elizabeth Garrett, 1581 Chestnut Street.

Correspondence dated April 12, 1985 from Rosemary Eaton, for Directors, Cole Harbour Rural Heritage Society.

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Correspondence dated May 1, 1985 from Feauve Arsenault, 6071 Shirley Street, Apartment #6.

Correspondence dated May 4, 1985 from Audrey Samson, RR#2, Head of Chezzetcook, Three Fathom Harbour.

Correspondence dated May 4, 1985 from Maud E.C. Godfrey, 1119 Tower Road., Apartment 808.

Correspondence dated May 6, 1985 from Charmaine Wood, 2656 Belle Aire Terrace.

Correspondence dated July 7, 1985 from Joe Hillier, 203-5959 Spring Garden Road.

Correspondence dated May 6, 1985 from Marjorie MacDonald, 406-5885 Spring Garden Road.

Correspondence dated May 6, 1985 from Marjorie J. Moors, 1565 Vernon Street.

Correspondence dated May 6, 1985 from Mrs. Ann D. Manning, 1623 Cambridge Street.

Correspondence dated May 6, 1985 from David Peters, Stephen Slipp, Kevin Sollows, Jan Warren, Helen Strickland, Bruce Kierstead.

Correspondence received May 7, 1985 from Joan Dawson, 941 Greenwood Avenue.

Correspondence dated May 7, 1985 from Michael Doran.

Correspondence dated May 8, 1985 from Donald Patton, Chairman, Friends of the Public Gardens.

Correspondence dated May 9, 1985 from Rita Egan, Religious of the Sacred Heart, for the residents of 1455 Summer Street.

Correspondence dated May 9, 1985 from Mildred C. Payeur, 212-41 Moirs Mill Road, Bedford.

Correspondence dated May 10, 1985 from Captain C.V.D. Smith, 18-6269 Coburg Road.

Correspondence dated May 13, 1985 from Maureen Vive for Jill Grant, Chairperson, Community Planning Association of Canada.

Correspondence dated May 17, 1985 from Mrs. Lucille G. Stewart, Vice-President, Heritage Trust of Nova Scotia.

Correspondence dated May 27, 1985 from Friedemann Brauer, 1471 Carlton Street.

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Following is correspondence which has been received following the publication of the public hearing in favor of the application:

Correspondence dated July 2, 1985 from M. Rubarth.

Correspondence dated July 2, 1985 from Philip Rubarth, 5959 Spring Garden Road.

Correspondence dated July 2, 1985 from Mr. Gary Allen, Dartmouth.

Correspondence received July 4, 1985 from Shawna Robinson, 99 Rockmanor Drive, Bedford.

Correspondence dated July 7, 1985 from Mr. Michael Murphy, 2080 Harvard Street.

Correspondence dated July 7, 1985 from R. Robertson.

Correspondence dated July 8, 1985 from Frederick W. and M. Elizabeth Albanito.

Correspondence dated July 8, 1985 from S.G. B. Fullerton, M.D.

Correspondence dated July 9, 1985 from Winston S. Parkhill, M.D.

Correspondence dated July 9, 1985 from R.I. Langdon, M.D., 5991 Spring Garden Road.

Correspondence dated July 9, 1985 from Clarence F. J. Flemming, Armdale.

Correspondence dated July 9, 1985 from the resident at 14 Melville Avenue.

Correspondence dated July 9, 1985 from Fletcher S. Smith.

Correspondence dated July 9, 1985 from Judith H. Gold, M.D., F.R.C.P. (C).

Correspondence dated July 9, 1985 from Jane G. O'Flaherty and Karen A. Lorette.

Correspondence dated July 9, 1985 from Winston Parkhill, M.D.

Correspondence dated July 9, 1985 from Aubrey M. Shane, 5830 Inglewood Drive.

Correspondence dated July 9, 1985 from Dr. James Haldane, M.D., F.R.C.P. (C).

Correspondence dated July 9, 1985 from Miss P.M. Zagwolski.

Special Council
Public Hearings and
Adjourned Public Hearing
July 22, 1985

Correspondence dated July 9, 1985 from Jane Malcolm,
1020-5991 Spring Garden Road.

Correspondence dated July 10, 1985 from W.M. Henderson.

Correspondence dated July 10, 1985 from Carol MacLennan, 2155
Monastery Lane.

Correspondence dated July 10, 1985 from M. D. Grant.

Correspondence dated July 10, 1985 from Linda MacDonald.

Correspondence dated July 10, 1985 from Sheilagh A. Condy.

Correspondence dated July 10, 1985 from Eric Kierans, 1000
Winwick Road.

Correspondence dated July 10, 1985 from Donald E. Morris, M.D.

Correspondence dated July 10, 1985 from D.J. Topping, M.D.,
Maritime Telegraph and Telephone Company Limited.

Correspondence dated July 10, 1985 from T.R. Mountan, 2510
Westmount Street.

Correspondence dated July 10, 1985 from Gary M. Foshay.

Correspondence dated July 10, 1985 from W. John Shaw, 1321
Birmingham Street.

Correspondence dated July 11, 1985 from Joan Stewart, 15
Brook Street.

Correspondence dated July 11, 1985 from H.E. Dickson, 5959
Spring Garden Road, Apartment 211.

Correspondence dated July 11, 1985 from G.I. Mountan, 2510
Westmount Street.

Correspondence dated July 11, 1985 from Archie Morrison,
D.D.S..

Correspondence dated July 11, 1985 from David MacNab, 1646
Oxford Street.

Correspondence dated July 11, 1985 from John W. Stewart,
M.D., New Glasgow.

Correspondence dated July 11, 1985 from V.B. Shaffner, 316
Bedford Highway.

Correspondence dated July 12, 1985 from Michel Zibara, P.
Eng., 740-5991 Spring Garden Road.

Special Council
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Correspondence dated July 12, 1985 from K. C. Langille, 18 Broadholme Lane.

Correspondence dated July 12, 1985 from Mrs. Marion R. Haviland, 7041 Murdock Avenue.

Correspondence dated July 12, 1985 from Peter B. Corkum, President, H.W. Corkum Construction Co., Ltd.

Correspondence dated July 12, 1985 from Mr. & Mrs. D. R. Farnell, 7 Gateway Road.

Correspondence dated July 12, 1985 from Elaine F. Gordon, P.D.S.

Correspondence dated July 12, 1985 from Donald F. Ripley, McLeod, Young, Weir.

Correspondence dated July 12, 1985 from R.H. Martin, General Manager & Vice-President, Westburne Industrial Enterprises Ltd.

Correspondence dated July 12, 1985 from Cecil E. Caines, 38 Inverness Avenue.

Correspondence dated July 12, 1985 from Jo-Anne Ross, 301-5247 South Street.

Correspondence dated July 12, 1985 from J. Philip Dumaresq, Embassy Towers, Apartment 1009.

Correspondence dated July 12, 1985 from J. R. Dexter Kaulbach, 7082 Murcock Avenue.

Correspondence dated July 12, 1985 from John Jay, Canadian Plan and Process Engineering Limited.

Correspondence dated July 12, 1985 from H.W. L. Doane, Dr. Engineering, 5959 Spring Garden Road.

Correspondence dated July 12, 1985 from I. A. Perlin, M.D.

Correspondence dated July 12, 1985 from Gerald F. Blom, President, Kidston Glass Company Ltd.

Correspondence dated July 12, 1985 from K.E. Walling, M.B., 5991 Spring Garden Road.

Correspondence dated July 12, 1985 from Victoria Mitchell, M.D.

Correspondence dated July 12, 1985 from J.C. Potte, 901-5959 Spring Garden Road.

Special Council
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Correspondence dated July 12, 1985 from K. C. Langille, 16 Breadholme Lane.

Correspondence dated July 12, 1985 from Mrs. Marion R. Eiviland, 7041 Murdock Avenue.

Correspondence dated July 12, 1985 from Peter B. Corkum, President, H.W. Corkum Construction Co., Ltd.

Correspondence dated July 12, 1985 from Mr. & Mrs. D. R. Farnell, 7 Gateway Road.

Correspondence dated July 12, 1985 from Elaine F. Gordon, P.D.S.

Correspondence dated July 12, 1985 from Donald F. Ripley, McLeod, Young, Weir.

Correspondence dated July 12, 1985 from R.H. Martin, General Manager & Vice-President, Westburne Industrial Enterprises Ltd.

Correspondence dated July 12, 1985 from Cecil E. Caines, 38 Inverness Avenue.

Correspondence dated July 12, 1985 from Jo-Anne Ross, 301-5247 South Street.

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Correspondence dated July 12, 1985 from John Jay, Canadian Plan and Process Engineering Limited.

Correspondence dated July 12, 1985 from H.W. L. Doane, Dr. Engineering, 5959 Spring Garden Road.

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Correspondence dated July 12, 1985 from Gerald F. Blom, President, Kidston Glass Company Ltd.

Correspondence dated July 12, 1985 from K.E. Walling, M.B., 5991 Spring Garden Road.

Correspondence dated July 12, 1985 from Victoria Mitchell, M.D.

Correspondence dated July 12, 1985 from J.C. Potte, 901-5959 Spring Garden Road.

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Correspondence dated July 13, 1985 from Richard A. Murray,
P.Eng. 6025 Belmont Road.

Correspondence dated July 13, 1985 from Avalon E. Johnson,
707-5959 Spring Garden Road.

Correspondence dated July 14, 1985 from J.B. Ross, M.B.,
BSCP(C), 6046 Inglis Street.

Correspondence dated July 14, 1985 from Mary Roper, Spring
Garden Terrace, Apartment 518.

Correspondence dated July 14, 1985.

Correspondence received July 15, 1985 from Paul O'Hearn.

Correspondence received July 15, 1985 from Muriel Fraser.

Correspondence dated July 15, 1985 from J.V. Criddle, 9
Beckwood Street.

Correspondence dated July 15, 1985 from Roy A. Dunbrack,
N.S.L.S., President, Servant Dunbrack, McKenzie & MacDonald
Ltd.

Correspondence dated July 15, 1985 from Sydney P. Dumaresq,
S. P. Dumaresq Architect Limited.

Correspondence dated July 15, 1985 from Edmond W. Chiasson,
B.A., LL.B., Doucet & Associates.

Correspondence dated July 15, 1985 from D.B. Fraser, M.D.,
1751 Rosebank Avenue.

Correspondence dated July 15, 1985 from W. P. Kerr.

Correspondence dated July 15, 1985 from Douglas E. Sawyer,
5855 Spring Garden Road.

Correspondence dated July 15, 1985 from J. H. Vernon Toole,
2745 Duch Village Road.

Correspondence dated July 15, 1985 from Paul Bates, Regional
Manager, Sales & Marketing, Royal Trust.

Correspondence dated July 15, 1985 from W.J. Hayter, 5511
Cabot Place.

Correspondence dated July 15, 1985 from Mrs. Eva Simon.

Correspondence dated July 15, 1985 from Sophie Forman, 1074
Colling Street, Apartment 704.

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Correspondence dated July 15, 1985 from G.E. Lowe, 697-5959 Spring Garden Road.

Correspondence dated July 15, 1985 from Joan E. Tanner, President, Halifax Plumbers Ltd.

Correspondence dated July 15, 1985 from H.D. Tanner, P. Eng., President, Rumley & Johnston Ltd.

Correspondence dated July 15, 1985 from Mr. Paul Nonamaker, M.D., 5991 Spring Garden Road.

Correspondence dated July 16, 1985 from E. LeBlanc, 72 Rosewood Avenue.

Correspondence dated July 15, 1985 from Miss S. Waugh, 3 Autumn Boulevard, Dartmouth.

Correspondence dated July 16, 1985 from George E. Guy, 4 Starling Street.

Correspondence dated July 16, 1985 from R. Gaetz, 5959 Spring Garden Road.

Correspondence dated July 16, 1985 from Elizabeth H. Jamieson, 5959 Spring Garden Road.

Correspondence dated July 16, 1985 from R.O. Dauphinee, 2199 Arm Crescent West.

Correspondence dated July 16, 1985 from George C. Thompson, 1951 Parkwood Terrace.

Correspondence dated July 16, 1985 from Tim Margolian, Commercial Leasing & Brokerage Limited.

Correspondence dated July 16, 1985 from Mrs. Betty Sinnes, RR#1, Hubbards.

Correspondence dated July 16, 1985 from Keltic McCulloch, 1791 Bloomingdale Terrace.

Correspondence dated July 16, 1985 from Dolena MacDonald, Heald of St. Margaret's Bay.

Correspondence dated July 16, 1985 from Glen M. Robertson, 7 Walton Drive.

Correspondence dated July 16, 1985 from Richard Carrier, President, Real Estate Management Ltd.

Correspondence dated July 16, 1985 from Raymond L. Kaizer, 1074 Wellington Street.

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Correspondence dated July 16, 1985 from J. W. Tremblay.

Correspondence dated July 16, 1985 from Robert J. Landry,
5959 Spring Garden Road.

Correspondence dated July 16, 1985 from Cliff E. Simms, P.
Eng., 6074 Fraser Street.

Correspondence dated July 16, 1985 from Caroline M. Abbott,
M.D., F.R.C.P. (C).

Correspondence dated July 16, 1985 from G.R. Bustin, C.A.

Correspondence received July 16, 1985 from D. M. Nickerson,
5870 Chain Rock Drive.

Correspondence dated July 16, 1985 from Jane S. Walker, Dough
Walkers Cleaning Services Ltd., Armdale.

Correspondence dated July 16, 1985 from J. G. Simpson.

Correspondence dated July 16, 1985 from David M. Griffin.

Correspondence dated July 16, 1985 from H. Millard Wright,
President, Colonial Scientific Ltd., 3326 Dutch Village Road.

Correspondence dated July 16, 1985 from Joanne Darriel, 11
School Avenue.

Correspondence dated July 16, 1985 from John David Salvatore.

Correspondence dated July 16, 1985 from G.W. Fleming, 5959
Spring Garden Road.

Correspondence dated July 16, 1985 from W.C. Kitchen, Seaman
Cross Limited, Dartmouth.

Correspondence received July 17, 1985 from D. B. Fergusson,
Trident Dental Centre.

Correspondence received July 17, 1985 from George Joyce, 580
Portland Street.

Correspondence received July 17, 1985 from G. Raine, 5959
Spring Garden Road.

Correspondence received July 17, 1985 from Doug Reid, 7 Briar
Place.

Correspondence dated July 17, 1985 from C.A. Marshall, 971
Bellevue Avenue.

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Correspondence dated July 17, 1985 from Lillian T. Parker, 906-5959 Spring Garden Road.

Correspondence dated July 17, 1985 from Royt Plant, P. Eng.

Correspondence dated July 17, 1985 from Wesley G. Campbell, 6625 Norwood Street.

Correspondence dated July 17, 1985 from Jacqueline R. and Douglas A. Eisner, 6503 Jubilee Road.

Correspondence dated July 17, 1985 from T.A. Simpson, 5959 Spring Garden Road.

Correspondence dated July 17, 1985 from Dr. J. Belliveau, 7071 Bayers Road.

Correspondence received July 18, 1985 from Mrs. Conny L. Allen, 20 Brookdale Crescent, Dartmouth.

Correspondence received July 18, 1985 from E.C. Soltesz, 1271 Church Street.

Correspondence dated July 18, 1985 from G. L. Pullen, 6231 Watt Street.

Correspondence dated July 18, 1985 from D.P. McIlveen, President, Spring Garden Merchants Association.

Correspondence dated July 18, 1985 from Dr. H. F. Taylor, 2651 Dutch Village Road.

Correspondence dated July 18, 1985 from L.E. Simms, Capt. (N) Ret'd, RCN.

Correspondence dated July 18, 1985 from Hugh B. Vincen, C.M.C., H.B. Vincent & Associates Ltd., Management Consultants.

Correspondence dated July 18, 1985 from J. Gamble, 12 Colindale Avenue.

Correspondence dated July 18, 1985 from J. B. Morrow, 1407-5959 Spring Garden Road.

Correspondence dated July 18, 1985 from G. J. Rainnie, Bell and Grant Limited, Insurance Specialist.

Correspondence dated July 19, 1985 from F. H. Howard, 5757 Inglis Street.

Correspondence dated July 19, 1985 from D. G. Brown, P. Eng., 17 Crestview Drive.

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Correspondence dated July 19, 1985 from Dr. Ian Vogan, 1545 Birmingham Street.

Correspondence dated July 19, 1985 from M. Ivany, 5 Medway Court, Dartmouth.

Correspondence dated July 19, 1985 from John R. Mitchell, The Ice House, 5 Boulderwood Road.

Correspondence received July 19, 1985 from E.C. Powell, Dresden Arms Motor Hotel.

Correspondence received July 19, 1985 from G. W. Lomas CCA, General Manager, Historic Properties Ltd.

Correspondence dated July 22, 1985 from George Borovan, Pro-Dent Laboratory Ltd., 1494 Carlton Street.

Correspondence received July 22, 1985 from D. Stabler.

Correspondence received July 22, 1985 from M. H. Rogers, 1585 Oxford Street.

Following is correspondence which has been received following publication of the public hearing in opposition to the proposal.

Correspondence dated July 2, 1985 from Mrs. J.A. McLean, 6174 Inglis Street.

Correspondence dated July 4, 1985 from Mrs. Walter Miller, 41 Woodward Crescent.

Correspondence dated July 14, 1985 from Colin Smith, 18-6259 Coburg Road.

Correspondence dated July 16, 1985 from Meredith Annett, 1474 Brenton Street.

Correspondence received July 16, 1985 from A. M. Fraser, 1648 Chestnut Street.

Correspondence received July 17, 1985 from Lorna J. Mitchell, 6941 Tupper Grove, Apartment #8.

Correspondence dated July 17, 1985 from Sandra Carter, 1200 Tower Road.

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

Motion passed.

Special Council
Public Hearings and
Adjourned Public Hearing
July 22, 1985

12:30 p.m. The meeting adjourned.

HEADLINES

Proposed Amendment to the Municipal Planning Strategy
Proposed Amendment to the Land Use Bylaw (Peninsula Area)
Case #4682 - Contract Development Application for 1450-88
Summer Street/5852-72 Spring Garden Road
(United Equities) 434

HIS WORSHIP MAYOR RON WALLACE
CHAIRMAN

Mr. E. A. Kerr
Deputy City Clerk

DATE APPROVED BY COUNCIL: _____

/sq

CITY COUNCIL
MINUTES

Council Chamber
City Hall
Halifax, Nova Scotia
July 25, 1985
8:00 p.m.

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

After the meeting was called to order members of Council present joined the City Clerk in the recitation of the Lord's Prayer.

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

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

MINUTES

Minutes of the regular meeting of City Council held on July 11, 1985 and of Special Councils held on July 17, 18 and 22, 1985 were approved on a motion by Alderman Hamshaw, seconded by Alderman Flynn.

Presentation - Retirement Scroll - Frank Baker, Fire Department

His Worship addressed Council and indicated that Mr. Frank Baker had served the city for 28 years at the Fire Department. His Worship noted that Mr. Baker was a well respected member of the department. His Worship advised that this was not only a special night for Mr. Baker due to his retirement but today was also his birthday.

His Worship, on behalf of City Council and the citizens of Halifax, then presented Mr. Baker with a scroll in recognition of his years of service to the City and wished Mr. and Mrs. Baker well in the future.

Mr. Baker then addressed Council expressing his appreciation for the recognition of his years of service.

Alderman Doehler then presented Mrs. Baker with an orchid for her contribution to Mr. Baker's career with the City.

APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS & DELETIONS

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

- 20.1 Provincial-City Construction Cost Sharing Agreement #36
- 20.2 Application for Bill Poster's License - Dalhousie
- 20.3 Collective Agreement - Firefighters Local #268
- 20.4 Request to Fly City Flag - Hotel Nova Scotia
- 20.5 Statement of Revenue and Expenditure

At the request of Alderman Meagher Council agreed to add:

- 20.6 Food Bank - Alderman Meagher

At the request of Alderman Grant Council agreed to add:

- 20.7 249 Herring Cove Road

At the request of the City Clerk Council agreed to delete agenda item:

- 10.16 Halifax Housing Authority

At the request of Alderman Flynn Council agreed to delete agenda items:

- 10.14 Recreation - St. Andrew's School
- 10.15 Astro Turf Fields in the City of Halifax

MOVED by Alderman Hamshaw, seconded by Alderman Doehler that the agenda, as amended, be accepted.

Motion passed.

Special Athletic Presentation - Rick Anderson

His Worship addressed Council referring to the presence of Rick Anderson, Canadian Welterweight Champion, at Council this evening. His Worship noted that Mr. Anderson would be defending his title for the first time at the Forum on Monday, July 29, 1985.

His Worship indicated that Mr. Anderson was highly respected by his colleagues and set a good example for younger less experienced fighters. His Worship, on behalf of City Council and the citizens of Halifax, then presented a scroll to Mr. Anderson recognizing his contribution to sports.

Mr. Anderson addressed Council indicating that it was an honour to receive this award and noting that he felt the Championship should remain in Halifax and he was confident that it would.

DEFERRED ITEMS

Amendment to the Municipal Planning Strategy and Land Use Bylaw and Contract Development at 1450-88 Summer Street/ 5852-72 Spring Garden Road

A public hearing into the above matter was held on July 17, 1985 and adjourned to July 18 and 22, 1985.

Alderman Cromwell addressed the matter referring to the number of submissions received regarding this matter as well as the length of minutes of the meetings held regarding this matter and indicated that he felt more time was necessary to peruse this material.

MOVED by Alderman Cromwell, seconded by Alderman Doehler that this matter be deferred to the next regular meeting of Halifax City Council.

The City Clerk advised that Alderman Grant was not present at the hearing and, therefore, was not eligible to vote on this matter.

Alderman Grant leaves the meeting.

The motion was put with His Worship requesting a recorded vote as follows:

FOR: Aldermen Doehler, Cromwell and Meagher (3).

AGAINST: Deputy Mayor O'Malley and Aldermen Downey, Dewell, Nolan, Jeffrey, LeBlanc, Flynn and Hamshaw (8).

His Worship declared the motion to be lost.

MOVED by Alderman Cromwell, seconded by Alderman Doehler that Council approve the request to amend the Generalized Future Land Use Map from "University" and "Medium-Density Residential" to "High-Density Residential" and to rezone from U-1 (Low Density University) Zone and R-2 (General Residential) Zone to R-3 (Multiple Dwelling) Zone, as shown on the Maps attached to the June 13, 1985 report from the Planning Advisory Committee.

Deputy Mayor O'Malley addressed the matter referring to the resolution of Council of December 15, 1983 regarding this matter and asked if this motion should be rescinded previous to any further action being taken by Council on the matter.

Council
July 25, 1985

His Worship, with the advise of the City Solicitor, indicated that he felt it would acceptable to allow Alderman Cromwell's motion to stand, noting that the outcome of this motion would determine Council's action with regard to the December 13, 1985 resolution.

The motion was put with His Worship requesting a recorded vote as follows:

FOR: Aldermen Doehler, Cromwell, Meagher, Dewell and Nolan (5).

AGAINST: Deputy Mayor O'Malley and Aldermen Downey, Jeffrey, LeBlanc, Flynn and Hamshaw (6).

His Worship declared the motion to be lost.

A discussion ensued with regard to the action Council might take at this time with the Deputy Mayor indicating that he would like to introduce a more complete motion than that put forward by Alderman Cromwell and requested that the City Solicitor rule on the appropriateness of introducing such a motion.

The City Solicitor indicated that Deputy Mayor O'Malley should be allowed to present his motion at this time and that Council could judge the motion in the context of what has preceded.

MUNICIPAL PLANNING STRATEGY AMENDMENT

MOVED by Deputy Mayor O'Malley, seconded by Alderman Flynn that:

BE IT RESOLVED by City Council of the City of Halifax at this meeting held on July 25, 1985 as follows:

(a) The decision of Council made on December 15, 1983, which:

i) amended the Generalized Future Land Use for the area shown on Map 1 from "University" and "Medium-Density Residential" to "High-Density Residential;" and

ii) added a new Policy 8.1.4 to Part II, Section VI to permit consideration of a development agreement for the site.

be repealed:

(b) The Generalized Future Land Use Map (Map 9A) of the Peninsula Centre Area be amended to redesignate the area identified on Map 5 attached to the June 13, 1985 report from the Planning Advisory Committee, from "University" and "Medium-Density Residential" to "High-Density Residential"; and

(c) Section VI, Peninsula Centre Area be amended to add Policy 8.1.4 as follows:

For the area designated "High-Density Residential" on the southwest intersection of Spring Garden Road and Summer Street and extending to College Street, the City may consider applications for residential developments under the development agreement provisions of the Planning Act beyond the height precincts established pursuant to Policy 8.1.1, provided that no development shall be permitted which would cast shadows on the Public Gardens any day between February 21 and October 21 each year;

(d) Implementation Policy 3.11 be amended to add reference to the new Policy 8.1.4 as follows:

Further Policies 1.8, 1.12, 6.11, 8.1.2, 8.1.3 and 8.1.4 respectively in Section VI of this Plan, the City may under the development agreement provisions of the Planning Act issue a development permit for a development which would not otherwise meet the provisions of the Land Use Bylaw.

A short discussion ensued and it was agreed that the Motion would be split in four parts for the purposes of voting.

The vote was then taken on Part (a) of the motion as follows:

BE IT RESOLVED by City Council of the City of Halifax at this meeting held on July 25, 1985 as follows:

(a) The decision of Council made on December 15, 1983, which:

i) amended the Generalized Future Land Use for the area shown on Map 1 from "University" and "Medium-Density Residential" to "High-Density Residential;" and

ii) added a new Policy 8.1.4 to Part II, Section VI to permit consideration of a development agreement for the site.

be repealed:

The Chairman declared the motion to be passed.

A further short discussion with regard to Part (b) of the motion ensued.

The vote on Part (b) of the motion, as follows, was taken:

b) The Generalized Future Land Use Map (Map 9A) of the Peninsula Centre Area be amended to redesignate the area identified on Map 5 attached to the June 13, 1985 report from the Planning Advisory Committee, from "University" and "Medium-Density Residential" to "High-Density Residential"; and

The Chairman declared the motion to be passed.

Council then considered Part (c) of the resolution as follows:

(c) Section VI, Peninsula Centre Area be amended to add Policy 8.1.4 as follows:

For the area designated "High-Density Residential" on the southwest intersection of Spring Garden Road and Summer Street and extending to College Street, the City may consider applications for residential developments under the development agreement provisions of the Planning Act beyond the height precincts established pursuant to Policy 8.1.1, provided that no development shall be permitted which would cast shadows on the Public Gardens any day between February 21 and October 21 each year;

A lengthy discussion ensued with Alderman Doehler indicating that he had no real problem with Policy 8.1.4, however, he felt it was not restrictive enough and did not give Council a sufficient amount of control.

MOVED in amendment by Alderman Doehler, seconded by Alderman Cromwell that the motion be amended by the addition, in the last line, of the words 'and that the architecture and/or landscaping compliments the Public Gardens'.

A further discussion with regard to the amendment ensued and the motion to amend was put and lost.

The original motion was put with Alderman Cromwell and Doehler calling for a recorded vote as follows:

FOR: Deputy Mayor O'Malley and Aldermen Downey, Dewell, Jeffrey, LeBlanc, Flynn and Hamshaw (7).

AGAINST: Aldermen Doehler, Cromwell, Meagher and Nolan (4).

The Chairman declared the motion to be passed.

The vote on Part (d) of the resolution, as follows, was then taken.

(d) Implementation Policy 3.11 be amended to add reference to the new Policy 8.1.4 as follows:

Further Policies 1.8, 1.12, 6.11, 8.1.2, 8.1.3 and 8.1.4 respectively in Section VI of this Plan, the City may under the development agreement provisions of the Planning Act issue a development permit for a development which would not otherwise meet the provisions of the Land Use Bylaw.

Motion passed.

LAND USE BYLAW (PENINSULA AREA)

MOVED by Deputy Mayor O'Malley, seconded by Alderman Doehler that:

BE IT RESOLVED by City Council of the City of Halifax at this meeting held on July 25, 1985 as follows:

(a) The decision of Council made on December 15, 1983, which:

- i) rezoned the property shown as Map 1 from U-1 (Low-Density University) Zone and R-2 (General Residential) Zone; and
- ii) amended the Land Use Bylaw to provide for consideration of a development agreement.

be rescinded.

(b) The City of Halifax Zoning Map be amended by rezoning of the property, as shown on Map 5 attached to the June 13, 1985 report from the Planning Advisory Committee, from U-1 (Low-Density University) Zone and R-2 (General Residential) Zone to R-3 (Multiple Dwelling) Zone; and

(c) The following be added as new Section 16AB(f) and the existing 16AB(f) be renumbered as 16AB(g):

Council
July 25, 1985

Council may, by resolution under the authority of the Planning Act and Policy 8.1.4 of Part II, Section VI of the Municipal Planning Strategy, permit any residential development which would not be consistent with the Height Precinct Map ZM-17 in accordance with said policy.

Alderman Doehler addressed the matter indicating that the amendments to the Land Use Bylaw proposed in this resolution was the same as that proposed by the Planning Advisory Committee.

The motion was put and passed.

MOVED by Deputy Mayor O'Malley, seconded by Alderman Flynn that City Council of the City of Halifax, at this meeting held on July 25, 1985, approve and grant the application of United Equities for a contract development for the lands known as 1450-88 Summer Street and 5852-72 Spring Garden Road as presented in Public Hearings held on July 17, 18 and 22, 1985, such to be contingent upon the approval of the Minister of Municipal Affairs of the resolutions of Council passed on July 25, 1985, regarding amendments to the Municipal Planning Strategy and Land Use Bylaw.

A discussion ensued with regard to the legality of the motion with the City Solicitor indicating that the motion was correct, however, he advised that approval of the MPS and Land Use Bylaw amendments by the Minister should precede any approval by Council of the Contract Development to ensure procedural difficulties would not become an issue in this matter.

Deputy Mayor O'Malley, with the agreement of the seconder, Withdrew his motion.

MOVED by Deputy Mayor O'Malley, seconded by Alderman Flynn that City Council of the City of Halifax, at this meeting held on July 25, 1985, approve that the matter of the application for contract development by United Equities for the lands known as 1450-88 Summer Street and 5852-72 Spring Garden Road be held in abeyance and expeditiously be brought forward to City Council following the approval of the Minister of Municipal Affairs of the amendments to the Municipal Planning Strategy and Land Use Bylaw.

Alderman LeBlanc addressed the matter voicing concern with regard to Council's responsibility with regard to requests from members of the Public for further formalized presentations being made to Council in light of the delay of approval of the contract inherent in this resolution.

The City Solicitor indicated that such a decision to allow further presentation would be entirely up to Council and noted further that Council was under no obligations to receive further presentations regarding this matter.

A further discussion ensued and the Motion was put and passed.

Council
July 25, 1985

Following is correspondence which has been received since the date of the last public hearing in favor of the proposal.

Correspondence dated May 23, 1985 from Mr. and Mrs. M. Williams, 1975 Vernon Street.

Correspondence dated July 2, 1985 from Harold D. Smith, 1959 Spring Garden Road.

Correspondence dated July 3, 1985 from Betty Murphy, 2080 Harvard Street.

Correspondence dated July 10, 1985 from M. Jane Shaw, 1321 Brimingham Street.

Correspondence dated July 15, 1985 in the form of a petition from the members of the Quinpool Road Business Community.

Correspondence dated July 17, 1985 from H. A. MacKwiley, 3185 Mayfield Avenue.

Correspondence dated July 19, 1985 from Dr. Michael Roda, 1545 Birmingham Street

Correspondence dated July 19, 1985 from Dr. L.S. Goldberg, 2625 Dutch Villlage Road.

Correspondence dated July 19, 1985 from Chris Alexander, 184 Shore Drive, Bedford.

Correspondence dated July 19, 1985 from R.R. Griffin, 5254 Green Street.

Correspondence dated July 19, 1985 from Dr. Andrew Thompson, 1545 Birmingham Street.

Correspondence dated July 22, 1985 from G. J. Whiston, M.B., 6389 Coburg Road.

Correspondence dated July 22, 1985 from A. L. R. Chapman, 14 Colindale Avenue.

Correspondence dated July 22, 1985 from John F. Cruickshank, Lower Sackville.

Correspondence dated July 23, 1985 from H.R. Hemming, 1809 Barrington Street.

Correspondence dated July 23, 1985 from R. E. Buell, President, Buell Enterprises Limited.

Correspondence received July 23, 1985 from Marilyn L Melick, Northgate Co. Ltd, 861 MacLean Street

Correspondence received July 23, 1985 from John Cann, 12 Inverness Avenue.

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Correspondence dated July 23, 1985 from D.G. Holland,
65 Wedgewood Avenue.

Correspondence dated July 23, 1985 from Donald B. Warner,
976 Marlborough Avenue.

Correspondence dated July 23, 1985 from Donald T. Matheson,
2140 Connaught Avenue.

Correspondence received July 23, 1985 from Harry Dumbassy,
5959 Spring Garden Road.

Correspondence received July 23, 1985 from Charlotte Cooke,
2095 Poplar Street.

Correspondence dated July 21, 1985 from Marilyn L. Melick,
5770 Spring Garden Road.

Correspondence received July 24, 1985 from Mrs. M. Whitman,
5959 Spring Garden Road.

Correspondence dated July 24, 1985 from Sherry L. Lyon,
21 Fiddlers Green, Dartmouth.

Correspondence dated July 24, 1985 from Karen Burns.

Correspondence dated July 24, 1985 from Cathy and Wayne Serebin,
5687 Victoria Road, Apt. #2.

Following is correspondence which has been received
since the date of the last public hearing in opposition to the
proposal.

Correspondence dated July 15, 1985 from Charmaine Wood,
2056 Belle Aire Terrace.

Correspondence dated July 21, 1985 from Faith H. Astwood.

Correspondence received July 23 1985 from Philip Pacey, Prsident,
Halifax Homeowners Association.

Correspondence dated July 24, 1985 from Maud Rosinski, 5541
Almon Street.

Correspondence dated July 25, 1985 from E. Lindgren, 1557 Vernon
Street.

Correspondence dated July 24, 1985 from Kraft E. von Maltzahn
in response to Dr. Bidwells comments regarding Professor Maltzahn's
presentation on Dr. Bidwell's report on effects of the proposed
development on plants in the Public Garden.

Correspondence W. P. Kerr withdrawing his letter of support of
July 15, 1985, dated July 19, 1985.

10:00 p.m. The meeting adjourned for a short recess.

10:10 p.m. The meeting reconvened with all the same members being present except Alderman Dewell.

Case No. 4790 - Rezoning Portion of Grosvenor School Site and
Portion of Duke of Kent Avenue

A public hearing into the above matter was held on July 22, 1985.

MOVED by Alderman Hamshaw, seconded by Alderman
LeBlanc that City Council approve, as shown on Plan No.
P200/14047:

- (a) Lot H-8 be rezoned from R-1 (Single Family Dwelling Zone) to R-4 (Multiple Dwelling Zone);
- (b) Lot H-10 be rezoned from R-1 (Single Family Dwelling Zone) and C-2 (General Business Zone) to R-4 (Multiple Dwelling Zone); and
- (c) The connection of proposed Wexford Drive with Kearney Lake Road.

Motion passed.

Case No. 4797 - Rezoning - Bayers Lake Industrial Park from (W)
Watershed Zone to (I-3) General Industrial Zone

A public hearing into the above matter was held on July 22, 1985. An information report dated July 24, 1985, was submitted.

MOVED by Deputy Mayor O'Malley, seconded by Alderman
Flynn that City Council approve the rezoning of the lands zoned
Watershed in the vicinity of Bayers Lake, as shown on Plan No.
P200/12093, to General Industrial (I-3) Zone from Watershed (W)
Zone to allow the use of these lands for industrial purposes.

Motion passed.

Registration of Heritage Property - 5457 Cornwallis Street

A hearing into the above matter was held on April 11, 1985.

A letter dated July 9, 1985 from Reverend J. C. Mack for the Cornwallis Street Baptist Church was submitted.

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MOVED by Alderman Downey, seconded by Alderman Hamshaw
that 5457 Cornwallis Street, the Cornwallis Street Baptist
Church, be registered in the City of Halifax Registry of
Heritage Properties.

The City Clerk advised that Deputy Mayor O'Malley and
Aldermen Doehler, Dewell, Grant, and LeBlanc were not present
at the hearing.

The motion was put and passed with Deputy Mayor
O'Malley and Aldermen Doehler, Dewell, Grant, and LeBlanc
abstaining.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and
Executive Committee from its meeting held on July 17, 1985 as
follows:

Use of Streets

Following is the recommendation of the Finance and
Executive Committee:

"That Council approve the matters listed in the
Appendices attached to the July 2, 1985 report from
His Worship the Mayor, and that Appendix B of the
report from His Worship the Mayor be amended by adding
a #7 which would provide "that two separate trash
containers be required within ten meters on either
side of the canteen", and Appendix C be amended by
including the words and figures "1 1/2 meters in
height" in Item #1.

Correspondence dated July 24, 1985 from David Bentley,
President, Great Eastern News Company Ltd. (The Daily News),
was submitted. Correspondence dated July 22, 1985 from Ms. Ann
Perrott for Michael P. Volpe, Branch Manager, Halifax Branch,
The Globe and Mail, was also submitted.

Alderman Flynn addressed the matter referring to the
large number of persons showing an interest in this matter and
MOVED, seconded by Alderman Jeffrey that this matter be
referred back to the Use of Streets Committee to carry out
individual hearings with each of the differing types of street
vending operations in existence with the view to arriving at an
acceptable compromise in this regard.

Motion passed.

Sale of Surplus Lands - Oxford and Allan Streets

This matter was forwarded to Council without
recommendation.

MOVED by Alderman Meagher, seconded by Alderman Cromwell that the remaining portion of Lot 51 as shown on Plan CC-6-6682 be sold to Mr. Sam Metlej for the sum of \$2,900.

Motion passed.

Capital Budget - Herring Cove Road Widening

It was agreed that this matter be deferred until later in the meeting at which time the Alderman for the Ward would be present to discuss the matter.

City Land - Mumford Road

Alderman Flynn addressed the matter referring to the cost of the survey of the property being carried out by the purchaser and asked if this was the policy of the City in such cases.

Mr. Churchill, Real Estate, addressed the matter indicating that usually when the city tendered out or offered for sale a piece of property they had the property surveyed at the city's cost. However, in this case the purchaser had approached the city with regard to the purchase of the land and had not wished to wait until the city could carry out a complete survey. Mr. Churchill further noted that all survey information held by the City would be made available to the purchaser.

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

1. Council approve the agreement in its amended form as per attachment C of the July 3, 1985 staff report and authorize the Mayor and City Clerk to execute same.
2. Council not approve the adjustment from the proceeds at close for the preparation of the plans and description of the site attached as Schedule "B" to the agreement found in the July 3, 1985 staff report.

Motion passed.

Concerns of Ageing

MOVED by Deputy Mayor O'Malley, seconded by Alderman Cromwell that, as recommended by the Finance and Executive Committee, City Council create a task force comprised of three representatives of the Advisory Committee on Concerns of Ageing, the Director of Social Planning and three other members of the public covering such areas as economics, education and representation from City Council and that this committee hold a hearing or hearings as necessary involving all sectors of the public with a view to assembling the implications for the City's Social Planning programs in this municipality for the next five years and possibly projecting beyond that point.

AMENDED PAGE

Deputy Mayor O'Malley indicated that he hoped this task force would be established early in September.

Alderman Cromwell referred to his request that the task force meet with the Halifax Seniors Council to organize the topics to be reviewed by the task force and indicated that he had believed this formed a part of the motion.

His Worship indicated that the reference to the task force meeting with the Halifax Seniors Council would be included in the motion.

The motion was put and passed.

Alderman Grant joins the meeting.

Capital Budget - Herring Cove Road Widening

This matter was deferred to this time from early in the meeting.

A supplementary report dated July 23, 1985, was submitted.

MOVED by Alderman Grant, seconded by Alderman Nolar that, as recommended by the Finance and Executive Committee, Council authorize 1986 Capital funds, in the amount of \$250,000, account CJO12, for land purchases to cover any over-expenditure to date and provide funds for future acquisitions. Motion passed.

26 Acorn Road - (Lot 10)

This matter was forwarded to Council without recommendation.

Alderman Grant addressed the matter indicating that he agreed with the second part of the recommendation from staff, however, noting that Acorn Road was a dead end street, he suggested that a proper turning area should be constructed in the area of land in question. Alderman Grant noted that it was presently a recreational area, but that it was really not large enough to be used as such.

MOVED by Alderman Grant, seconded by Alderman Nolar that the City make every effort to acquire the fee ownership in the right-of-way along the southern boundary of the subject lot and further that staff develop a comprehensive report regarding the possible means of putting a proper turning area, possibly a hammer head, to facilitate traffic in the area.

Motion passed.

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Petition - Preston/Pepperell Street Area Residents re: High
Levels of Noise at Walker's Wharf

A letter dated July 25, 1985 from Kitz Matheson, legal counsel for Walker's Wharf, was submitted.

MOVED by Alderman Cromwell, seconded by Deputy Mayor O'Malley that, as recommended by the Finance and Executive Committee, City Council endorse the action to be taken by staff, as follows:

1. there be no outside/overnight storage of vehicles and equipment associated with the wholesale operation.
2. an accoustical engineer be consulted in order to effect a further reduction in the motor noise.
3. drainage in the rear yard be improved to eliminate ponding.

steps be taken to eliminate objectionable odours.

Alderman Cromwell requested that he be kept up to date on the progress of this particular matter. The City Manager indicated that almost daily supervision of the property was ongoing and that a number of improvements had been made to date.

Motion passed.

Title of Lands Contained in Halifax Industrial Park

MOVED by Alderman Flynn, seconded by Deputy Mayor O'Malley that, as recommended by the Finance and Executive Committee, the City of Halifax enter into a Purchase/Sales agreement with the Nova Scotia Liquor Commission based on the negotiations held by the Halifax Industrial Commission for a net recovery of \$34,170.00.

Motion passed.

MOVED by Deputy Mayor O'Malley, seconded by Alderman Cromwell that, as recommended by the Finance and Executive Committee, this matter be deferred to the next regular meeting of Halifax City Council pending a review and report by the City Manager, City Solicitor and the Chairman of the Halifax Industrial Commission of the proposal including the benefit of having the Industrial Commission having full access to the land or acting as the agents on behalf of the city.

Motion passed.

Store Hours - Sundays and Holidays

MOVED by Deputy Mayor O'Malley, seconded by Alderman Cromwell that, as recommended by the Finance and Executive Committee, the report of the Acting City Solicitor dated July 10, 1985 be tabled for study.

A short discussion ensued and the Motion was put and passed.

Public Disclosure of Campaign Contributions

MOVED by Alderman Flynn, seconded by Deputy Mayor O'Malley that, as recommended by the Finance and Executive Committee, this matter referred to the UNSM for discussion at the September meeting of the Union of Nova Scotia Municipalities and that the membership of UNSM attempt to develop an overall policy for public disclosure of campaign contributions.

Alderman Cromwell addressed the matter indicating that he felt this matter should go forward to the UNSM conference in a resolution form noting that the felt the matter would not be dealt with if it did not.

A further short discussion ensued and it was MOVED in amendment by Alderman Cromwell, seconded by Alderman Doehler, that the motion be amended to delete the words 'at the September meeting of the Union of Nova Scotia Municipalities' from the second and third lines of the motion.

The motion to amend was put and lost.

The original motion was put and passed.

Application for Use of Ferry Terminal Dock - Bill Partridge
Marine Charter Service

Following is the recommendation of the Finance and Executive Committee:

"That staff negotiate with Mr. Bill Partridge, Marine Charter Services in relation to the use of the dock at the South side of the Ferry Terminal for 1985 and further that as suggested by the City Manager and advertisement be placed indicating that Council is considering the leasing of certain docking spaces and requesting an expression of interest for future years.

A staff report dated July 25, 1985 was submitted.

MOVED by Alderman Downey, seconded by Alderman Meagher that Council approve the license as attached to the July 25, 1985 staff report and that His Worship the Mayor and the City Clerk be authorized to execute it on behalf of the City.

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A discussion ensued with Alderman Meagher referring to the number of persons frequenting the waterfront area and indicating that further development of the waterfront, particularly in the area of docking facilities, was required.

The motion was put and passed.

MOVED by Alderman Meagher, seconded by Alderman LeBlanc that staff work with the Waterfront Development Corporation to provide docking facilities for both local users and visitors to the City. Motion passed.

Award of Tender #85-118, Furniture - Captain William Spry
Community Centre

An information report dated July 18, 1985, was submitted.

MOVED by Alderman Grant, seconded by Alderman Jeffrey that, as recommended by the Finance and Executive Committee, Tender 85-118 be awarded to Seaman Cross Limited in the amount of \$81,251.61. Monies to be allocated as follows:

Account #AA001 (Multi Service)	\$64,548.21
Account #GA004 (Cultural Services)	\$16,703.40

Motion passed.

Tender #85-116, PABX Telephone System - Mainland South
Community Centre - (Captain William Spry)

MOVED by Alderman Grant, seconded by Alderman Nolan that, as recommended by the Finance and Executive Committee, Tender 85-116 for a PABX System for the Captain William Spry Community Centre be awarded to Maritime Telegraph and Telephone Company Limited in the amount of \$50,019.00 with the City's share to be paid from the equipment reserve account.

Motion passed.

Recreation - St. Andrew's School

This matter was deleted from the agenda during the setting of the agenda.

Astro Turf Fields in the City of Halifax

This matter was deleted from the agenda during the setting of the agenda.

Halifax Housing Authority

This matter was deleted from the agenda during the setting of the agenda.

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REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on July 17, 1985 as follows:

Tender #85-63 - Sidewalk Renewals

This matter was forwarded to Council without recommendation.

MOVED by Alderman Cromwell, seconded by Alderman Doehler that:

1. Tender #85-63 for sidewalk renewal, projects, materials, and services listed in the July 9, 1985 staff report be awarded for the unit prices quoted in the same report to G. & R. Kelly Enterprises Ltd., at a total combined project cost of \$307,000.00; and

Funding Authorized from account number: CB512.

Motion passed.

REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS & COMMISSIONS

Proposed Amendment to Ordinance Number 168, the Fire Prevention and Adoption of National Fire Code - SECOND READING

This matter was given First Reading at the City Council meeting held on July 11, 1985.

His Worship advised that the Fire Chief had indicated to him that he felt that there were a number of new clauses within the 1985 Fire Code which had not been properly explained to Council and suggested that this matter be deferred to the next Committee of the Whole Council at which time the Fire Chief would give a full explanation of the Fire Code.

MOVED by Alderman Cromwell, seconded by Alderman LeBlanc that this matter be deferred to the next Committee of the Whole Council pending explanation to Council of the new clauses within the Fire Code by the Fire Chief. Motion passed.

Proposed Amendment to Ordinance Number 116, the Taxi Ordinance - SECOND READING

This matter was given First Reading at the City Council meeting held on July 11, 1985.

MOVED by Alderman LeBlanc, seconded by Alderman Flynn that the proposed amendment to Ordinance 116, the Taxi Ordinance, as follows, be given SECOND READING:

1. Section 16 is hereby repealed and the following is substituted therefor:

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16. The fee payable for a license for a motor vehicle used for the transporting passengers for hire shall be fifty dollars (\$50) annually.

2. Subsection (1) of Section 20 is hereby amended by deleting the words and figures "forty (40)" in line 2 and "twenty (20)" in line 3 and substituting in each case the words and figures "fifty (50)".

Motion passed.

REPORT - CITY PLANNING COMMITTEE

City Council considered the report of the City Planning Committee from its meeting held on July 17, 1985 as follows:

Department of National Defence (DND) Lands Identified as "A-F" on ZM-16 Zoning Map

This matter was forwarded to Council without recommendations.

MOVED by Alderman Cromwell, seconded by Alderman Downey that a date be set for a public hearing to consider rezoning the Federal (DND) land and St. Catherine's School be zoned "P" (Park and Institutional) Zone and the lands at 6171 and 6189 Young Street be zoned "C-3" (Industrial) Zone and further that the rezoning of 3300 Oxford Street to "C-2A" (Minor Commercial) Zone not be considered at this time.

The City Clerk advised that the date set for the public hearing was Wednesday, September 4, 1985 at 7:30 p.m. in the Council Chamber, City Hall.

Motion passed.

Case No. 4759 - Contract Development - Lots 25A, 26A, Herring Cove Road

This matter was forwarded to Council without recommendation.

MOVED by Alderman Nolan, seconded by Alderman Grant that at date be set for a public hearing to consider an application for contract development to permit the construction of two semi-detached dwellings on Lots 25-A and 26-A, Herring Cove Road, as shown on Plan No. P200/14089.

The City Clerk advised that the date set for the public hearing was Wednesday, September 4, 1985 at 7:30 p.m. in the Council Chamber, City Hall.

Motion passed.

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Case No. 4775 - Contract Development - 5682 Cornwallis Street

This matter was forwarded to Council without recommendation.

MOVED by Alderman Downey, seconded by Alderman Cromwell that a date be set for a public hearing to consider an application for contract development to permit construction of duplex dwellings at 5682 Cornwallis Street and Lot 40 North Park Street and 9 townhouse units on Lots 31-35 Bauer Street.

The City Clerk advised that the date set for the public hearing was Wednesday, September 4, 1985 at 7:30 p.m. in the Council Chamber, City Hall.

Motion passed.

Case No. 4783 - Contract Development - 2346-52 Moran Street

This matter was forwarded to Council without recommendation.

MOVED by Alderman Meagher, seconded by Alderman Downey that a date be set for a public hearing to consider an application for contract development to permit the subdivision of Civic Nos. 2346-50 and 2352 Moran Street into two lots as shown on Plan No. P200/13907.

The City Clerk advised that the date set for the public hearing was Wednesday, September 4, 1985 at 7:30 p.m. in the Council Chamber, City Hall.

Motion passed.

Date for Hearing - Nominated Heritage Properties

This matter was forwarded to Council without recommendation.

MOVED by Alderman Downey, seconded by Alderman Meagher that a date be set for owner's hearing for the recommended heritage properties listed in the July 13, 1985 report from the Heritage Advisory Committee, in accordance with the requirements of Section 14(2) of the Heritage Property Act.

The City Clerk advised that the date set for the public hearing was Wednesday, September 18, 1985 at 7:30 p.m. in the Council Chamber, City Hall.

Motion passed.

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Case No. 4686 - Rezoning - 89 Central Avenue

This matter was forwarded to Council without recommendation.

A public hearing into the above matter was held on April 3, 1985. This matter was deferred from the May 16, 1985 meeting of City Council pending the approval of the Fairview Secondary Planning Strategy by the Minister of Municipal Affairs.

MOVED by Alderman Jeffrey, seconded by Alderman Flynn that City Council approve the rezoning of 89 Central Avenue from R-1 (Single Family Dwelling) Zone to R-2P (General Residential) Zone.

The City Clerk advised that Deputy Mayor O'Malley and Aldermen Doehler, Meagher, Dewell, Grant and LeBlanc were not present at the hearing.

Motion passed.

Case No. 4788 - Amendment to Development Agreement - Quinpool Road

This matter was forwarded to Council without recommendation.

MOVED by Alderman Meagher, seconded by Alderman Cromwell that the Development Agreement for the Quinpool Road lands executed on April 20, 1977, be amended to permit use of the pedestrian mall area for retail, service, and rental space, installation of additional entry doors along the north and south sides of the building, and addition of a canopy over the sidewalk on the north side of the building generally as shown on Plans No. P200/13922-13930 inclusive.

Motion passed.

Height Controls Around Citadel Hill

This matter was forwarded to Council without recommendation.

A letter dated July 23, 1985 from Joanne Cook, Executive Director, Community Planning Association of Canada was submitted.

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MOVED by Alderman Doehler, seconded by Alderman Downey that Council request the Planning Advisory Committee to review the suggested criteria of the proposed Bands B and C, Height Controls around Citadel Hill, during consideration of the Spring Garden Road and Peninsula North Detailed Area Plans and bring this forward as a part of their report to Council.

Alderman Flynn addressed the matter indicating that he was confused with regard to the intent of the motion and MOVED, seconded by Deputy Mayor O'Malley that this matter be deferred to the next Committee of the Whole Council for a full discussion of the implications of this motion.

The motion to defer was put and lost.

A further discussion ensued and the Motion was put and passed.

MISCELLANEOUS BUSINESS

Voting Delegates - Union of Nova Scotia Municipalities Annual Conference

A report from the City Clerk dated July 22, 1985, was submitted.

Alderman Cromwell addressed the matter indicating that five voting delegates were required for the Union of Nova Scotia Municipalities Annual Conference in September and suggested that His Worship appoint these five, as well as, alternates.

His Worship, with the agreement of the Aldermen involved, appointed Aldermen Hamshaw, Flynn, Nolan, Grant and Meagher as the voting delegates to the UNSM conference and Deputy Mayor O'Malley and Alderman Downey as alternates.

His Worship leaves the chamber and Deputy Mayor O'Malley takes the Chair.

QUESTIONS

Question Alderman Flynn re: Location of Toyota Plant in Canada

Alderman Flynn referred to the recent report that Toyota planned on establishing a plant in Canada noting that the Province of Nova Scotia was to make representation with regard to this matter. Alderman Flynn requested that His Worship forward a letter to his contacts in Japan with regard to this matter on behalf of the City of Halifax. Alderman Flynn suggested that included in the letter should be the success of the Volvo plant in the City and the fine work force within Halifax.

Question Alderman Flynn re: St. Andrew's School Recreation

Alderman Flynn referred to the recreational activities which take place at St. Andrew's School involving both Seniors and children. Alderman Flynn noted that in past the City had obtained funding from the Federal Government for the programs carried out at the school and advised that requests for this funding this year had not been successful.

Alderman Flynn requested that staff look into the means of continuing with these programs before lack of funding results in the discontinuation of the programs.

Question Alderman Flynn re: Astro Turf Fields

Alderman Flynn referred to the tremendous amount of wet weather experienced by Halifax over the past two months which has resulted in the cancellation of many outdoor sports. Alderman Flynn indicated that due to difficulties in scheduling the soccer teams had been playing on wet fields and suggested that work on many of the fields would have to be undertaken next year to bring them back to standard.

Alderman Flynn indicated that some time ago he had requested a report regarding the possibility of the establishment of more astro turf fields in the City and suggested that consideration should be given to including this in a long range program under the Capital Budget. Alderman Flynn requested that staff prepare a report with regard to this matter for Council's consideration.

Question Alderman LeBlanc re: Issuance of Updated Zoning Bylaw and Municipal Planning Strategy

Alderman LeBlanc asked if staff had recently issued an up to date Municipal Planning Strategy and Land Use Bylaw.

The City Manager indicated that he was not aware if the Municipal Planning Strategy and Land Use Bylaw had been issued containing the most up to date amendments noting that he would respond to the Alderman with regard to this matter.

Alderman LeBlanc noted that if such had been issued he would like Council to be forwarded a copy of both.

Question Alderman LeBlanc re: Street Improvements Scarlet Road

Alderman LeBlanc referred to street improvements being carried out on Scarlet Road noting that work had been discontinued there and residents of the area were questioning why the work had not been completed.

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The City Manager indicated that he was not aware of the situation but would report to the Alderman with regard to the matter.

Alderman LeBlanc requested that once the facts were known that the residents of Scarlet Road be forwarded an explanatory letter regarding the matter.

Question Alderman Jeffrey re: Dust Creation Construction on the
Corner of Central Avenue and Alex Street

Alderman Jeffrey referred to complaints he had received regarding the amount of dust created due to construction on the corner of Central Avenue and Alex Street. Alderman Jeffrey noted that this was becoming quite a problem for residents on both these streets as well as adjacent streets.

Alderman Jeffrey asked if included in contracts was a requirement for contractors to clean up adjoining properties after construction by use of a hose or similar device.

Mr. Connell indicated that included in the contract was a clause that if a property was defaced then repair must be carried out by the contractor. Mr. Connell noted that it would have to be a flagrant problem for action to be taken by the contractor.

Alderman Jeffrey requested that staff take a look at the situation and, if possible, have the matter taken care of.

Question Alderman Grant re: Postal Service Acorn Road

Alderman Grant indicated that due to street construction of Acorn Road postal service has been refused to the residents of that street. Alderman Grant noted that it was possible to deliver mail on that street.

Alderman Grant requested that staff contact the Postal Department and attempt to ensure that postal service to Acorn Road is continued.

Question Alderman Meagher re: Pension Difficulties Widow

Alderman Meagher noted that over the last few months he has been corresponding with Mr. B. Smith, Director of Finance regarding a widow of a past City employee in relation to her pension benefits. Alderman Meagher noted that the pension she received is not sufficient for her needs and that amendments to the Pension Act had been approved by Council in an effort to aid persons in such situations.

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Alderman Meagher noted that these amendments were being held up due to the fact that the required approval by the Legislature has not taken place. Alderman Meagher asked if there was any way in which this matter could be resolved quickly suggesting perhaps an Order in Council would be sufficient.

The City Manager responded indicating that the amendments required legislative approval and noted they could not be approved by an Order in Council.

The Chairman suggested that this matter be forwarded to the City Solicitor for a report on any possible legal means of having the matter expedited as quickly as possible.

Question Alderman Meagher re: Painting of Street Lines

Alderman Meagher indicated that the street lines on a number of streets in Ward 4 had not been painted to date referring particularly to Quinpool Road and Oxford and Kline Streets. Alderman Meagher requested that these lines be painted as soon as possible.

Question Alderman Meagher re: Poor Condition of North Street

Alderman Meagher referred to the poor condition of North Street indicating that he had requested that something be done about the resurfacing of this street particularly from Windsor Street through to the Bridge. Alderman Meagher indicated that he expected some repair to be made immediately.

Question Alderman Downey re: Lights at Cogswell and North Park

Alderman Downey referred to staff's action in placing lights at the corner of Cogswell and North Park Street and thanked them for their efforts in this matter.

Question Alderman Downey re: Department of National Defence Lay-offs

Alderman Downey referred to recent reports of the phasing out of a number of jobs by the Department of National Defence to take place over the next two years. Alderman Downey noted that this would have an impact on employment in his Ward and requested that His Worship meet with the Prime Minister and the Member of Parliament for the area with regard to the impact of the loss of jobs to this area.

His Worship returns to the meeting and Deputy Mayor O'Malley takes his seat in Council.

Question Alderman Hamshaw re: Postal Delivery at Rockingham Ridge

Alderman Hamshaw referred to reports he had received that the residents of Rockingham Ridge were not receiving postal service and had to go the Post Office on Almon Street to collect their mail. Alderman Hamshaw requested that staff look into this matter with Canada Post in attempt to improve the present situation.

Question Alderman Cromwell re: Requested Report on Blasting

Alderman Cromwell referred to a report he had requested regarding Blasting and asked when that report would be available.

The City Manager indicated that he believed that an information report on the matter had been distributed noting that he would check into the matter.

Question Alderman Cromwell re: Items being Removed from the Agenda

Alderman Cromwell referred to the Nuclear Referendum item discussed at Committee and asked why it had not been included on the agenda for this evening's meeting.

The City Clerk indicated that there was no recommendation from the Committee to bring forward to Council, noting that a number of motions had been put at that meeting with no definitive outcome.

The City Manager indicated that there was a similar case with the Halifax Housing Authority item and noted that this procedure was completely proper.

Question Alderman Cromwell re: Letter to Canadian National re Relocation

Alderman Cromwell referred to his request that the Mayor forward a letter to CN regarding their plans to relocate and asked if this letter had been forwarded.

His Worship indicated that it had not been and noted that he would forward this letter as soon as possible.

Question Alderman Doehler re: PCB Spill - CHNS Tower

Alderman Doehler referred to reports that there had been a PCB spill at the CHNS tower. Alderman Doehler indicated that reports suggested that the level of PCB's was much greater than is considered safe.

Alderman Doehler noted that he was concerned as to what was being done and if in fact staff was aware of this situation.

The City Manager indicated that this matter had not been brought to his attention but that he would contact the appropriate municipal and Provincial Departments regarding this matter and ensure that action was taken immediately.

Question Alderman Doehler re: MPS Policies regarding Shadows

Alderman Doehler referred to the amendments to the MPS approved this evening and requested that the matter of similar policies for all sites around the Gardens be forwarded to the PAC for report and recommendation to Council.

Question Alderman Doehler re: Use of Civic Hospital by Family Medicine

Alderman Doehler referred to the closure of the Family Medicine unit at the Halifax Infirmary and asked if the Halifax Civic Hospital facilities could provide appropriate space for this service and if the doctors involved were willing to use facilities at the Civic Hospital.

Question Deputy Mayor O'Malley re: Traffic Engineering Survey Lynch and Vestry Streets

Deputy Mayor O'Malley referred to his previous request for a traffic engineering survey in the area of Lynch and Vestry Streets. Deputy Mayor O'Malley indicated that he hoped that a report would be forthcoming on this matter in the near future and that the problem there could be solved.

Question Deputy Mayor O'Malley re: Landlocked City Owned Land

Deputy Mayor O'Malley referred to two pieces of city owned land which is completely surrounded by privately owned land and noted that no access was available to the land. Deputy Mayor O'Malley indicated that the City has maintained this land for a number of years and suggested that as the City could not use the land that it be given to the abutting property owners.

Deputy Mayor O'Malley requested a report with regard to the possibility of giving this land to the abutting property owners.

Question Deputy Mayor O'Malley re: Closure of Ward 5 Recreation Centre

Deputy Mayor O'Malley indicated that he had heard a rumor that the Ward 5 Recreation Centre was to be closed by the Social Assistance Department and asked if this was in fact true.

Council
July 25, 1985

The City Manager indicated that he was not aware of the situation but would report to the Deputy Mayor as soon as possible.

Question Deputy Mayor O'Malley re: Department of National Defence Lay-offs

Deputy Mayor O'Malley referred to Alderman Downey's question regarding a meeting with the Prime Minister and the Member of Parliament regarding the loss of a large number of jobs with the Department of National Defence and urged His Worship to make every effort to ensure this meeting took place.

Deputy Mayor O'Malley requested that an impact study be carried out with regard to this matter.

ADDED ITEMS

Provincial-City Construction Cost Sharing Agreement #36

A staff report dated July 18, 1985 was submitted.

MOVED by Alderman Cromwell, seconded by Alderman Flynn
that Council:

a) approve the construction cost sharing agreement No. 36 as outlined in the July 18, 1985 staff report.

b) authorize His Worship the Mayor and the City Clerk to sign this proposed Agreement No. 36, as per the letter of request attached as Appendix A of the July 18, 1985 staff report, so that the Minister of Transportation may finalize legal documentation.

Motion passed.

Application for Bill Poster's License - Dalhousie Student Union

A report from the City Clerk dated July 25, 1985 was submitted.

MOVED by Alderman Doehler, seconded by Alderman Cromwell that a Bill Posters License be granted to the Dalhousie Student Union in accordance with the provisions of the Bill Posters Ordinance No. 19.

Motion passed.

Collective Agreement - Firefighters Local #268

A staff report dated July 25, 1985 was submitted.

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MOVED by Alderman Downey, seconded by Alderman Doehler that Halifax City Council authorize the Mayor and the City Clerk to affix their signatures to a collective agreement dated March 1, 1985 to February 28, 1988, between the City of Halifax and International Association of Firefighters Union (Local 268).

Motion passed.

His Worship then made a brief statement noting that the Collective Agreement conforms to the policy of restraint in the application of wage and benefit increases and augers well for future labour relations stability within the Halifax Fire Department.

Request to Fly City Flag - Hotel Nova Scotia

A report from His Worship Mayor Ron Wallace dated July 24, 1985, was submitted.

MOVED by Alderman Cromwell, seconded by Alderman Downey that the Nova Scotian Hotel be granted permission to display the City of Halifax Flag in accordance with Ordinance Number 101, Respecting the Corporate Seal, Armorial Achievement and Flag.

Motion passed.

Statement of Revenue and Expenditure

A staff report dated July 17, 1985 was submitted.

MOVED by Alderman Flynn, seconded by Alderman Doehler that the Statement of Revenue and Expenditure for the six months ended June 10, 1985 be tabled.

Motion passed.

Food Bank - Alderman Meagher

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

Alderman Meagher addressed the matter referring to the Council direction that staff aid the Food Bank in finding a location within the City structure to house the Food Bank operation. Alderman Meagher indicated that no such location had been found to date and MOVED, seconded by Alderman Jeffrey that staff contact Mr. Boutilier and make a determined effort to locate housing for the Food Bank operation.

A short discussion ensued with His Worship noting that Mr. Wayne was presently making a determined effort to find a location for the Food Bank.

A further discussion ensued and the Motion was put and passed.

249 Herring Cove Road - Alderman Grant

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

Alderman Grant referred to the business establishment located at Civic No. 249 Herring Cove Road noting that during recent construction in relation to the widening of the Herring Cove Road new curb and a bus bay had been installed in front of this establishment. Alderman Grant indicated that the owner wished to have access from Herring Cove Road. Alderman Grant requested that a driveway be installed giving this business access to the Herring Cove Road.

The City Manager indicated that the access to the property had been traditionally from Cataramaran Drive and changes to the work carried out at that address would be extremely costly.

A discussion ensued with Alderman Grant requesting a report from legal regarding the city's responsibility to supply an access to a property based upon their civic address.

12:25 p.m. The meeting adjourned.

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HIS WORSHIP MAYOR RON WALLACE
DEPUTY MAYOR G. O'MALLEY
CHAIRMEN

G.I. BLENNERHASSETT
CITY CLERK

DATE APPROVED BY COUNCIL: _____

/sg

SPECIAL COUNCIL
PUBLIC HEARINGS
M I N U T E S

Council Chamber
City Hall
Halifax, Nova Scotia
August 21, 1985
8:00 p.m.

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

After the meeting was called to order members of Council present joined the Deputy City Clerk in the recitation of the Lord's Prayer.

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

Also Present: City Manager, Ms. M.E. Donovan, Acting City Solicitor, Deputy City Clerk and other members of city staff.

ADDED ITEMS

MOVED by Alderman Doehler, seconded by Deputy Mayor O'Malley that the following items be added to the agenda from the Committee of the Whole held earlier this date:

1. Tender #85-114 - Two Triple Combination Pumpers Complete with Chassis
2. Closure & Sale - Portion of Norman Avenue - Date for Hearing
3. Development Agreement - Prison Lands
4. Appointment of Minister - Letter of Congratulations

Tender #85-114 - Two Triple Combination Pumpers Complete with Chassis

This matter was added to the agenda from the Safety Committee held earlier this date.

MOVED by Deputy Mayor G. O'Malley, seconded by Alderman Dewell that, as recommended by the Safety Committee:

1. Tender #85-114 for Two Triple Combination Pumpers complete with Chassis be awarded to Pierre Thibault Trucks Ltd., P.O. Box 210, Pierreville, PQ, J0G 1J0 for a total project cost of \$228,876.00;

2. Funds be made available from Account Number 126704.X1730.

Motion passed.

Closure & Sale - Portion of Norman Avenue - Date for Hearing

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

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

1. the portion of Norman Avenue shown on Parcel NA-1 on Plan TT-36-28244 be closed as a street and be sold to Rockingham Development Ltd. for \$5.00 per sq. ft., minus the portion to be retained by the City, subject to approval of the Minister of Municipal Affairs and of the related subdivisions and resubdivisions.
2. a date be set for a public hearing in regard to the proposed closure of Norman Street.

Motion passed.

The Deputy City Clerk advised that the date set for the Public Hearing was Wednesday, September 18, 1985 at 7:30 p.m. in the Council Chamber, City Hall.

Development Agreement - Prison Lands

This matter was added to the agenda from the Finance and Executive Committee held earlier this date.

MOVED by Deputy Mayor O'Malley, seconded by Alderman Nolan that, as recommended by the Finance and Executive Committee, the Mayor and City Clerk be authorized to execute an amended Prison Lands Development Agreement to allow an unconditional letter of credit in lieu of cash (Clause 20) and to allow assignment to subsidiary or affiliated companies where the developer is at least 50 percent owner (Clause 35).

Motion passed.

Appointment of Minister - Letter of Congratulations

This matter was added to the agenda from the Finance and Executive Committee held earlier this date.

MOVED by Alderman Dewell, seconded by Deputy Mayor O'Malley that, as recommended by the Finance and Executive Committee, a letter of congratulations be forwarded to Halifax Member of Parliament, Stewart McInnes on his appointment as Minister of Supply and Services. Motion passed.

Application for Development Agreement - Section 538 City Charter
Southeast corner of Cowie Hill at North West Arm Drive

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

Mr. Paul Calda, City Manager, addressed Council outlining the application for a development agreement under Section 538 of the City Charter to permit a mainland facility for the Parks and Grounds Department on Lot HX, located on the southeast corner of Cowie Hill at North West Arm Drive as found in staff reports dated July 11 and August 14, 1985.

Staff then responded to question from members of Council.

There were no persons present wishing to address Council with regard to this matter. No correspondence has been received in relation to this application.

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

Motion passed.

Case No. 4724 - Contract Development - 469 Herring Cove Road

A public hearing into the above matter was held on this date.

Mr. Bill Campbell, Development Control, with the aid of maps and sketches, outlined the application for contract development to permit the construction of a 12 unit apartment building at 469 Herring Cove Road as found in the staff report dated May 29, 1985.

Mr. Campbell indicated that staff was recommending approval of the application.

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

Mr. Khadri Pharis, Design Engineer for the applicant, addressed Council referring to concerns regarding the brook at the rear of the property and indicated the brook would be given would be given consideration noting plans for fencing of the brook and landscaping to the rear of the property were being worked out.

Mr. Pharis further referred to the concerns with regard to visitor parking indicating every effort would be made to provide some visitor parking while still staying within the city guidelines for tenant parking.

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

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

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

Motion passed.

Case No. 4546 - Contract Development - 1585 Barrington Street

A public hearing into the above matter was held on this date.

Mr. Bill Campbell, Development Control, with the aid of maps and sketches, addressed Council outlining the application for contract development to permit a 22-storey hotel with parking and accessory facilities at 1585 Barrington Street, as found in the staff report dated June 4, 1985. Mr. Campbell noted that staff was of the opinion that the proposed parking was insufficient to the needs of the proposal and indicated they felt that the developer should be required to seek out and negotiate with possible suppliers of parking spaces so as to offset any potential parking short-fall caused by this development before Council considers approval of the development.

Mr. Campbell further referred to the May 6, 1985 report of the Heritage Advisory Committee in which they indicate their opposition to the proposal and recommend rejection of the application for contract development. Mr. Campbell indicated that staff was recommending approval of the application subject to the applicant making the necessary arrangements with regard to off-site parking. Mr. Campbell indicated that staff would like to see a total of 77 parking spaces provided. Mr. Campbell then responded to questions from members of Council.

Mr. Frank Cordon, legal counsel for the applicant, addressed Council in favor of the proposal noting that this application had been first brought to the city some 16 months ago and indicated that a number of changes to the original proposal had resulted.

Mr. Cordon thanked Mr. Campbell and the Development Department staff for what appears to be a favorable, detailed and complete report with regard to this matter. Mr. Cordon indicated that the only negative comments from the city appeared to have been made by the Heritage Advisory Committee. Mr. Cordon indicated that the proposal would retain the facade of the Green Lantern Building and noted that the building was in such disrepair that there was nothing of value to be retained within in the building.

Mr. Cordon further noted that a great deal of time and energy had been taken to make the side facade complimentary with the presently existing facade.

Mr. Cordon then referred to concerns expressed regarding parking noting that the present proposal allowed for 30 underground parking spaces and noting that additional underground parking would not be economically feasible.

Mr. Cordon further went on to note that the retention of a presently existing facade with new development to the rear was a familiar type of development in other cities. Mr. Cordon further noted that he felt the development was a reasonable development in keeping with the Municipal Planning Strategy and deserved to be favorably considered.

Mr. Roy Woolworth, Architect for the Project, addressed Council and proceeded with a slide presentation with regard to the proposal.

Mr. Cordon then responded to questions with regard to the handling of bus tours and service vehicles and indicated they would be agreeable to handling the baggage and departure of passengers from tour buses at the Granville Street entrance. Mr. Cordon noted that it was planned that service vehicles would be dealt with through the Granville Street entrance.

Mr. Cordon further noted that the applicant would have no objection to obtaining off site parking for use by the hotel and would endeavor to retain such in the near future.

Mr. John Murchie, 2328 Maynard Street, addressed Council in opposition to the proposal noting that he was generally in agreement with the Heritage Advisory Committee and felt that this proposal was not particularly in keeping with the specific building or with Barrington Street in general.

Mr. Murchie indicated that more specifically he was concerned with the effect of wind and shadow in relation to this building as well as the parking concerns raised by staff. Mr. Murchie indicated that the parking problem in the downtown area was such that it needed no further aggravation. Mr. Murchie further noted that the use of Barrington Street by taxis and buses also caused him concern due to the high levels of traffic on Barrington Street. Mr. Murchie indicated that the use of Granville Street by taxis and buses might just create as great a problem.

Mr. Murchie noted that although the building did not impinge upon the view planes, he suspected that the view from the Citadel of the harbour would be somewhat changed. Mr. Murchie further noted that presently the Green Lantern Building was occupied by some 20 small businesses and cultural institutions and suggested that these small businesses add to the viability and people interest in the downtown area.

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Public Hearing
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Mr. Murchie further suggested that the downtown area required more than hotels and drinking establishments to retain its flavor and interest for people. Mr. Murchie further noted that he had some concern with the meaning of 'shall' as found in the draft contract asking if it meant must or had some lesser meaning.

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

Mrs. Lucille Stewart, President, Heritage Trust of Nova Scotia, addressed Council in opposition to the proposal, and indicated that Heritage Trust of Nova Scotia supported the recommendation of the Heritage Advisory Committee. Mrs. Stewart indicated that Heritage Trust felt the application should be rejected for two main reasons: Retention and Compatibility.

Mrs. Stewart indicated that the MPS encourages the retention of heritage buildings and noted that the proposed development would permit the destruction of most of a designated heritage building.

Mrs. Stewart further noted that the MPS calls for new development to be compatible with existing buildings and indicated that Heritage Trust feels that the proposed development is not compatible with the other heritage buildings on Barrington Street and conflicts with the policies of the MPS dealing with compatibility.

Mrs. Stewart then briefly outlined the history of the 'Green Lantern' or 'Keith Building' noting that it was an unusual building for the time and formed part of the pride of Halifax and Barrington Street.

A copy of Mrs. Stewart's brief was submitted at this meeting and now forms a part of the official file of this meeting.

9:45 p.m. The meeting adjourned for a short break.
10:00 p.m. The meeting reconvened with all the same members being present.

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

Mr. Harold Rennie, 6171 Duncan Street, on behalf of the Community Planning Association of Canada, addressed Council indicating that the Community Planning Association of Canada had grave reservations with regard to this proposal. Mr. Rennie indicated that the Community Planning Association felt Council should uphold the recommendation of the Heritage Advisory Committee and reject this proposal.

Mr. Rennie noted that a contract development was only approved if it met the policies of the MPS and indicated that the Community Planning Association disagreed with the staff opinion that this proposal met the design and character policies of the MPS and indeed felt that this proposal was counter to these policies. Mr. Rennie referred to the Municipal Planning Strategy policies referring to design and character and indicated that it was difficult to see how this modern addition was complimentary to the existing building and suggested that it was certainly not complimentary to the other heritage buildings located on Barrington Street.

Mr. Rennie further indicated that the Community Planning Association felt that the street level scale of the retained facade would do little to diminish the impact of the dimension of the addition to the building. Mr. Rennie suggested that the mass and scale of the building, despite the setback, would overwhelm the neighbouring buildings and be in contrast with them. Mr. Rennie further noted that no studies had been carried out with regard to the effect of the building on shadows and as well no wind studies had been carried out.

Mr. Rennie indicated that the MPS had been developed over a period of time and a lot of time and energy had gone into its development. Mr. Rennie suggested that the approval of this development would be a denial of the MPS. In closing, Mr. Rennie voiced the support of the Community Planning Association for the stand of the Heritage Advisory Committee, Heritage Trust and the Downtown Residents Association.

Mr. Rennie then responded to questions with regard to his submission with Alderman Dewell requesting a report from staff with regard to wind and shadow effects of this proposal.

Mr. Campbell, Development Control, indicated that staff was only able to carry out a shadow study as the facilities for a wind study were not available to city staff and indicated that report with regard to the shadow effect would be forthcoming from staff.

Mr. Alan Ruffman, 202 Ferguson's Cove, Halifax County, addressed Council in opposition to the proposal.

Mr. Ruffman referred to the MPS policies with regard to the development being in character with existing buildings and suggested that this proposal was not in character with Barrington Street as it presently exists. Mr. Ruffman indicated that the portion of Barrington Street in question was generally of a low rise nature with high rise on either end. Mr. Ruffman indicated that he felt the building was not in scale with the surrounding buildings and suggested that the proposal did not do what the developer expressed was his intent, that is the retention of the facade to meet the requirements of the MPS with regard to heritage properties, character and scale.

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Public Hearing
August 21, 1985

Mr. Ruffman further noted that he was concerned that no wind and shadow studies had been carried out.

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

Mr. Graham Hicks, 5335 Young Street, addressed Council in opposition to the proposal indicating that he felt this was one of the lesser quality developments proposed within the City in the last few years.

Mr. Hicks expressed concern with regard to the possible increased traffic problems on Barrington Street which would result from this development and suggested that a holding bay should be required.

Mr. Hicks further indicated that he felt the building was too high and some compromise should be made on behalf of the developer. Mr. Hicks further noted that parking difficulties should be dealt with before approval is given on this matter.

Mr. Hicks further noted that a contract development dealt with both the exterior and interior of new development and indicated that no consideration had been given to the interior of the building in question and suggested that Council should consider the interior on this occasion.

Mr. Larry Smith, on behalf of the Downtown Residents Association, addressed Council in opposition to the proposal.

Mr. Smith indicated that the Downtown Residents Association supported the recommendation of the Heritage Advisory Committee and felt the proposal before Council should be rejected. Mr. Smith suggested that this proposal was not the only viable development of the property. Mr. Smith indicated that it was Council's job to view this proposal from the perspective of what is best for the city and the downtown area over the long term.

Mr. Smith indicated that the Downtown Residents Association did not agree with the comments made by staff with regard to the heritage, scale and design policies of the MPS and noted that it was Council's responsibility to give this heritage building all the protection the city has to offer.

A copy of Mr. Smith's brief was submitted at this meeting and now forms a part of the official file of this meeting.

Alderman Dewell referred to the status of this proposal under the requirements of the Heritage Act and asked what the status of this matter was at present.

The Acting City Solicitor indicated that she would respond to this matter in a report to Council.

Commodore C. McMillin, Chairman, Heritage Advisory Committee, addressed Council in opposition to the proposal reiterating the position of the Heritage Advisory Committee as found in its May 6, 1985 report to City Council.

There were no further persons wishing to address Council with regard to this matter. No further correspondence has been submitted in relation to this application.

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

Motion passed.

Street Closure - Lorne Terrace

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

Ms. Carol Bradley, Real Estate, with the aid of maps and sketches, outlined the proposal to close Lorne Terrace between the Northern Street Line of North Street and the South Boundary of H.M.C. Stadacona as shown on City Plan TT-36-282413 and as found in the staff report dated June 11, 1985.

Ms. Bradley then responded to questions from members of Council.

There were no persons present wishing to address Council with regard to this matter. No correspondence has been received in relation to this matter.

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

Motion passed.

10:30 p.m. The meeting adjourned.

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Appointment of Minister - Letter of Congratulations	500
Application for Development Agreement - Section 538 City Chdarter - Southeast corner of Cowe Hill at North West Arm Drive	501

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Case No. 4546 - Contract Development - 1585 Barrington Street	502
Street Closure - Lorne Terrace	507

HIS WORSHIP MAYOR RON WALLACE
CHAIRMAN

E.A. Kerr
Deputy City Clerk

DATE APPROVED BY COUNCIL: _____

/sg

CITY COUNCIL
M I N U T E S

Council Chamber
City Hall
Halifax, Nova Scotia
August 29, 1985
8:00 p.m.

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

After the meeting was called to order, the 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 G. O'Malley and Aldermen Doehler, Cromwell, Downey, Dewell, Grant, Nolan, Jeffrey, LeBlanc, Flynn and Hamshaw.

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

Moment of Silence - Laurie Smith

His Worship referred to the recent death of Laurie Smith who had served as Chairman of the School Board as well as being Vice President of St. Mary's University. City Council then observed a moment of silence in memory of Mr. Smith.

Natal Day Committee

His Worship indicated that tonight a presentation was to be made to the members of the Natal Day Committee for their diligent work in making the Natal Day celebrations a success.

His Worship noted the presence of Mr. Darryl Wentzell, Chairman of the Natal Day Committee at Council this evening. His Worship then introduced Miss Debbie Kervin, Miss Halifax; Miss Michelle Wood, First Runner-up; and Miss Astrid Gysbertson, Second Runner-up to members of Council. His Worship further indicated that Mr. Fred Pellerine was present this evening representing Mr. Doug Quinn and Mr. Steve King of city staff.

His Worship then presented Miss Halifax and her Runners-up with a small token of appreciation on behalf of City Council and the citizens of the City of Halifax.

Miss Halifax then briefly addressed Council indicating that she had enjoyed her role in the Natal Day celebrations and looked forward to representing the City in the future.

Council
August 29, 1985

His Worship then presented, on behalf of City Council and the citizens of Halifax, Mr. Darryl Wentzell with a token of appreciation for his and the Natal Day Committee's fine work in relation to the Natal Day celebrations.

Mr. Wentzell then addressed Council thanking them and staff for the full support and cooperation the Natal Day Committee receives with regard to planning for Natal Day celebrations.

Alderman Meagher joins the meeting.

His Worship referred to the upcoming visit of the Most Reverend and Right Honourable Robert Runcie, the Lord Archbishop of Canterbury to Halifax. His Worship indicated that the Most Reverend and Right Honourable Robert Runcie would be arriving in Halifax on Sunday, September 1, 1985. His Worship further noted that the City of Halifax is honored by this visit.

Stipends Committee Report - Chairman - Judge Patrick H. Curran

A report from the Stipends Committee dated August 19, 1985 was distributed to members of Council at this time.

Judge Patrick Curran, Chairman, Stipends Committee, addressed Council thanking Council for the opportunity to address Council this evening. Judge Curran noted the other members of the Committee being Mr. Wilfred Moore, Q.C.; Mr. John Morash, C.A. and Mr. Hugh Smith, Q.C.

Judge Curran noted that the Committee had first met a couple of months ago at which time he had been requested to act as the Chairman of the Committee. Judge Curran then referred to the submitted report noting that the recommendations contained in the report dealt with the stipends for the Mayor, Deputy Mayor and the Alderman for the year beginning November 1, 1985 and for the two years following.

Judge Curran advised that the matter of stipends for the Aldermen and Mayor had not been an easy matter to deal with. Judge Curran indicated that the Committee recognized that serving on Council was equivalent to the work carried out by persons having control of a large corporation. Judge Curran noted, however, that to suggest that Council should receive reimbursement for services at the rate of those serving large corporations would be ridiculous based upon the present level of remuneration.

Judge Curran noted that in attempting to come up with the figures quoted in the report the Committee had looked at the history of stipends, the recent city employee increases as well as stipends given to elected officials in comparable municipalities across Nova Scotia and indeed to some extent Canada.

Judge Curran noted that in discussions the Committee recognized that any increase to the stipends involved would have to be acceptable to both Council and the citizenry of the City of Halifax and, therefore, the increases reflect the need to be acceptable to both Council and the citizens of Halifax.

Judge Curran referred to the increase in the Mayor's stipend in 1980 to reflect the full time nature of this position and further indicated that as noted in the 1982 Report on City Government the Aldermanic positions were viewed to be of a part-time nature. Judge Curran noted that part-time meant that the majority of Aldermen were engaged in a full time career elsewhere.

Judge Curran referred to the recommendations found on page 5 of the report noting that the figures quoted reflected a 3% increase in 1985-86 and 1986-87 and a 2% increase in 1987-88 for the Mayor, Deputy Mayor and Aldermen. Judge Curran further noted that the Deputy Mayor would receive a stipend of \$3,200 in addition to an Alderman's stipend under this recommendation.

Judge Curran further noted that the Committee recommended that stipends paid to Members of City Council for serving on all regional boards be paid to the general revenue account of the City of Halifax.

Judge Curran then responded to questions from members of Council with thanks being expressed to Judge Curran and his Committee for their endeavors on behalf of Council.

MOVED by Alderman LeBlanc, seconded by Alderman Nolan
that this matter be referred to the Finance and Executive Committee for further discussion and recommendation.

Motion passed.

His Worship indicated that Alderman Meagher had requested that a member of the Police Department attend this meeting to report to Council with regard to the shooting on Duncan Street last evening.

Report - Police Department - Shooting on Duncan Street -
Alderman Meagher

His Worship indicated that as a result of concern expressed by the residents in the area of Duncan and Windsor Streets Alderman Meagher had requested that a representative from the Police Department be present this evening to report to Council with regard to the shooting on Duncan Street last evening.

Alderman Meagher addressed the matter indicating that he had received a number of calls from area residents voicing concern with regard to this shooting.

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Alderman Meagher indicated that area residents had a number of questions regarding this occurrence and asked why the victim had been walking his dog in this area in view of the fact that he was not a resident of this area. Alderman Meagher indicated that he felt a meeting should be arranged with the area residents and representatives of the Police Department to discuss the concerns expressed.

Deputy Chief A. Wyatt addressed Council noting that indeed there had been a shooting at the corner of Duncan and Windsor Street last evening and that the reason for the victim being in the area was not known. Deputy Chief Wyatt noted, however, that the gentleman had in fact walked his dog over the whole of the City and had been seen in this area on other occasions.

Deputy Chief Wyatt noted that one suspect was in custody and questioning was being carried out. Deputy Chief Wyatt further noted that he would be agreeable to arranging a meeting with the area residents to discuss this matter and suggested that such a meeting should take place at a later date to allow the department sufficient time to obtain more complete information with regard to the shooting.

MINUTES

Minutes of the regular meeting of City Council held on July 25, 1985 and of the Special Council held on August 21, 1985 were approved on a motion by Alderman Hamshaw, seconded by Alderman Grant.

APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS & DELETIONS

At the request of the City Clerk Council agreed to delete the following items for the agenda.

- 5.5 Title of Lands Contained in Halifax Industrial Park
- 14.1 Proposed Amendment to Ordinance Number 168, the Fire Prevention and Adoption of National Fire Code
SECOND READING

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

- 20.1 The Cambridge - Brunswick and Sackville Streets

At the request of Alderman Flynn Council agreed to add:

- 20.2 Halifax Co-op

At the request of Alderman Nolan Council agreed to add:

- 20.3 Cowie Hill Playground

At the request of Alderman Doehler Council agreed to add:

20.4 Halifax Police Department Annual Report

MOVED by Alderman Flynn, seconded by Deputy Mayor O'Malley that the agenda, as amended, be accepted.

Motion passed.

Alderman Jeffrey leaves the meeting.

DEFERRED ITEMS

Application for Development Agreement under Section 538A of Halifax City Charter - Southeast Corner of Cowie Hill Road and North West Arm Drive

A public hearing into the above matter was held on August 21, 1985.

MOVED by Alderman Nolan, seconded by Alderman Grant that the application for a Development Agreement under Section 538A of the Halifax City Charter, be approved by City Council thereby permitting a mainland facility for the Parks and Grounds Department on Lot HX, located on the southeast corner of Cowie Hill Road at North West Arm Drive.

The City Clerk advised that Alderman Jeffrey was not present at the public hearing.

Motion passed.

Case No. 4724 - Contract Development - 469 Herring Cove Road

A public hearing into the above matter was held on August 21, 1985.

MOVED by Alderman Grant, seconded by Alderman Nolan that:

1. The contract development application to permit the construction of a 12 unit apartment building at 469 Herring Cove Road, as shown on Plans No. P200/13626 and 13627 of Case No. 4724, be approved, subject to the following:

a. That a fence be installed to the rear and side of the property to the maximum height permitted by the Building Inspector;

b. That the property be landscaped with mature trees being planted to the rear of the building and trees and shrubs being located at the front and sides of the building;

c. If a metal garbage container is to be used, that it be enclosed by a wooden barrier; and

d. That some visitor parking be provided.

2. Council require that 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 shall be void and obligations arising hereunder shall be at an end.

The City Clerk advised that Alderman Jeffrey was not present at the public hearing.

Motion passed.

Case No. 4546 - Contract Development - 1585 Barrington Street

A public hearing into the above matter was held on August 21, 1985.

A supplementary staff report dated August 28, 1985, was submitted. An information report from the City Solicitor dated August 23, 1985, was also submitted. A letter dated August 28, 1985 from Lucille Stewart, Vice-President, Heritage Trust of Nova Scotia, was also submitted.

MOVED by Alderman Downey, seconded by Alderman LeBlanc that this matter be deferred to the next meeting of City Council pending receipt of response from staff with regard to the comments included in the August 28, 1985 letter from Lucille Stewart, Heritage Trust of Nova Scotia and further information as requested at the Public Hearing.

Alderman Cromwell addressed the matter indicating that he would like a report from the Traffic Authority with regard to the impact of vehicles parking on Barrington Street in relation to the flow of traffic on Barrington Street should this proposal be approved and the ramifications of the entrance being on Granville Street with regard to traffic on that street. Alderman Flynn addressed the matter indicating that he would like the staff report to address the concerns raised at the Public Hearing.

Deputy Mayor O'Malley addressed the matter indicating that he felt meetings between staff and the developer were necessary in order that a design could be developed which would resolve the concerns expressed with regard to traffic on both Barrington and Granville Streets and the matter parking for hotel guests.

The City Clerk advised that Alderman Jeffrey was not present at the public hearing.

The motion was put and passed.

Street Closure - Lorne Terrace

A public hearing into the above matter was held on August 21, 1985.

MOVED by Deputy Mayor O'Malley, seconded by Alderman Dewell that City Council approve the closure of Lorne Terrace between the Northern Street Line of North Street and the South boundary of H.M.C. Stadacona, as shown on City Plan TT-36-282413.

The City Clerk advised that Alderman Jeffrey was not present at the public hearing.

Motion passed.

Title of Lands Contained in Halifax Industrial Park

This matter was deleted from the agenda during the setting of the agenda.

Alderman Jeffrey returns to the meeting.

PUBLIC HEARINGS, HEARINGS, ETC.

Appeal of Minor Variance Refusal at 7 Alderwood Drive

A staff report dated August 14, 1985, was submitted. A letter dated August 23, 1985 from Mr. Jean Harnish, 9 Alderwood Drive, was also submitted.

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

Mr. B. Algee, Development Officer, addressed Council outlining the application for a minor variance of the side yard requirement to permit a one-storey addition to be located at the rear of the existing single family dwelling at 7 Alderwood Drive.

Mr. Algee indicated that he had reviewed and refused this application on August 7, 1985. Mr. Algee noted that the main difficulty experienced with regard to this matter was that the addition had already been partially constructed. Mr. Algee noted that in this respect the application violates Section 79(3)(c) of the Planning Act. Mr. Algee indicated that although the variance was minor the Development Officer cannot approve variances after-the-fact.

Mr. Robert Hammer, the applicant, addressed Council in support of the variance and indicated that all the abutting property owners were in favor of the requested variance.

There were no further persons present wishing to address Council with regard to this matter. No further correspondence has been received in relation to this application.

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MOVED by Alderman Nolan, seconded by Alderman Grant
that the minor variance requested for 7 Alderwood Drive be granted and the decision of the Development Officer be overturned.

Motion passed.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on August 21, 1985 as follows:

Halifax Seniors Housing Society Proposal

MOVED by Alderman Dewell, seconded by Alderman Doehler
that, as recommended by the Finance and Executive Committee, this matter be referred to staff for review and recommendation to Council.

Motion passed.

Request for Fly Past - Snowbirds

MOVED by Alderman Doehler, seconded by Alderman Hamshaw
that, as recommended by the Finance and Executive Committee, permission be granted for the Snowbirds and other performers to overfly the City of Halifax during the period September 19 to September 23, 1985 providing that all Ministry of Transport safety regulations are strictly adhered to.

Motion passed.

Acquisition and Disposal - 180-182 Herring Cove Road

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

1. the land shown as Parcels 1 and 2 on the sketch as attached to the confidential staff report dated July 23, 1985, be purchased from Nutopia Corporation for the sum of \$2,320.00 as settlement in full. Funds can be made available from Account No. 226111 Z0300 DJ012 (Herring Cove Road Widening); and

2. the land shown as Parcel 3 on the sketch as attached to the confidential staff report dated July 23, 1985 be sold to Nutopia Corporation for the sum of \$188.00.

Motion passed.

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Chapman Motors Limited, Kempt Road - Release of Portion of Easement

MOVED by Alderman Jeffrey, seconded by Deputy Mayor O'Malley that, as recommended by the Finance and Executive Committee, Council authorize the release of a portion of the easement shown as Parcel SE-2 on City of Halifax Plan 00-15-28297.

Motion passed.

Award of Tender #79852 - Parking Meters - Police Department

An information report dated August 22, 1985, was submitted.

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

1. Tender #79852 for 140 Duncan Model #60 (single) parking meters be awarded to J.J. MacKay Canada Ltd., 249 Jury Street, New Glasgow, Nova Scotia, B2H 5E3 at a total project cost of \$38,789.00;
2. Funds be made available from Account Numbers:
122902.D9900.DS517

Motion passed.

Award of Tender #85-61RR - One-Two Stage Self Contained Snow Blower Attachment

MOVED by Alderman Dewell, seconded by Alderman Jeffrey that, as recommended by the Finance and Executive Committee:

1. Tender #85-61RR for One-Two Stage Self Contained Snow Blower Attachment be awarded to MTM Holdings Ltd, Halifax, Nova Scotia at a total project cost of \$87,000.00;
2. Funds be made available from Account Number 126104.X1710.85018.

Motion passed.

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Surplus Lands - Public Service Commission

A supplementary staff report dated August 29, 1985, was submitted.

MOVED by Alderman Flynn, seconded by Deputy Mayor O'Malley that, as recommended by the Finance and Executive Committee, that negotiations be authorized with the Public Service Commission towards City purchase of its surplus lands in the Windsor street area, the Cowie Hill area and the Fairmount area.

Motion passed.

Acquisition, Closure and Disposal - 136 Bedford Highway

This matter was forwarded to Council without recommendation.

An information report dated August 29, 1985, was submitted.

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

1. the land shown as Parcel H-1 on the sketch attached to the confidential staff report dated July 30, 1985 be purchased from Ailsa Construction Limited for \$11,174.00 as settlement in full. The foregoing being subject to the approval of the Minister of Municipal Affairs for the withdrawal of the necessary funds from the Sale of Land Account.

2. the land shown on Parcels S-1A and S-1B on the sketch attached to the confidential staff report dated July 30, 1985 be sold to Ailsa Construction Limited for the sum of \$5,190.00 and that in accordance with Section 350 of the City Charter, Council set a date for a public hearing to close the subject area, same being subject to the Minister of Municipal Affairs' approval of street closure.

Motion passed.

Appointment of Consultant - Mainstreet: Gottingen Study

Alderman Doehler declared a possible conflict of interest and retired from the Chamber.

An information report dated August 26, 1985, was submitted.

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MOVED by Alderman Downey, seconded by Alderman Meagher
that, as recommended by the Finance and Executive Committee:

1. The Mayor and City Clerk be authorized to execute a contract with Pearson Glenbrook Associates, Larry Smith and Associates, Project Consultants Limited and Halpin and Associates Limited for the completion of a Market Strategy Study in the Gottingen Commercial Area for a cost of \$45,000;
2. Funds be made available from Account Number 222304 Z0330 CK051 C24 (Gottingen MAINSTREET).

A short discussion ensued and the motion was put and passed.

Review of Licenses, Permits and Fees

Alderman Grant addressed the matter and proposed a minor change to the resolution and MOVED, seconded by Alderman Dewell that, as recommended by the Finance and Executive Committee:

1. a) the proposed City fees as detailed on the Schedule of Licenses, Permits and Fees attached to the August 12, 1985 staff report be approved, to be effective for 1986 and that amendments to the appropriate Ordinances be prepared.

b) a recommendation be communicated to the Province of Nova Scotia for those items under Provincial Legislation.

c) the Library Board be requested to consider the implementation of the recommended increase for library fines.

2. Section 1.5.11(1) of Ordinance #131 referring to construction and erection of signs and billboards, be repealed.

3. Ordinance #40 be amended to provide for a fee for quarrying in the sum of \$25.00 and the title of the Ordinance be changed to "Respecting Quarrying".

4. Ordinance #166 (Signs, Billboards and Advertising Structures) be amended to provide for a flat rate fee of \$25.00.

5. Amendments be prepared to the undermentioned Ordinances to include mention of identity badge fees as indicated on the Schedule of Licenses, Permits and Fees attached to the August 12, 1985 staff report:

Ordinance #146 Auctioneers License
Ordinance #17 Junk Dealers License
Ordinance #149 Photographers License
Ordinance #149 Sales from Office
Ordinance #14 Trucks/Vehicle License
Ordinance #175 Mobile Canteens
Ordinance #43 Pawnbrokers

6. The Proposed Ordinance 'Respecting Opening Business on Uniform Closing Days' be amended to include a fee of \$10.00.

7. Ordinance #43, which regulates the activities of Pawnbrokers, be rewritten to meet current need and be inclusive of fees as shown on the Schedule of Licenses, Permits and Fees attached to the August 12, 1985 staff report.

8. Ordinance #112 (Encroachments Upon, Under or Over a Street) be amended to change the provision for a renewable license fee to a once only charge and include the fee levels for both this fee and the annual rental, as indicated on the Schedule of Licenses, Permits and Fees attached to the August 12, 1985 staff report.

9. Section 1.5.3 of Ordinance #130 (Electric Wiring and the Use of Electrical Energy) referring to a fee for a journeyman wireman's badge, be repealed.

10. staff make representation to the Attorney General's Office for an increase in the traffic violation fines under the Motor Vehicle Act, to provide the City with a more equitable sum to cover costs, in view of the 1985 increase from \$3.00 to \$10.00 for the Provincial retained portion relevant to Court costs.

11. staff explore the feasibility of a license charge to contractors and tradespersons, operating in the City, who are non-taxpayers and that the findings from this study be reported to Council.

12. that annual reviews be undertaken on revenues, particularly those referred to in the August 12, 1985 and appropriate recommendations will be made to Council.

Motion passed.

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Tabling of Statement of Revenue and Expenditure

A supplementary staff report dated August 27, 1985, was submitted.

MOVED by Alderman Flynn, seconded by Deputy Mayor O'Malley that, as recommended by the Finance and Executive Committee, the Statement of Revenue and Expenditure for the seven months ended July 31, 1985 be tabled.

Motion passed.

Halifax Food Bank

This matter was referred to this meeting pending the receipt of a staff report.

A staff report dated August 28, 1985, was submitted. A Press Release from the Metro Food Bank, was also submitted.

Alderman Meagher addressed the matter referring to the anonymous donation from the private sector of a suitable facility for the Metro Food Bank noting that the Metro Food Bank was pleased with this location.

MOVED by Alderman Meagher, seconded by Deputy Mayor O'Malley that City Council forward thanks to Mr. Boutilier and the Metro Food Bank for their work in supplying the quantities and quality of food to the needy of Halifax, as well as, those persons supplying this food to the Food Bank and the anonymous donor of the facility for use by the Food Bank.

Motion passed.

Chebucto Road Sidewalks

A staff report dated August 27, 1985, was submitted.

MOVED by Alderman Flynn, seconded by Alderman Jeffrey that City Council approve the expenditure of a maximum of \$30,000 from unused funds in the Capital Budget for the repair of sidewalks on Chebucto Road between the Larry O'Connell Field and Armcrescent Drive.

A short discussion ensued and the motion was put and passed.

Tabling of Statement of Revenue and Expenditure

A supplementary staff report dated August 27, 1985, was submitted.

MOVED by Alderman Flynn, seconded by Deputy Mayor O'Malley that, as recommended by the Finance and Executive Committee, the Statement of Revenue and Expenditure for the seven months ended July 31, 1985 be tabled.

Motion passed.

Halifax Food Bank

This matter was referred to this meeting pending the receipt of a staff report.

A staff report dated August 28, 1985, was submitted. A Press Release from the Metro Food Bank, was also submitted.

Alderman Meagher addressed the matter referring to the anonymous donation from the private sector of a suitable facility for the Metro Food Bank noting that the Metro Food Bank was pleased with this location.

MOVED by Alderman Meagher, seconded by Deputy Mayor O'Malley that City Council forward thanks to Mr. Boutilier and the Metro Food Bank for their work in supplying the quantities and quality of food to the needy of Halifax, as well as, those persons supplying this food to the Food Bank and the anonymous donor of the facility for use by the Food Bank.

Motion passed.

Chebucto Road Sidewalks

A staff report dated August 27, 1985, was submitted.

MOVED by Alderman Flynn, seconded by Alderman Jeffrey that City Council approve the expenditure of a maximum of \$30,000 from unused funds in the Capital Budget for the repair of sidewalks on Chebucto Road between the Larry O'Connell Field and Armcrescent Drive.

A short discussion ensued and the motion was put and passed.

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REPORT - COMMITTEE ON WORKS

City Council considered the report of the Committee on Works from its meeting held on August 21, 1985, as follows:

Award of Tender #85-05 - Cowie Hill Sanitary Sewer Extension

This matter was forwarded to Council without recommendation.

MOVED by Deputy Mayor O'Malley, seconded by Alderman Nolan that, as recommended by staff, Tender #85-05 for project, materials and services listed concerning the Cowie Hill Sanitary Sewer Extension be awarded to Stewiacke Construction Limited for a total project cost of \$114,000.00 (funds to be authorized from Account Number CK063).

Motion passed.

Award of Tender #85-28 - Ross Street Connector

This matter was forwarded to Council without recommendation.

Alderman Hamshaw requested a staff report on the merits of asphalt paving versus those of concrete, noting that, in his opinion, concrete is more durable although slightly more expensive.

MOVED by Alderman Hamshaw, seconded by Deputy Mayor O'Malley that that the matter be deferred to the next meeting of the Committee of the Whole and the the Special Meeting of City Council scheduled for September 4, 1985.

Motion passed.

Award of Tender #85-29 - New Sidewalk, Street Paving, Sewer Renewal on Andrew Street and Percey Street

This matter was forwarded to Council without recommendation.

MOVED by Alderman Jeffrey, seconded by Alderman Flynn that, as recommended by staff, Tender #85-29 for projects, materials and services as listed be awarded to Standard Paving Maritime Limited for a total project cost of \$190,000.00 (funds to be authorized from Account Number CD039).

Motion passed.

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Award of Tender #85-27 - Miscellaneous Projects

This matter was forwarded to City Council without recommendation.

MOVED by Alderman Cromwell, seconded by Alderman Doehler that, as recommended by staff, Tender #85-27 for projects, materials and services as listed in the staff report dated August 21, 1985 be awarded as follows: Items 1 and 3 to Sun Construction Limited at a total project cost of \$91,000; and Item 2 to Maritime Formless at a total project cost of \$112,000 (funds to be authorized from Account Numbers CJ082, CJ084, CJ083, CB404, CK071, and CA115).

Motion passed.

3433 Dutch Village Road - Driveway Ramp

This matter was forwarded to City Council without recommendation.

Alderman Jeffrey requested a staff report concerning the possible relocation of a driveway adjacent to a three-unit house near the intersection of Dutch Village Road and Bayers Road.

MOVED by Alderman Jeffrey, seconded by Alderman Nolan that the matter be deferred to the next regular meeting of Committee of the Whole.

Motion passed.

6273 and 6277 North Street

This matter was forwarded to City Council without recommendation.

Alderman Meagher requested a staff report concerning the extent of fire damage to this building and the ramifications of that damage with regard to repair or demolition.

It was agreed to defer this matter to the next regular meeting of Committee of the Whole.

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249 Herring Cove Road - Alvina Nursery

This matter was forwarded to City Council without recommendation.

Alderman Grant noted that, owing to the widening of Herring Cove Road, the Alvina Nursery had lost a large portion of its parking facilities. Under the circumstances, Alderman Grant recommended that the City undertake, through the provision of fill and grading, to restore some of the lost parking spaces at the front of the establishment.

After some discussion, it was moved by Alderman Grant, seconded by Alderman Nolan that the matter be deferred to the next regular meeting of Committee of the Whole Council pending a report from the City Solicitor.

Motion passed.

Creighton Street Parking Area - T-Lot

This matter was forwarded to City Council without recommendation.

MOVED by Alderman Downey, seconded by Alderman Dewell that the matter be deferred to the next regular meeting of Committee of the Whole Council pending the receipt of a staff report.

Motion passed.

REPORT - SAFETY COMMITTEE

City Council considered the report of the Safety Committee from its meeting held on August 21, 1985, as follows:

Award of Tender #85-117 - Window Replacement:
University Avenue Fire Department

MOVED by Alderman Doehler, seconded by Alderman Cromwell that, as recommended by the Safety Committee, Tender #85-117 for window replacement, University Avenue Fire Station, be awarded to Sentry Construction Limited, 793 Lahave Street, Bridgewater, Nova Scotia, B4V 2V2, for a total project cost of \$99,700.00 (funds to be made available from Account Number 2252047.Z0200.BA006).

Motion passed.

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REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS & COMMISSIONS

Proposed Amendment to Ordinance Number 168, the Fire
Prevention and Adoption of National Fire Code (SECOND READING)

An Information Report, dated August 28, 1985,
was received from Chief Donald J. Swan, Halifax Fire Department.

This item was deleted during the setting of the Agenda.

Case #4802 - The Cambridge, Brunswick and Sackville Streets

A staff report, dated August 28, 1985, was submitted.

This item was added to the Agenda by the City Clerk
and, at Council's request, was considered at this time.

It was agreed that a date for a public hearing to
consider the subject application be set and that a detailed
staff report on the project will be available to members of
Council and to the public prior to September 11, 1985.

Council further agreed that the date for this public
hearing be scheduled for Wednesday, October 9, 1985, at
7:30 p.m. in the Council Chamber, City Hall.

REPORT - CITY PLANNING COMMITTEE

Land Use Bylaw Amendments Re: R-2A Uses in R-3 Zones
and Parking of Boats and Trailers in Residential Zones

MOVED by Alderman Grant, seconded by Alderman Nolan
that, as recommended by the City Planning Committee, the
matter of R-2A uses in R-3 Zones be further reviewed by
City staff and by the Planning Advisory Committee; and
further, that:

1. Council approve the Land Use Bylaw amendment on which
a Public Hearing was held on March 20, 1985, to regu-
late boat and trailer parking on the Mainland, as
contained in Appendix II of the August 8, 1985 staff
report; and
2. the Legal Department review the law with respect to
the possibility of boats and trailers being permitted
in driveways only.

Motion passed with Alderman LeBlanc abstaining
owing to non-attendance at the March 20, 1985 public hearing.

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Case #4747 - Knightsridge (Phases 1 and 2)

MOVED by Alderman Hamshaw, seconded by Alderman Flynn that, as recommended by the City Planning Committee:

1. the application by Clayton Developments Limited under Schedule "K," Section 68 of the Land Use Bylaw (Mainland Area) for Stage II approval of the Knightsridge (Phases One and Two development) be approved by Council; and
2. Council require that 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 (otherwise, the Stage II approval will be void and obligations arising hereunder shall be at an end).

Motion passed.

Fairview Secondary Planning Strategy - Amendments to the Zoning Map - SET DATE FOR PUBLIC HEARING

MOVED by Alderman Jeffrey, seconded by Deputy Mayor O'Malley that, as recommended by the City Planning Committee, a public hearing be scheduled to consider the following:

1. the rezoning of Titus Smith Park from R-2P (General Residential) to "p" (Park and Institutional);
2. the rezoning of Glenforest Park from R-1 (Single-Family Residential) to "p" (Park and Institutional);
3. the rezoning of 25 Convoy Avenue from R-2 (Two-Family Dwelling Zone) to RC-1 (Neighbourhood Commercial); and
4. the rezoning of 27 Convoy Avenue from RC-1 (Neighbourhood Commercial) to R-2 (Two-Family Dwelling Zone).

Motion passed.

It was agreed that the date for this public hearing would be set for Wednesday, October 9, 1985, at 7:30 p.m. in the Council Chamber, City Hall.

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August 29, 1985

Heritage Amendments - Municipal Planning Strategy
(Resubmission) - SET DATE FOR PUBLIC HEARING

MOVED by Alderman Doehler, seconded by Deputy Mayor O'Malley that, as recommended by the City Planning Committee, a date be set for a second public hearing on proposed amendments to the heritage policies of the Municipal Planning Strategy, as set out in Appendix I of the August 12, 1985 staff report (these proposed amendments being the same as those previously adopted by Council on May 17, 1984, with some minor revisions as noted in the August 12, 1985 staff report).

Motion passed.

It was agreed that this public hearing would be scheduled for Wednesday, November 6, 1985, at 7:30 p.m. in the Council Chamber, City Hall.

Case #4161 - Amendment to Contract Development:
2594 Agricola Street

MOVED by Alderman Meagher, seconded by Alderman Downey that, as recommended by the City Planning Committee, Council consider the proposed change not to be substantial, and approve the application to amend the contract agreement for 2594 Agricola Street to permit conversion of a ground floor apartment unit to a pastry shop, as shown on Plan No. P200/14027.

Motion passed.

MISCELLANEOUS BUSINESS

Lease of City-Owned Land to Seaview Housing Co-Op

A staff report, dated August 22, 1985, was submitted.

MOVED by Alderman Downey, seconded by Alderman Dewell that:

1. Council approve a minimum lease fee of \$168,330.00 for a forty-year lease of Lot "BO" on Plan Number 00-14-27137, Barrington Street, to the Seaview Housing Cooperative; and
2. that the Mayor and the City Clerk be authorized to execute the Lease on behalf of the City of Halifax.

Motion passed.

QUESTIONS

Question Alderman Flynn Re: Partial Closure of Argyle Street

Alderman Flynn requested a staff report concerning the feasibility of closing Argyle Street between Duke and Blowers to vehicular traffic on Friday and Saturday evenings.

Question Alderman Hamshaw Re: Masqua Aquatic Club

Alderman Hamshaw brought to Council's attention that the City's only aquatic club, the Masqua, had recently won four medals (two silver, two bronze) during national competition in Ottawa. He asked that a congratulatory letter be sent to the Club on behalf of the City of Halifax.

Question Alderman Jeffrey Re: Meeting with the Halifax Housing Authority

Referring to a previous request from Alderman Cromwell, Alderman Jeffrey requested details of a meeting to be scheduled with members of Council and the Halifax Housing Authority.

Question Alderman Grant Re: Construction of an Apartment Building, 138-140 Old Sambro Road

Alderman Grant requested information as to whether the terms of the 1981 contract were being adhered to during the construction of this building.

Question Alderman Grant Re: Street Acceptance Policy

Alderman Grant requested information as to whether, during the acceptance of older, previously un-accepted streets by the City, these streets were required to be extended to a minimum width, and, if so, why.

Question Alderman Grant Re: Parkmoor Drive

Alderman Grant noted a problem regarding soft tar on Parkmoor Drive and asked that the matter be investigated.

Question Alderman Grant Re: Tenders - Seaview/Towerview Walkways, and Tennis Courts, Graves-Oakley Park

Alderman Grant noted that, to his knowledge, these items had been included in the 1985 Capital Budget and asked for information as to when these tenders would be let.

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Question Alderman Dewell Re: Storage of Lumber,
Windsor Street

Alderman Dewell referred to complaints previously received from abutting property owners concerning piles of unused lumber stored behind a building on Windsor Street. At that time, a letter had been forwarded to the property owner asking that the lumber be removed. However, in the interim an application for the development of 10 additional units on the site was approved and, although a period of eight to ten months has elapsed, the lumber is still being stored on the site.

Alderman Dewell asked for information as to whether the owner can again be requested to remove the lumber or whether the site can be used for the storage of these materials for an indefinite period of time.

Question Alderman Dewell Re: Traffic at the Intersection
of Cork and Dublin Streets

Alderman Dewell referred to the problem of vehicles continually running the stop signs at the corner of Cork and Dublin Streets and asked staff to consider the implementation of "Stop Ahead" signs in this area.

Question Deputy Mayor O'Malley Re: Cracks in Pavement

Referring to a number of cracks which have appeared in main arteries such as Devonshire Drive and Novalea, Deputy Mayor O'Malley asked if a program had been established to deal with such matters. The City Manager assured the Deputy Mayor that the cracks would be repaired prior to the onset of the winter months.

Question Deputy Mayor O'Malley Re: Meeting with the
Halifax Housing Authority

Referring to Alderman Jeffrey's comments earlier in the meeting, Deputy Mayor O'Malley noted that Council's original recommendation on this matter was that a meeting would be held with Council members and the Halifax Housing Authority (both ex- and present members) before discussions were held with the Province. He added that this procedure had not been followed.

Question Alderman Cromwell Re: Halifax Waterfront

Alderman Cromwell requested a staff report concerning the area between the Sheraton Hotel and the Nova Scotia Power Corporation lands on the Halifax Waterfront, particularly with regard to the ownership of these and abutting properties.

Council
August 29, 1985

Question Alderman Cromwell Re: Entrance Fees -
Citadel Hill

Noting that attendance at the Halifax Citadel had decreased considerably owing to increased entrance fees, Alderman Cromwell asked that Mayor Wallace discuss the matter with the new Minister of Supply and Services during their upcoming meeting.

Question Alderman LeBlanc Re: Preparation of Annual
Reports

Alderman LeBlanc asked that consideration be given to combining all future annual reports into one comprehensive document for greater efficiency and possible reductions in cost.

Question Deputy Mayor O'Malley Re: Service Station at
Agricola and McCully Streets

Deputy Mayor O'Malley requested that staff inspect the service station on the northwest corner of Agricola and McCully Streets which would appear to be accumulating an excessive number of derelict cars.

Lease of City-Owned Land to Seaview Housing Co-Op

This matter was dealt with, in part, earlier in the meeting.

Further to the motion previously approved, it was moved by Alderman Downey, seconded by Alderman Flynn that the said lease include a reservation of a right-of-way in favor of Lots B-2 and B-3, Brunswick Street, through the City-owned land being leased to the Seaview Housing Co-op.

Motion passed.

NOTICE OF MOTIONS

Alderman Doehler Notice of Motion to Amend Ordinance 132,
Respecting the Licensing of Plumbers and Regulating
the Installation of Plumbing Systems

Alderman Doehler gave Notice of Motion that at the next regular meeting of Halifax City Council, he intends to introduce a Motion to amend Ordinance 132 in order to adopt the 1985 National Building Code and 1985 Canadian Plumbing Code.

Council
August 29, 1985

Alderman Cromwell Notice of Motion to Amend Ordinance 131,
the Building Code Ordinance

Alderman Cromwell gave Notice of Motion that at the next regular meeting of Halifax City Council he intends to introduce a Motion to amend Ordinance 131 in order to adopt the latest edition of the National Building Code and to implement the recommendations of the August 12, 1985 staff report on License and Permit Fees as it pertains to Ordinance 131.

ADDED ITEMS

Halifax Co-Op

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

Referring to the area surrounding the Regent Street Extension, Alderman Flynn asked that the City Manager arrange a meeting as quickly as possible with Co-op residents and appropriate members of City staff to discuss the lack of suitable street lighting and garbage collection.

Cowie Hill Playground

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

Alderman Nolan noted that the Cowie Hill area has more children per capita than any other section of the City but that, despite the efforts of area residents, an adequate playground facility has not yet been provided.

MOVED by Alderman Nolan, seconded by Alderman Grant
that:

Whereas in excess of seven hundred and fifty (750) residents of the Cowie Hill community have invested considerable sums of personal money to develop a children's playground in their community; and

Whereas this playground area is accessible to and used by the Halifax public at will; and

Whereas additional monies of a somewhat minor amount are required to complete the playground facility and such funding is beyond the financial means of the community; and

Whereas this community does not enjoy a local playground facility provided and operated by the City of Halifax, as do other communities in a manner consistent with City Recreation policies,

That City staff be instructed to enter into negotiations with the Residents' Association, owners of this playground space, with a view to having the said facility deeded to the City of Halifax to be completed and operated as a regular playground within the jurisdiction of the Department of Recreation, and that upon completion of said negotiations, staff report to Council such recommendations as it deems necessary concerning the proposed acquisition.

Motion passed.

Halifax Police Department Annual Report

This report was added to the agenda at the request of Alderman Doehler.

MOVED by Alderman Doehler, seconded by Alderman Dewell that the 1984 Annual Report from the Halifax Police Department be tabled.

Motion passed.

10:40 p.m. - The meeting was adjourned.

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MAYOR RON WALLACE
CHAIRMAN

G. I. BLENNERHASSETT
CITY CLERK

Date Approved By City Council: _____

*sg/k

SPECIAL COUNCIL
PUBLIC HEARINGS
MINUTES

Council Chamber
City Hall
Halifax, Nova Scotia
September 4, 1985
7:30 p.m.

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

After the meeting was called to order members of Council present joined the Deputy City Clerk in the recitation of the Lord's Prayer.

Present: Alderman N. Meagher, Chairman; and Aldermen Doehler, Cromwell, Downey, Grant, Nolan, Flynn and Hamshaw.

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

ADDED ITEMS

It was agreed that the following items be added to the agenda of this evening's meeting:

1. Date for Public Hearing - Street Closure -136
Bedford Highway
2. Date for Public Hearing - Rezoning - Lots 135-C
& 101-E Botany Terrace from K to R-1
3. Collective Agreement - NCO's and Officers - Halifax
Police Department

Case No. 4783 - Contract Development - 2346-52 Moran Street

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

Mr. B. Algee, Development Control, with the aid of maps and sketches, outlined the application for contract development to permit a subdivision at 2346-52 Moran Street putting each of the above two buildings on its own lot as found in the staff report dated July 8, 1985.

Mr. Algee indicated that staff was recommending in favor of the application.

There were no persons present wishing to address Council with regard to this matter. No correspondence has been received in regard to this matter.

Special Council
Public Hearing
September 4, 1985

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

Motion passed.

Case No. 4759 - Contract Development - Lots 25-A and 26-A
Herring Cove Road

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

Mr. B. Algee, Development Control, with the aid of maps and sketches, outlined the application for contract development under Schedule "D", Section 66 of the Land Use Bylaw to permit the construction of a semi-detached dwelling on each of Lots 25-A and 26-A Herring Cove Road as found in the staff report dated July 2, 1985.

Mr. Algee indicated that staff was recommending approval of this application.

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

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

Motion passed.

Case No. 4775 - Contract Development - 5682 Cornwallis Street,
Lot 40 North Park Street and 31-35 Bauer Street

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

Mr. B. Algee, Development Control, with the aid of maps and sketches, outlined the application for contract development to permit construction of duplex dwellings at 5682 Cornwallis Street and Lot 40 North Park Street and 11 townhouse units on Lots 31-35 Bauer Street as found in the staff report dated July 2, 1985.

Mr. Algee noted that although approval of this application would result in a number of deviations from the Land Use Bylaw Standards, staff is recommending approval based upon the development's consistency with the existing development in the area.

Mr. Algee then responded to a question from Alderman Cromwell with regard to the square footage of each of the units indicating that he did not have that information and suggesting that the architect, who was present this evening, might be able to answer that question.

Mr. Sidney Langmaid addressed Council in favor of the application indicating that he had a joint interest in 2088 and 2090 Bauer Street and was wholeheartedly in support of the development proposed for these properties. Mr. Langmaid indicated that he felt the proposal was in keeping with the neighbourhood as well as in keeping with the Detailed Area Plan being developed for that area.

Mr. Langmaid noted that there would be a loss of parking due to this development and possibly a further loss of parking due to another development proposed for Bauer Street. Mr. Langmaid indicated that Council should be aware that parking in the area would be more difficult as a result.

In closing Mr. Langmaid echoed the conclusion of the staff report dated July 2, 1985.

Mr. Jim Drescher, Maring Capital Management, 1169 South Park Street, addressed Council on behalf of the applicant noting that the owners of this property had owned the land for some time and had taken a great deal of time in deciding how to best develop the land.

Mr. Drescher indicated that he had spent enough time in this neighbourhood to realize that it was a vibrant and interesting neighbourhood and realized that a development any different than what was being proposed would not be in keeping with the neighbourhood. Mr. Drescher indicated that he felt the architects for the project had done an excellent job in designing the facades to compliment those existing in the neighbourhood.

In response to Alderman Cromwell questions regarding square footage Mr. Drescher indicated that the duplexes would have some 1,000 to 1,200 sq. ft. of finished area plus the garage and unfinished area in the Town Houses, and that the flats were about the same.

There were no further persons present wishing to address Council with regard to this matter. No correspondence has been received in relation to this matter.

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

Motion passed.

Alderman Dewell joins the meeting.

Rezoning - Department of National Defence - Windsor and Willow
Park

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

Mr. Bill Campbell, Planning Department, addressed Council and with the aid of a map outlined the proposal to rezone the Department of National Defence lands at Windsor and Willow Park generally located between the Kempt Road industrial area and Connaught Avenue, and St. Catherine's School at 3299 Connaught Street from "AF" (Armed Forces) to "P" (Park and Institutional); and the lands at 6171 and 6189 Young Street from "AF" (Armed Forces) to C-3 (Industrial) as found in the staff report dated July 10, 1985.

Mr. Campbell indicated that certain lands presently zoned "AF" are privately owned. Mr. Campbell noted that this caused difficulties as the "AF" zone carried no land use controls. Mr. Campbell indicated that staff believed appropriate policy and land use controls were required for both the DND lands and those privately owned and therefore was recommending the proposed rezonings be approved.

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

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

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

Motion passed.

ADDED ITEMS

Date for Public Hearing - Street Closure -136 Bedford Highway

This matter was added to the agenda from the meeting of City Council held on August 29, 1985.

MOVED by Alderman Hamshaw, seconded by Alderman Flynn
that a date be set for a public hearing to consider the closure of a portion of the Bedford Highway shown as Parcels S-1A and S-1B on the sketch attached to the confidential staff report dated July 30, 1985.

Motion passed.

The Deputy City Clerk advised that the date set for the public hearing was Wednesday, October 9, 1985 at 7:30 p.m. in the Council Chamber, City Hall.

Date for Public Hearing - Rezoning - Lots 135-C & 101-E Botany Terrace from K to R-1

This matter was added to the agenda from the City Planning Committee held earlier this date.

MOVED by Alderman Hamsahw, seconded by Alderman Flynn that a date be set for a public hearing to consider the rezoning of portions of Lots 135-C (Parcel 5A), 101-E (Parcel 5B), and 101-D (Parcel 5C) Botany Terrace from Schedule K to R-1, Single Family Dwelling Zone as shown on Plan No. P200/13889 of Case No. 4778.

Motion passed.

The Deputy City Clerk advised that the date set for the public hearing was Wednesday, October 9, 1985 at 7:30 p.m. in the Council Chamber, City Hall.

Collective Agreement - NCO's and Officers - Halifax Police Department

A report from Mr. Ken Rowe, Chairman, Halifax Police Commission dated September 4, 1985, was submitted.

MOVED by Alderman Flynn, seconded by Alderman Cromwell that Halifax City Council authorize the Mayor and City Clerk to affix their signatures to a Collective Agreement dated January 1, 1985 to December 31, 1986 between the City of Halifax and the Halifax Police Officers and NCO's Association.

Motion passed.

Alderman Flynn referred to the fine work done by the City's negotiation team and the Police Commission in relation to this collective agreement, as well as, the cooperation of the officers and membership of the Police Association and requested that Council's appreciation of this fine effort be conveyed to both groups in written form.

8:05 p.m. The meeting adjourned.

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Collective Agreement - NCO's and Officers - Halifax Police Department	540

Alderman N. Meagher
Acting Chairman

E. A. Kerr
Deputy City Clerk

DATE APPROVED BY CITY COUNCIL: _____

/sg

CITY COUNCIL
MINUTES

Council Chamber
City Hall
Halifax, Nova Scotia
September 12, 1985
8:00 P.M.

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

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

PRESENT: Deputy Mayor G. O'Malley, Chairman; and Aldermen Doehler, Downey, Dewell, Grant, Nolan, Jeffrey, LeBlanc, Flynn and Hamshaw.

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

MINUTES

Minutes of the regular meeting of City Council held on August 29, 1985, and of the Special Council held on September 4, 1985, were approved on a motion by Alderman Hamshaw, seconded by Alderman Flynn.

Alderman Jeffrey requested that his attendance at the September 4 Special Council meeting be recorded.

APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS & DELETIONS

At the request of the City Clerk, Council agreed to defer the following item to the next regular meeting of City Council, pending receipt of a supplementary staff report:

- 5.2 Case No. 4546 - Contract Development:
1585 Barrington Street

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

- 20.1 Tender #85-69: Traffic Improvement
- Dutch Village Road
- 20.2 Recommendations from the Lakes and
Waterways Advisory Subcommittee
- 20.3 Recommendation - Audit Committee Re:
Appointment of External Auditors

Council
September 12, 1985

20.4 Tabling of the 1986 Preliminary
Capital Spending Priorities

At Alderman Doehler's request, Council agreed
to add:

20.5 Public Meeting: Former School
for the Blind Property

At Alderman LeBlanc's request, Council agreed
to add:

20.6 Symposium - Technical University
of Nova Scotia

At Alderman Flynn's request, Council agreed to add:

20.7 Halifax West Co-Op

MOVED by Alderman Jeffrey, seconded by Alderman
Nolan that the agenda, as amended, be approved.

Motion passed.

DEFERRED ITEMS

Case No. 4682 - Contract Development: 1450-88
Summer Street and Spring Garden Road

At the Chairman's suggestion, it was agreed that
this item be dealt with later in the meeting so that the
Alderman for the area, Alderman Cromwell, could be present.

8:05 p.m. - Alderman Meagher enters the meeting.

Case No. 4546 - Contract Development: 1585 Barrington
Street

This item had been deferred to the next regular
meeting of Council during the setting of the agenda.

Case No. 4783 - Contract Development: 2346-52
Moran Street

A public hearing into the above matter was held
on September 4, 1985.

MOVED by Alderman Meagher, seconded by Alderman
Flynn that:

- (a) Council approve the contract development application
to permit the subdivision of Civic Nos. 2346-50
and 2352 Moran Street into two lots, as shown on

Council
September 12, 1985

20.4 Tabling of the 1986 Preliminary
Capital Spending Priorities

At Alderman Doehler's request, Council agreed
to add:

20.5 Public Meeting: Former School
for the Blind Property

At Alderman LeBlanc's request, Council agreed
to add:

20.6 Symposium - Technical University
of Nova Scotia

At Alderman Flynn's request, Council agreed to add:

20.7 Halifax West Co-Op

MOVED by Alderman Jeffrey, seconded by Alderman
Nolan that the agenda, as amended, be approved.

Motion passed.

DEFERRED ITEMS

Case No. 4682 - Contract Development: 1450-88
Summer Street and Spring Garden Road

At the Chairman's suggestion, it was agreed that
this item be dealt with later in the meeting so that the
Alderman for the area, Alderman Cromwell, could be present.

8:05 p.m. - Alderman Meagher enters the meeting.

Case No. 4546 - Contract Development: 1585 Barrington
Street

This item had been deferred to the next regular
meeting of Council during the setting of the agenda.

Case No. 4783 - Contract Development: 2346-52
Moran Street

A public hearing into the above matter was held
on September 4, 1985.

MOVED by Alderman Meagher, seconded by Alderman
Flynn that:

- (a) Council approve the contract development application
to permit the subdivision of Civic Nos. 2346-50
and 2352 Moran Street into two lots, as shown on

Council
September 12, 1985

Plan No. P200/13907 of Case No. 4783, subject to the owner entering into an agreement containing the terms and conditions set out in the draft agreement attached to the July 8, 1985 staff report as Appendix "B"; and

- (b) 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 Deputy Mayor O'Malley, and Aldermen Dewell and LeBlanc had not been present at the public hearing.

The motion was put and passed with Aldermen Dewell and LeBlanc abstaining.

Case No. 4759 - Contract Development: Lots 25-A and 26-A, Herring Cove Road

A public hearing into this matter was held on September 4, 1985.

MOVED by Alderman Nolan, seconded by Alderman Grant that:

- (a) the contract development application to permit the construction of two semi-detached dwellings on Lots 25-A and 26-A, Herring Cove Road, as shown on Plan No. P200/14089 of Case No. 4759, be approved, subject to the owner entering into an agreement containing the terms and conditions set out in the draft agreement attached to the July 2, 1985 staff report as Appendix "B"; and
- (b) 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 Deputy Mayor O'Malley, and Aldermen Dewell and LeBlanc had not been present at the public hearing.

The motion was put and passed with Aldermen Dewell and LeBlanc abstaining.

Case No. 4775 - Contract Development: 5682 Cornwallis Street, Lot 40 North Park Street, and 31-35 Bauer Street

A public hearing into this matter was held on September 4, 1985.

Council
September 12, 1985

MOVED by Alderman Downey, seconded by Alderman Doehler that:

- a) the application for contract development, lands of Maritime Capital Investments Limited, to permit construction of duplex dwellings at 5682 Cornwallis Street and Lot 40 North Park Street, and 9 town-house units on Lots 31-35 Bauer Street be approved; and
- b) 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 Deputy Mayor O'Malley, and Aldermen Dewell and LeBlanc had not been present during the public hearing.

The motion was put and passed with Aldermen Dewell and LeBlanc abstaining.

Rezoning - Department of National Defence: Windsor and Willow Park

A public hearing into this matter was held on September 4, 1985.

MOVED by Alderman Dewell, seconded by Alderman Grant that:

- 1) the Federal (DND) lands and St. Catherine's School be zoned "P" (Park and Institutional) Zone;
- 2) the privately-owned lands at 6171 and 6189 Young Street be zoned "C-3" (Industrial) Zone; and
- 3) the rezoning of 3300 Oxford to "C-2A" (Minor Commercial) Zone be deferred at this time; all as shown on Plan No. P200/14317.

The City Clerk advised that Deputy Mayor O'Malley and Alderman LeBlanc were absent from the public hearing.

The motion was put and passed with Alderman LeBlanc abstaining.

Council
September 12, 1985

PETITIONS AND DELEGATIONS

Alderman Doehler tabled a petition from the parents of children attending the Tower Road and Halifax Grammar Schools, requesting the placement of a crosswalk between the corners of Atlantic Street and Young Avenue.

The Alderman requested that a staff report be submitted on this matter.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Stipends Committee Report

A supplementary report, dated September 10, 1985, was submitted from His Worship Mayor Ron Wallace.

MOVED by Alderman Flynn, seconded by Alderman Meagher that:

- 1) Council approve the recommendations of the Stipends Committee for the period of November 1, 1985 to October 31, 1988, with the Mayor and Aldermen receiving a three percent increase as of November 1, 1985, a further three percent increase as of November 1, 1986, and an additional two percent increase as of November 1, 1987; and further, that in each year the Deputy Mayor will receive a stipends of \$3,200 in addition to his Alderman's stipend; and
- 2) that the stipends paid to the members of City Council for serving on all regional boards, including the Bridge Commission, be paid to the General Revenue Account of the City, and not to the individual members.

Responding to a question from Alderman LeBlanc, Alderman Flynn advised that the recommendation from the Stipends Committee concerning donations to political candidates had been referred by Council to the Union of Nova Scotia Municipalities for review and recommendation.

The motion was put and passed.

Council
September 12, 1985

Closure, Purchase and Sale - Walker Street:
SET DATE FOR PUBLIC HEARING

MOVED by Alderman Hamshaw, seconded by Alderman Flynn that, as recommended by the Finance & Executive Committee, a public hearing be scheduled to consider the closure of Walker Street, as shown on Plan TT-36-28175; and further that, following the approval of street closure by the Minister of Municipal Affairs, the City of Halifax deed the land shown as Walker Street on Plan TT-36-28175 to the company named in the August 20, 1985 report for an amount also specified in the aforementioned report.

Motion passed.

It was agreed that this public hearing would be scheduled for Wednesday, October 9, 1985 at 7:30 p.m. in the Council Chamber.

Purchase of Parcel Z - 51 Parkhill Road

MOVED by Alderman Nolan, seconded by Alderman Grant that, as recommended by the Finance & Executive Committee, Parcel Z, as shown on Plan P200/14057, be acquired from Mrs. Claire Keith for \$3,308 as settlement in full (funds to be made available from the Sale of Land Account, subject to approval by the Minister of Municipal Affairs).

Motion passed.

New Street Name - Lindola Place

MOVED by Alderman Doehler, seconded by Alderman Downey that, as recommended by the Finance & Executive Committee, the lane running westwardly from the west side of Ivanhoe Street between Atlantic Street and Inglis Street and then running northwardly parallel to Ivanhoe Street, as depicted on the sketch attached to the August 15, 1985 staff report, be named Lindola Place; and further that these dwelling units be numbered as shown on the aforementioned sketch.

Motion passed.

Council
September 12, 1985

Heritage Preservation - Supplementary Report

MOVED by Alderman Grant, seconded by Alderman Doehler that, as recommended by the Finance and Executive Committee, the City Manager be authorized to establish the position of Heritage Coordinator with clerical support, and to rearrange the duties and responsibilities within the Real Estate Division so that they may be covered by existing staff.

Responding to a question from Alderman Flynn, the City Manager advised that the Heritage Coordinator will, for the time being, be employed under the supervision of the Director of Development. Mr. Calda added that, irrespective of possible changes at the supervisory level with regard to this position, the Heritage Coordinator will ultimately report to the City Manager, rather than to the Heritage Advisory Committee or to Council.

The motion was put and passed.

1985 Budget - Social Planning Department

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

1. His Worship the Mayor enter into discussions with the Minister of Social Services with a view to determining the costs to the City of Halifax in 1986 pertaining to Homes for Special Care;
2. Council authorize an overexpenditure of \$612,000 under Section 201(1) of the City Charter for Social Assistance payments resulting in an increased cost of \$90,000;
3. Council authorize the use of \$67,000 in the 1984 Accounts Payable Fund for the payment of Homes for Special Care non-shareable surcharges;
4. Council authorize an overexpenditure of \$68,000 net in the Homes for Special Care 1985 budget under Section 201(1) of the City Charter; and
5. staff be supported in their continuing efforts to obtain sharing from other levels of government.

Motion passed.

AMENDED PAGE
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MAINSTREET Program - Area Boundaries
and Commission Formation

At its meeting on September 4, 1985, the Finance and Executive Committee recommended that this matter be referred to the Planning Advisory Committee. A report, dated September 11, 1985, was subsequently submitted from the Chairman of the PAC.

MOVED by Alderman Meagher, seconded by Alderman Hamshaw that the amendment to the City Charter enabling the formation of Business Improvement District Commissions in Halifax be finalized for inclusion in the City's legislative package for 1986.

Motion passed.

Alderman Dewell asked that staff review the feasibility of proposing the Young Street area as part of the MAINSTREET Program, owing to its rapid commercial growth in recent years.

Recommendation - Tax Concession and Grants Committee

A supplementary staff report, dated September 11, 1985, was submitted.

MOVED by Alderman Meagher, seconded by Alderman Hamshaw that the balance remaining to the Tax Concession and Grants Committee in the amount of \$12,566.59 be pro-rated across the grants noted in the August 30, 1985 Committee report.

Motion passed with Alderman LeBlanc voting in opposition.

REPORT - COMMITTEE ON WORKS

Enerscan Engineering Inc. Project Contracts

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

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1. Enerscan be paid an amount of \$28,300 for the energy studies of the six buildings noted in the August 27, 1985 staff report, and that the retrofit work and implementation of the studies be carried out in-house by the Energy Office; and that
2. funds be used from the Energy Management budget, Account Number A1211, for the energy studies carried out by Enerscan and the on-going retrofit and implementation work by City staff.

The motion was put and passed.

Tender #85-28: Ross Street Connector

A supplementary staff report, dated September 12, 1985, was submitted.

MOVED by Alderman Hamshaw, seconded by Alderman Flynn that Tender #85-28 for project, materials and services listed in conjunction with the concrete paving of the Ross Street Connector be awarded to Standard Paving Maritime Limited for the unit prices quoted and at the tender price of \$109,775 (funding to be authorized from Account Number CJ074).

Motion passed.

6273 and 6277 North Street

MOVED by Alderman Meagher, seconded by Alderman Grant that the memorandum, dated August 28, 1985, from H. A. MacEachern, Building Inspector Supervisor, be tabled.

Motion passed.

Tender #85-11: Barrington Street Upgrading -
Cornwallis to Artz

A letter, dated September 11, 1985, was submitted from Mr. George W. MacDonald (McInnes, Cooper and Robertson), solicitor for Nova Recreation Development Company Limited.

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

1. Tender #85-11 for the Barrington Street Upgrading and the project, materials and services listed be awarded to Standard Paving Maritime Limited for the unit prices quoted and at a total project cost of \$525,328.80;
2. funding authorized from Account #CJ085;
3. funding transfers approved as follows:

<u>Account #</u>	<u>Description</u>	<u>Amount</u>
CJ039 to CJ085	Titus Street Upgrading	\$500,000.00
CJ076 to CJ085	Realignment and Study, Barrington Street	\$ 25,328.00

Alderman Grant, referring to the concerns brought forward to Committee of the Whole Council on September 4, reported that the projects undertaken in his ward by Standard Paving had now been completed.

Responding to comments made by the City Manager concerning the September 3, 1985 staff report, Alderman LeBlanc recommended, and it was so agreed, that as a matter of courtesy a letter be sent to Mr. MacDonald clarifying the City's rationale in rejecting his client's tender bid.

Referring to a question from Alderman Hamshaw, the City Manager advised that the project will be completed prior to the onset of the 1985-86 winter season.

Alderman Flynn recommended that appropriate notification of the intended improvements be given to area residents and to motorists using this section of Barrington Street in order to avoid undue traffic congestion.

Alderman Downey expressed his appreciation to the Provincial Department of Transportation and to City staff for their work over the years in bringing this project to fruition.

The motion was put and passed.

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REPORT - BOARD OF HEALTH

Night Inspections of Eating Establishments
- Atlantic Health Unit

A report, dated September 4, 1985, from the Secretary of the Board of Health was submitted.

MOVED by Alderman Hamshaw, seconded by Alderman Jeffrey that, as recommended by the Board of Health, City Council approach the Department of Health with regard to the possibility of authority being given to the Atlantic Health Unit to carry out night inspections of eating establishments, and that the appropriate funding requirements be included in the 1986 budget of the Atlantic Health Unit.

Alderman Nolan advised that at a recent public meeting concerning the use of City streets, several operators of mobile food units had requested that inspections of their vehicles by the Atlantic Health Unit be increased. The Alderman therefore asked that this request also be submitted to the Department of Health.

The motion was put and passed.

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REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on September 4, 1985 as follows:

University Designations - PAC Report - DATE FOR PUBLIC HEARING

MOVED by Alderman Dewell, seconded by Alderman Grant that, as recommended by the City Planning Committee, a date be set for a public hearing to consider the proposed amendments to the South End and Peninsula Center Strategies as outlined in Appendix I of the August 22, 1985 report from the Planning Advisory Committee.

Motion passed.

The City Clerk advised that the date set for the public hearing was Wednesday, November 6, 1985 at 7:30 p.m. in the Council Chamber, City Hall.

MOTIONS

Motion, Alderman Doehler re Amendment to Ordinance Number 132, Respecting the Licensing of Plumbers and Regulating the Installation of Plumbing Systems - FIRST READING

Alderman Doehler gave Notice of Motion to amend Ordinance 132, Respecting the Licensing of Plumbers and Regulating the Installation of Plumbing Systems, in order to adopt the 1985 National Building Code and 1985 Canadian Plumbing Code at the August 29, 1985 meeting of City Council.

MOVED by Alderman Doehler, seconded by Alderman Downey that the proposed amendments to Ordinance No. 132 respecting the Licensing of Plumbers and Regulating the Installation of Plumbing Systems, as follows, be given FIRST READING:

BE IT ENACTED by the City Council of the City of Halifax that Ordinance No. 132 respecting the Licensing of Plumbers and Regulating the Installation of Plumbing Systems as approved by the Minister of Municipal Affairs on March 5, 1969 and as subsequently amended is hereby amended as follows:

1. Paragraph 1.2(d) is repealed and the following substituted therefore:

"National Building Code" means the 9th edition of the National Building Code of Canada, 1985, issued by the Associate Committee on the National Building Code of the National Research Council of Canada being also described as NRCC No. 23174 and its supplement being described as NRCC No. 23178;

2. Paragraph 1.2(e) is repealed and the following is substituted therefore:

"Canadian Plumbing Code" means the 5th edition of the Plumbing Code, 1985 issued by the Associate Committee on the National Building of the National Research Council of Canada being also described as NRCC No. 23176;

3. Section 1.22.2 is hereby amended by deleting the clause "with the exception of subsection 1.8 of the Canadian Plumbing Code entitled 'permits'".

Motion passed.

Motion, Alderman Cromwell re: Amendment to Ordinance Number 131, the Building Code Ordinance - FIRST READING

Alderman Cromwell gave Notice of Motion to amend Ordinance Number 131, the Building Code Ordinance, in order to adopt the latest edition of the National Building Code and to implement the recommendations of the August 12, 1985 staff report on License and Permit Fees as it pertains to Ordinance 131 at the meeting of City Council held on August 29, 1985.

MOVED by Alderman Doehler, seconded by Alderman Downey that the proposed amendments to Ordinance Number 131, the Building Code Ordinance, as follows, be given FIRST READING:

BE IT ENACTED by the City Council of the City of Halifax, that Ordinance Number 131, the Building Code Ordinance, as approved by the Minister of Municipal Affairs on the 3rd day of February, 1969, and as subsequently amended and approved is hereby amended as follows:

1. Subsection 1.5.11(1) is repealed and the following substituted therefore:

1.51..(1) The fees to be paid for permits, or deposits to ensure completion of work connected therewith, shall be as follows:

Building Permits for New Buildings, Additions
Alterations or Miscellaneous Structures:

Estimated Value - less than \$1,000 - Permit, No Fee
Estimated Value - 1,001 and over - Permit, Fee - \$3.25
per \$1,000
(including the first
\$1,000)

Occupancy Permits (completion certificate): No Charge

Change of Occupancy Permits: \$35.00

Barricades, Protective Fences, and Covered Ways:

Estimated Value - less than \$1,000 - Permit, No Fee

Estimated Value - \$1,001 and over - Permit, Fee - \$3.25
per \$1,000

Demolition Permits: \$25 per application

Other Permits Related to Construction Activity:

Electrical Work	See Ordinance No. 130
Plumbing Work	See Ordinance No. 132
Blasting	See Ordinance No. 38
Noise	See Ordinance No. 113
Sign License	See Ordinance No. 166

2. Clause (C) of Section 1.13.1 is repealed and the following is substituted therefore:

(c) "National Building Code" means the 9th edition of the National Building Code of Canada, 1985 issued by the Associate Committee on the National Building Code of the National Research Council of Canada, being also described as NRCC No. 23174 and its supplement being described as NRCC No. 23178.

Motion passed.

MISCELLANEOUS BUSINESS

Akins Cottage and Abutting Lands - RECOMMENDED DATE FOR PUBLIC HEARING

A staff report dated September 4, 1985, was submitted.

MOVED by Alderman Downey, seconded by Alderman Meagher that a date be set for a public hearing to consider a contract development application to allow the restoration of the Akins Cottage for professional office use.

Motion passed.

The City Clerk advised that the date for the public hearing is set for Wednesday, November 6, 1985 at 7:30 p.m. in the Council Chamber, City Hall.

Student Bus Fares (Passes) - Alderman Dewell

A letter dated September 9, 1985 addressed to Alderman R. Dewell from Mr. K. Perry, Director of Education, was submitted. Also submitted was a letter dated September 11, 1985 to His Worship Mayor Ron Wallace from E. C. Harris, Chairman, Metropolitan Transit Commission.

Alderman Dewell addressed the matter indicating that this matter arose due to the School Board's policy of funding transportation only for those students living outside a 2 1/4 mile radius of the school which they attend. Alderman Dewell noted that many students lived within the 2 1/4 mile radius and were not subsidized in any manner although the walking distance to school was quite significant.

Alderman Dewell indicated that families having more than one child would have a great financial burden placed upon them in ensuring that their children attend school. Alderman Dewell suggested that a possible means of alleviating this problem would be the issuance of student passes for use on the metro bus service.

MOVED by Alderman Dewell, seconded by Alderman Grant that this matter be forwarded to the next regular meeting of the Committee of the Whole Council at which time staff will bring forward sufficient information regarding this matter to debate this matter fully.

Alderman Grant indicated that before the regionalization of the bus service in the metro area Dartmouth students enjoyed a pass system and requested that staff bring forward any information available with regard to this system.

Alderman Nolan indicated that he would like to have full information with regard to students attending University in the city having a similar student pass.

Motion passed.

Appointments - Task Force - Concerns of Ageing

This matter was last discussed at the July 25, 1985 meeting of City Council.

Deputy Mayor O'Malley indicated that no recommendations for appointments to this Task Force were available at this time and suggested that the matter be deferred to Committee of the Whole.

MOVED by Alderman Meagher, seconded by Alderman Nolan
that this matter be deferred to the next regular meeting of the
Committee of the Whole Council pending the receipt of
recommendations for appointment to this Task Force.

Motion passed.

Nova Scotia Liquor Commission - Development - Bayers Lake Area

A report dated September 10, 1985, was submitted.

MOVED by Alderman Flynn, seconded by Alderman Jeffrey
that City Council:

1. Authorize staff proceed with the conveyance of the parcel of land to the Province as previously approved by Council under Section 93(2)(C) of the Planning Act which allows conveyance of land to the Crown without subdivision.
2. Council approve the development agreement and the issuing of development and building permits for the construction of the Liquor Commission facility at Bayers Lake under Section 538A of the City Charter.

Motion passed.

QUESTIONS

Question Alderman Doehler re: Steps between Argyle Street and Grand Parade

Alderman Doehler referred to the damage done to the steps between Argyle Street and Grand Parade as the result of a recent accident and asked when this work was to be completed.

The City Manager indicated that negotiations with the insurance companies involved had not been concluded and indicated that a report would be distributed to Council in the near future with regard to this matter.

Question Alderman Doehler re: Definition of Expenditure

Alderman Doehler referred to some confusion experienced by certain Boards and Committees with regard to the definition of the various types of expenditures, such as operating, capital or special items. Alderman Doehler noted that at one time it was fairly simple as anything of a long term nature was considered to be capital, however, recently more of these items have been considered to be of a special items nature.

Alderman Doehler requested that the Finance Department prepare a report defining the various expenditures for use by Boards and Commissions.

Question Alderman Downey re: Sidewalk between Charles and North Streets

Alderman Downey referred to the practice of motorists driving over the sidewalk between Charles and North particularly during the peak evening bridge traffic. Alderman Downey requested that staff look into this matter noting that the grassed area between the curb and sidewalk had been damaged due to this practice.

Question Alderman Downey re: Buses Stopping at Curbs

Alderman Downey referred to complaints he had received from a number of seniors regarding the bus not stopping close enough to the curb. Alderman Downey indicated that this made it difficult for passengers to alight from the bus and requested that Metropolitan Transit be contacted with a request that bus drivers ensure they do stop as close to the curb as possible.

Question Alderman Meagher re: Bicycles on Sidewalks

Alderman Meagher referred to the use of sidewalks by bicyclists and requested that the Police Department continue with the enforcement of the regulations in this regard noting that it was a great problem for pedestrians.

Question Alderman Meagher re: Improvement of Playing Fields

Alderman Meagher referred to the heavy use of the playing fields over the past few months and asked if staff intended to carry out any special improvements to get the fields in shape for next year.

The City Manager indicated that the heavy use noted by Alderman Meagher would cease shortly and advised that staff would then take the necessary steps to ensure that the playing fields would be ready for next year.

Question Alderman Dewell re: Signage Warning of Hearing Impaired Children

Alderman Dewell referred to a concern raised by the mother of a hearing impaired child with regard to the lack of signage to warn motorists of the hearing impaired child and asked if staff could look into the matter with a view to a possible solution to this problem.

The Chairman indicated that there was no approved traffic sign of this nature, however, a sign could be put on private property for this purpose.

Alderman Dewell requested that the appropriate staff contact the particular lady having the concern, noting he would supply the name and address of this resident, and indicate how she might go about having such a sign prepared.

Question Alderman Dewell re: Bus Shelter - Ardmore School

Alderman Dewell referred to requests he had received for a bus shelter at Ardmore School and requested that staff approach Mediacom with regard to the possibility of locating a bus shelter at this location.

Question Alderman Grant re: Bus Shelters - Herring Cove Road

Alderman Grant referred to the progress of the widening of the Herring Cove Road and noted that no provision had been made for bus shelters. Alderman Grant indicated that he had received complaints with regard to a number of locations including the area located across from the Fire Station, at the Canadian Tire Store, in front of Crowell's Drug Store and at the Spryfield shopping plaza.

Alderman Grant requested that staff approach the Transit Advisory Committee with regard to the possibility of bus shelters being located at these sites.

Question Alderman Grant re: Police Visibility and Surveillance of City Streets

Alderman Grant referred to the discussion at the last Committee of the Whole with regard to the incident on Windsor Street noting that the matter of more police visibility and surveillance of city streets had been discussed at that time.

Alderman Grant noted that residents in his ward were extremely concerned with this matter and have indicated they would like additional police visibility on the streets in their area. Alderman Grant asked how increased visibility was to be accomplished and when it would be put into place.

Question Alderman Grant re: Stop or Yield Sign - Twin Oaks and Circle Drive

Alderman Grant referred to a request he had made for a Stop or Yield sign at the corner of Twin Oaks and Circle Drive and asked why no response had been made to this request.

Question Alderman Nolan re: Trucks on Residential Streets

Alderman Nolan referred to complaints he had received from residents regarding heavy trucks travelling Crown Drive and Coronet Avenue and requested that staff look into what exactly was happening in that area.

The Chairman indicated that the Police Department would look into the matter to ascertain if this was a violation of truck routes.

Question Alderman Jeffrey re: Capital Projects Progress

Alderman Jeffrey referred to a number of capital projects being carried out in his area and voiced concern with regard to the progress of these projects.

Alderman Jeffrey noted that a project on Gesner Street was still ongoing noting that it had not started when scheduled and appeared it would be some time before it was completed. Alderman Jeffrey noted that the project was being carried out right in front of the street and the entire street between School Street, Convoy and Melrose Streets was open. Alderman Jeffrey indicated that he felt this project should have been completed before school had opened for the year.

Alderman Jeffrey asked what exactly was the difficulty with this project and when it would be completed.

Alderman Jeffrey referred to three other projects in his area on Andrew Street, Percy Street and Adelaide Avenue which have not even been started and asked who was the contractor on each of these projects.

Question Alderman Jeffrey re: Resurfacing of Streets

Alderman Jeffrey referred to the Committee established to review streets and make recommendations to the City Manager with regard to what streets require repaving or resurfacing. Alderman Jeffrey noted that he had a number of streets which he would like to present to the City Manager with a view to receiving a report from the Committee with regard to their decision in respect to these streets.

Alderman Jeffrey noted that the streets involved were Milsom Street, Brook Street, Doull Avenue, Piers Avenue, Rockwood Avenue and Walton Drive.

Question Alderman Jeffrey re: Crosswalk - Ashdale Avenue
and Titus Street

Alderman Jeffrey referred to requests he had for a crosswalk at the intersection of Ashdale Avenue and Titus Street across from the Capital Store and noted that he had brought this matter before Council on other occasions.

Alderman Jeffrey requested a report with regard to the location of a crosswalk at this location.

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Question Alderman LeBlanc re: Scheduling of Events for
September 13, 1985

Alderman LeBlanc referred to invitations received by members of Council to attend the Town Criers International Championship Luncheon and the Opening of the Community Service Fair on Friday September 13, 1985 noting that these functions overlapped. Alderman LeBlanc indicated that he was concerned as to what exactly was expected of the Aldermen in responding to these invitations.

The Chairman indicated that the Town Criers International Championship opening ceremonies began at 11:30 a.m. while the Community Services Fair opening ceremonies began at 12:00 noon and suggested that this would alleviate the difficulties with scheduling.

Question Alderman Flynn re: Report - Social Planning Department
Budget - Able Bodied Unemployed

Alderman Flynn referred to Section 2 of the report dated August 27, 1985 with regard to the Able Bodied Unemployed. Alderman Flynn indicated that he was of the understanding that many of those receiving assistance did not have appropriate clothing for interviews. Alderman Flynn requested that the Social Planning Department report to Council with regard to the possibility of allowing for a clothing allowance for those persons receiving assistance and have interviews to attend but do not have the appropriate clothing.

Question Alderman Flynn re: Report - Social Planning Department
Budget - Food and Shelter Increases

Alderman Flynn referred to Section 5 of the August 27, 1985 staff report regarding the Social Planning Department Budget dealing with increases to the Food and Shelter allowances for persons receiving assistance. Alderman Flynn requested that the Social Planning Department review the matter and report to Council at the next meeting of the Committee of the Whole with regard to possible increases.

Question Alderman Flynn re: Installation of 'No Passing Here
to Crosswalk' Signs

Alderman Flynn referred to the ongoing installation of the 'No Passing Here to Crosswalk' signs asking if the Police Department was enforcing this regulation and if any advertising had been carried out advising motorists of exactly what these signs mean.

The City Manager indicated that he believed advertising had been carried out but would look into the matter to ensure the appropriate action had been taken. The City Manager further indicated that he would contact the Police Department with regard to the enforcement of the regulations.

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Question Alderman Hamshaw re: Heavy Vehicles on Bedford Highway

Alderman Hamshaw referred to disturbances reported by area residents in relation to heavy vehicles on Bedford Highway noting that it appeared these disturbances were the result of noise caused by heavy vehicles travelling sections of the Bedford Highway that were in a state of disrepair. Alderman Hamshaw requested that this matter be reviewed by the appropriate staff.

Question Alderman Meagher re: Use of Wanderers Grounds

Alderman Meagher referred to the use of the Wanderers Grounds by various sports teams noting that there were certain regulations with regard to the use of the Wanderers Grounds particularly relating to weather conditions.

Alderman Meagher indicated that he would like to be assured that the regulations were being followed.

Question Alderman Meagher re: 'Caution Children Playing' Signs

Alderman Meagher referred to the meeting held with residents of the Windsor Street area in connection with the Hamm murder case and noted that one concern raised by the residents at that time was the lack of signs warning motorists of children playing in the area.

Alderman Meagher requested that staff look into the possibility of the erection of such signs on residential streets in the City.

Question Alderman Downey re: Crosswalk - Morris and Dresden Row

Alderman Downey referred to the the dangerous situation at the corner of Morris and Dresden Row in relation to children travelling to school and asked staff to report with regard to the possibility of a crosswalk at that location.

Question Alderman Flynn re: City Investments in Banks
Experiencing Difficulties

Alderman Flynn referred to the matter of investment in the various banks which have experienced difficulties over the past week and indicated that he was of the understanding that the City of Halifax had no investments with these banks. Alderman Flynn requested that staff confirm this information.

The City Manager responded indicating that indeed Alderman Flynn's understanding was correct and the City of Halifax did not have investments with the banks presently experiencing some difficulty.

NOTICE OF MOTIONS

Notice of Motion Alderman Doehler re: Amendments to Ordinance
147, the Dog Ordinance

Alderman Doehler gave notice of motion that at the next regular meeting of Halifax City Council to be held on September 26, 1985, he intends to introduce amendments to Ordinance 147, the Dog Ordinance. The purpose of the amendments is to implement matters approved by Council some months ago as well as recent fee changes.

ADDED ITEMS

Tender #85-69 - Traffic Improvement - Dutch Village Road

A staff report dated September 10, 1985, was submitted.

MOVED by Alderman Jeffrey, seconded by Alderman Hamshaw
that Council:

1. Award Tender #85-69 for Traffic Improvement Dutch Village Road, projects, materials and services listed to Municipal Contracting Ltd. for the unit prices quoted in the September 10, 1985 at a total project cost of \$133,000.00.

2. Funding Authorized from Account Number: CA118.

3. Funding Transfers be approved as follows:

<u>Account #</u>	<u>Description</u>	<u>Amount</u>
CA400	Unused Funds	\$53,000

Motion passed.

Recommendations from the Lakes and Waterways Advisory
Subcommittee

A staff report dated September 11, 1985, was submitted.

Alderman Nolan addressed the matter quoting the recommendations from the Lakes and Waterways Advisory Subcommittee and stressing the importance of the speedy implementation of these recommendations.

MOVED by Alderman Nolan, seconded by Alderman Grant
that this matter be deferred to the next regular meeting of the
Committee of the Whole Council pending the receipt of a staff
report with regard to the recommendations as put forward by the
Lakes and Waterways Advisory Subcommittee.

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Alderman Grant requested that the Chairman of the Lakes and Waterways Advisory Subcommittee be invited to attend this meeting of the Committee of the Whole.

Motion passed.

Tabling 1986 Preliminary Capital Spending Priorities

A booklet entitled 'City of Halifax 1986 Preliminary Capital Spending Priorities', was submitted.

MOVED by Alderman Grant, seconded by Alderman Dewell that the City of Halifax 1986 Preliminary Capital Spending Priorities be tabled.

The City Manager addressed the matter referring to the difference in the format of this year's capital expenditures noting that this format had been chosen to allow Council discretion in determining priority capital projects. The City Manager indicated that he believed that all projects requested by Council were included in this document.

Motion passed.

Recommendation - Audit Committee re: Appointment of Auditors

A report dated September 12, 1985 from the Audit Committee was submitted.

MOVED by Alderman Doehler, seconded by Alderman Nolan that, as recommended by the Audit Committee, Clarkson Gordon be appointed External Auditors for 1985.

Motion passed.

Public Meeting re Old School for the Blind Property - Alderman Doehler

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

Alderman Doehler referred to the lack of a detailed planning strategy for the area in which the old School for the Blind Property was located and advised that the Province has scheduled a public meeting for September 24, 1985 at St. Mary's School to review a detailed plan for this site.

Symposium, Technical University of Nova Scotia - Alderman LeBlanc

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

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Alderman LeBlanc referred to an invitation he had received from the Technical University of Nova Scotia to attend a symposium entitled 'Motivation for Change in Cities' and voiced concern with regard to the timing of this symposium in relation to the activities of the Aldermen in relation to the Election. Alderman LeBlanc further noted that no indication of the role to be played by the various Aldermen in relation to this symposium had been given in the invitation.

Alderman Doehler addressed the matter indicating that he and the Mayor had been invited to comprise a part of the panel to be held on the final day of the symposium.

Halifax West Co-operative - Alderman Flynn

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

Alderman Flynn referred to the discussion with regard to this matter at the last Committee of the Whole Council noting that the matter of Street Lighting had been resolved with the residents agreeing to provide the street lights and installation to be carried out by the Nova Scotia Power Corporation.

Alderman Flynn noted that the matter of garbage pick-up has not been resolved and suggested that collection of garbage in this area should be provided by the City in order that citizens of other streets in the area are protected from a possible development of a nuisance situation.

MOVED by Alderman Flynn, seconded by Alderman Meagher that this matter be deferred to the next Committee of the Whole Council pending the receipt of a staff report with regard to the collection of garbage in the Halifax West Co-operative area.

Motion passed.

9:45 p.m. The meeting adjourned for a short recess.

9:55 p.m. The meeting reconvened with the following members being present.

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

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

Case No. 4682 - Contract Development - 1450-88 Summer Street and
5852-72 Spring Garden Road

A supplementary staff report dated September 6, 1985, was submitted.

MOVED by Alderman Cromwell, seconded by Alderman Doehler that the contract development application to permit construction of a 124-unit, 21 storey apartment building at 1450-88 Summer Street and 5852-72 Spring Garden Road be refused.

A lengthy discussion ensued and the motion was put with a recorded vote, as follows, being requested by the Chairman:

The City Clerk advised that Alderman Grant was not eligible to vote on this matter as he had not been in attendance at the public hearing.

FOR: Aldermen Doehler, Cromwell, Meagher, and Nolan. (4)

AGAINST: Deputy Mayor O'Malley and Aldermen Downey, Dewell, Jeffrey, LeBlanc, Flynn, and Hamshaw. (7).

The Chairman declared the motion to be lost.

MOVED by Alderman LeBlanc, seconded by Alderman Flynn that:

1. IT IS HEREBY RESOLVED by City Council of the City of Halifax at a meeting held on September 12, 1985, that the application by United Equities Limited for contract development for Lot F-2-C, being also known as 1450-88 Summer Street and 5852-72 Spring Garden Road, to permit construction of a 124-unit, 21 storey apartment building of a height which will permit the casting of no shadows from the development on the Halifax Public Gardens between February 21 and October 21 each year and in accordance with the drawings filed by the applicant in Case NO. 4682 as presented at the Public Hearings held on July 17, 18 and 22, 1985 be approved; and

2. that the City enter into an agreement with the registered owner of the subject development site in the form attached as "Schedule A" to this resolution and as attached to the September 6, 1985 staff report within 120 days, or any extension thereof granted by City Council on request of the applicant, from the date of final approval by City Council and any other bodies as necessary, whichever approval is later, including applicable appeal periods, otherwise this contract approval will be void and obligations arising hereunder shall be at an end.

A discussion and questioning of staff ensued with the motion being put and the Chairman requesting a recorded vote, as follows on the motion.

The City Clerk advised that Alderman Grant was not eligible to vote on this matter as he had not been in attendance at the public hearing.

FOR: Deputy Mayor O'Malley and Aldermen Downey, Dewell, Jeffrey, Leblanc, Flynn, and Hamshaw. (7)

AGAINST: Aldermen Doehler, Cromwell, Meagher, and Nolan (4)

The Chairman declared the motion to be passed.

Correspondence dated September 5, 1985 from D. B. O'Brien, 6389 Coburg Road, in support of the application for contract development by United Equities, was submitted.

Notice of Motion Alderman Cromwell re: Adoption of Ordinance 179, the Residential Parking Permit Ordinance

Alderman Cromwell gave Notice of Motion that at the next regular meeting of Halifax City Council to be held on September 26, 1985 he intends to introduce a motion to adopt Ordinance 179, The Residential Parking Permit Ordinance.

10:55 p.m. The meeting adjourned.

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DEPUTY MAYOR G. O'MALLEY
MAYOR RON WALLACE
CHAIRMEN

G. I. Blennerhassett
City Clerk

DATE APPROVED BY COUNCIL: _____

/sg

SPECIAL COUNCIL
PUBLIC HEARINGS
M I N U T E S

Council Chamber
City Hall
Halifax, Nova Scotia
September 18, 1985
7:30 P.M.

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

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

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

Also Present: City Manager; M. E. Donovan, Acting City Solicitor; Deputy City Clerk, and other members of City staff.

Public Hearing: Closure - Portion of Norman Avenue

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

Mr. A. W. Churchill, Supervisor, Real Estate Division, addressed Council, giving a brief overview of the implications of the staff recommendation on this matter.

There were no persons present wishing to address this matter, and no correspondence pertaining to it has been received.

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

Motion passed.

HERITAGE HEARINGS

1566 Barrington Street - Halifax Antiques Limited

An Information Report, dated September 13, 1985, was submitted.

Mr. A. W. Churchill, Heritage Coordinator, addressed Council indicating that this property had been submitted to Council for designation on May 17, 1984.

Special Council
September 18, 1985

However, Mr. Churchill noted that the motion to register the property had later been rescinded owing to the owner's objection and the matter deferred until a meeting could be arranged between the owner in question and the Heritage Advisory Committee. He added that subsequent to this meeting, the Committee had resolved to stand by its original recommendation for registration and to bring the matter before Council again.

Alderman Downey advised that the solicitor for the owner of this property was unable to be present for tonight's hearing.

It was subsequently moved by Alderman Downey, seconded by Alderman Meagher that the public hearing concerning the proposed designation of 1566 Barrington Street be adjourned until some future date.

Motion passed.

5188 Blowers Street - Reid Sweet Limited

An Information Report, dated September 13, 1985, was submitted.

Mr. A. W. Churchill, Heritage Coordinator, gave a brief presentation concerning the matter.

Mr. Gary Myers, owner of the property in question, addressed Council stating his objection to the proposed designation on the basis of what he deems to be its questionable heritage significance.

There were no further persons wishing to address Council and no correspondence on the matter has been received.

MOVED by Alderman Downey, seconded by Alderman LeBlanc that the matter be forwarded to the next regular meeting of City Council without recommendation.

Motion passed.

1491 Carlton Street

An Information Report, dated September 13, 1985, was submitted.

Mr. A. W. Churchill, Heritage Coordinator, made a brief presentation noting that designation of this property would complete the registration of the entire Carlton Street streetscape.

There were no persons present wishing to address Council on this matter, and no correspondence has been received.

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

Motion passed.

68 Parkhill Road - St. Augustine's Chapel

An Information Report, dated September 13, 1985, was submitted.

Mr. A. W. Churchill, Heritage Coordinator, advised Council that this property is presently owned by the City and accommodates various programs of the Recreation Department.

There were no persons present wishing to address Council on this matter, and no correspondence has been received.

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

Motion passed.

5238 Smith Street

An Information Report, dated September 13, 1985, was submitted.

Mr. A. W. Churchill, Heritage Coordinator, gave a brief presentation on the matter.

There were no persons present wishing to address Council on this matter, and no correspondence has been received.

MOVED by Alderman Doehler, seconded by Alderman LeBlanc that the matter be forwarded to the next regular meeting of City Council without recommendation; and

Special Council
September 18, 1985

further that, prior to that date, staff attempt to confirm with the property owner in question that he has no objection to the proposed designation.

Motion passed.

5246 Smith Street

An Information Report, dated September 13, 1985, was submitted.

Mr. A. W. Churchill, Heritage Coordinator, gave a brief presentation on the matter.

There were no persons present wishing to address Council on this matter, and no correspondence has been received.

MOVED by Alderman Doehler, seconded by Alderman Downey that the matter be forwarded without recommendation to the next regular meeting of City Council; and further, that, prior to that date, staff attempt to confirm with the property owner in question that he has no objection to the proposed designation.

Motion passed.

1289 South Park Street

An Information Report, dated September 13, 1985, was submitted.

Mr. A. W. Churchill, Heritage Coordinator, gave a brief presentation on the matter.

There were no persons present wishing to address Council on this matter, and no correspondence has been received.

MOVED by Alderman Doehler, seconded by Alderman Hamshaw that the matter be forwarded to the next regular meeting of City Council without recommendation; and further, that, prior to that date, staff attempt to confirm with the property owner in question that he has no objection to the proposed designation.

Motion passed.

1083-85 Tower Road

An Information Report, dated September 13, 1985, was submitted.

Mr. A. W. Churchill, Heritage Coordinator, gave a brief presentation on the matter.

There were no persons present wishing to address Council on this matter, and no correspondence has been received.

MOVED by Alderman LeBlanc, seconded by Alderman Doehler that the matter be forwarded without recommendation to the next regular meeting of City Council; and further, that, prior to that date, staff attempt to confirm with the property owner in question that he has no objection to the proposed designation.

Motion passed.

There being no further business to be discussed, the meeting was adjourned at 8:10 p.m.

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HIS WORSHIP MAYOR RON WALLACE
CHAIRMAN

E.A. KERR
DEPUTY CITY CLERK

Date Approved By City Council: _____

CITY COUNCIL
MINUTES

Council Chamber
City Hall
Halifax, Nova Scotia
September 26, 1985
8:00 p.m.

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

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

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

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

MINUTES

Minutes of the regular meeting of City Council held on September 12, 1985 and of Special Council held on September 18, 1985 were approved on a motion by Alderman Hamshaw, seconded by Alderman Flynn.

APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS & DELETIONS

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

16.3 Motions - Amendment of Administrative Order No. 5
"Stipends" - FIRST READING

20.1 Statement of Revenue and Expenditures

20.2 Development - Bayers Lake Area, Halifax Industrial Park

20.3 Tender 85-121 - Monitoring System Pumping Stations

20.4 Sale of Coronation Avenue

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

20.5 Union of Nova Scotia Municipalities

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

20.6 Removal of CBC Radio from AM Band

20.7 Punchbowl

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

20.8 Chebucto Village

20.9 2669-67 Beech Street

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

20.10 Senior Citizens Bus Service

MOVED by Alderman Downey, seconded by Alderman Hamshaw
that the agenda, as amended, be approved.

Motion passed.

DEFERRED ITEMS

Case No. 4546 - Contract Development - 1585 Barrington Street

This matter was last discussed at the August 29, 1985 meeting of City Council. A supplementary staff report dated September 26, 1985, was submitted.

MOVED by Alderman Downey, seconded by Alderman LeBlanc
that:

1. Council approve the contract development to allow the 22 storey hotel with accessory facilities at 1585 Barrington Street generally as shown on Plans No. P200/13629-39 with the exception that the main lobby will be on the Granville Street level and the hotel drop-off/pick-up area will also be at the Granville Street level.

2. The developer shall execute the contract development agreement within 120 days of 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 applicable appeal periods; otherwise, the contract approval will be void and obligations arising hereunder shall be at an end.

Alderman Cromwell addressed the matter noting that he had only received the report on his desk this evening and MOVED, seconded by Alderman Grant that this matter be deferred to the next meeting of the Committee of the Whole Council to allow Council sufficient time to review the report and further that at that time Council consider the addition of this item to the Special Council meeting to be held later that date.

The motion to defer was put and passed.

Council
September 26, 1985

Public Hearing - Closure - Portion of Norman Avenue

A public hearing into the above matter was held on September 18, 1985.

MOVED by Alderman Hamshaw, seconded by Alderman Flynn that the portion of Norman Avenue shown on Parcel NA-1 on Plan TT-36-28244 be closed as a street and be sold to Rockingham Development Ltd. for \$5.00 per sq. ft., minus the portion to be retained by City, subject to approval of the Minister of Municipal Affairs and of the related subdivisions and resubdivisions".

The Deputy City Clerk advised that Alderman Cromwell, Dewell and Nolan were not present at the public hearing.

Motion passed with Alderman Cromwell, Dewell and Nolan abstaining.

Heritage Hearings

An information report dated September 26, 1985, was submitted.

1. 5188 Blowers Street

A heritage hearing into the above matter was held on September 18, 1985.

MOVED by Alderman Downey, seconded by Alderman Flynn that 5188 Blowers Street not be registered in the City of Halifax Registry of Heritage properties.

The Deputy City Clerk advised that Alderman Cromwell, Dewell and Nolan were not present at the public hearing.

Motion passed with Alderman Cromwell, Dewell and Nolan abstaining.

2. 1491 Carlton Street

A heritage hearing into the above matter was held on September 18, 1985.

MOVED by Alderman Flynn, seconded by Alderman Hamshaw that 1491 Carlton Street be registered as a heritage property in the City of Halifax Registry of Heritage Properties.

The Deputy City Clerk advised that Alderman Cromwell, Dewell and Nolan were not present at the public hearing.

Motion passed with Alderman Cromwell, Dewell and Nolan abstaining.

3. 68 Parkhill Road - St. Augustine's Chapel

A heritage hearing into the above matter was held on September 18, 1985.

MOVED by Alderman Grant, seconded by Alderman Meagher that 68 Parkhill Road, St. Augustine's Chapel, be registered as a heritage property in the City of Halifax Registry of Heritage Properties.

The Deputy City Clerk advised that Alderman Cromwell, Dewell and Nolan were not present at the public hearing.

Motion passed with Alderman Cromwell, Dewell and Nolan abstaining.

4. 5238 Smith Street

A heritage hearing into the above matter was held on September 18, 1985.

MOVED by Alderman Flynn, seconded by Alderman Meagher that 5238 Smith Street be registered as a heritage property in the City of Halifax Registry of Heritage Properties.

The Deputy City Clerk advised that Alderman Cromwell, Dewell and Nolan were not present at the public hearing.

Motion passed with Alderman Cromwell, Dewell and Nolan abstaining.

5. 5246 Smith Street

A heritage hearing into the above matter was held on September 18, 1985.

MOVED by Alderman LeBlanc, seconded by Alderman Downey that 5246 Smith Street be registered as a heritage property in the City of Halifax Registry of Heritage Properties.

The Deputy City Clerk advised that Alderman Cromwell, Dewell and Nolan were not present at the public hearing.

Motion passed with Alderman Cromwell, Dewell and Nolan abstaining.

6. 1289 South Park Street

A heritage hearing into the above matter was held on September 18, 1985.

Council
September 26, 1985

MOVED by Alderman Meagher, seconded by Alderman Flynn that consideration of the registration of 1289 South Park Street as a Heritage property be deferred in line with the request made by Mr. Donald Cummings, the assessed owner of the property.

The Deputy City Clerk advised that Alderman Cromwell, Dewell and Nolan were not present at the public hearing.

Motion passed with Alderman Cromwell, Dewell and Nolan abstaining.

7. 1083-85 Tower Road

A heritage hearing into the above matter was held on September 18, 1985.

MOVED by Alderman Flynn, seconded by Alderman Grant that 1083-85 Tower Road be registered as a heritage property in the City of Halifax Registry of Heritage Properties.

The Deputy City Clerk advised that Alderman Cromwell, Dewell and Nolan were not present at the public hearing.

Motion passed with Alderman Cromwell, Dewell and Nolan abstaining.

PUBLIC HEARINGS, HEARINGS, ETC.

Variance Appeal - 5172-82 Bishop Street

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

A staff report dated September 16, 1985, was submitted.

Mr. B. Algee, Development Officer, addressed Council outlining the application for minor variance of the lot coverage and side yard requirement of the Land Use Bylaw for the property at 5172-82 Bishop Street, as found in the staff report dated September 16, 1985.

Mr. Algee noted that in this particular instance, most of the work involved is well under way without building or development permits and the variance application is also after the fact. Mr. Algee further indicated that had the applicants applied for the various permits during the planning stages rather than after most of the work had been completed, he would have in all likelihood granted the variance based upon the minor nature of the request. However, Mr. Algee noted, he was unable to grant approval of after the fact variance applications under Section 79(3)(c) of the Planning Act.

Council
September 26, 1985

Mr. Wilfred Moore, solicitor for the applicant, addressed Council indicating that the applicant had not been aware that the required permits had not been applied for as an architect had been contracted to carry out the work on the property. Mr. Moore noted that his client had done some renovation work throughout the City but this project was by far the largest undertaking to date.

Mr. Moore indicated that his client was aware that it was his responsibility to ensure that the architect had acquired all the necessary permits, however, Mr. Moore indicated that he felt the work carried out on the property was a marked improvement to what had been there previously.

Mr. Moore indicated that a tremendous amount of site coverage had been removed and distributed photos indicating the previous coverage of the lot and the structures presently found on the lot.

Mr. Moore further submitted a letter from Mrs. Milo Riding, 1346 Hollis Street, an abutting property owner, in favor of approval of the variance application. Mr. Moore advised that he had spoken with the neighbour across the street and had received permission to relate his approval of this project.

Mr. Moore requested that Council give favorable consideration to this appeal and grant the minor variance request.

Mr. Graham Duffus, 1361 Barrington Street, addressed Council in favour of the variance application. Mr. Duffus indicated that in his dealings with the applicant he found him to be a reasonable and fair person. Mr. Duffus further noted that the applicant had approached this project with a view to ensuring that the concerns of the neighbourhood were addressed. Mr. Duffus indicated that the variance requested was indeed minor and that on the whole the site coverage and density, volume and appearance of the structures on the lot had been greatly improved.

There were no further persons wishing to address Council with regard to this matter. No further correspondence has been received in relation to this matter.

MOVED by Alderman Downey, seconded by Alderman Meagher that the decision of the Development Officer be overturned and that the application for a minor variance of the lot coverage and side yard requirements for the property at 5172-82 Bishop Street be approved.

Motion passed.

Council
September 26, 1985

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on September 18, 1985, as follows:

French Community Centre of Halifax-Dartmouth

The Finance and Executive Committee recommended that the item be deferred to a meeting of City Council following a meeting scheduled between the School Board and the Comite du Centre Scolaire Communautaire.

MOVED by Alderman Flynn, seconded by Alderman Nolan that the report entitled 'A French School-Community Centre for the Halifax-Dartmouth Metro Area' submitted by Mr. Cottreau on behalf of the Comite du Centre Scolaire Communautaire, be tabled.

Motion passed.

Student Bus Fares (Passes)

MOVED by Alderman Dewell, seconded by Deputy Mayor O'Malley that, as recommended by the Finance and Executive Committee, Metro Transit explore the pass system and to determine if a subsidized pass system for students would be a hardship, and that Council approach the Minister of Education to determine if the previous system of student subsidy could be re-instated, and that the School Board also be requested to make a similar approach to the Minister.

Alderman Flynn addressed the matter indicating that the staff of Metro Transit had met with a delegation organized by the student body of the Universities within the City to discuss the matter of student passes and subsidization of those passes. Alderman Flynn indicated that Metro Transit was preparing a comprehensive report to be submitted to all the municipalities involved in Metro Transit outlining the feasibility of such a pass system and the cost ramifications of any subsidization.

Alderman Grant addressed the matter referring to the second part of the motion and requesting that the School Board contact the Dartmouth School Board explaining the action they planned to take in this regard. Alderman Grant indicated that the Dartmouth Board might wish to join Halifax in this action, thereby, presenting a united front at the Department of Education.

The motion was put and passed.

Council
September 26, 1985

West House Historical Building - 2319-23 Brunswick Street

MOVED by Alderman Downey, seconded by Alderman Cromwell
that, as recommended by the Finance and Executive Committee, City Council authorize the Mayor and the City Clerk to execute an agreement between Lekhi Construction Limited, a body corporate, and Tim Lekhi, Businessman, Guarantor in respect of the continued preservation and on-going maintenance of the West House as provided for in the agreement appended to the August 29, 1985 staff report.

Motion passed.

Leases and Agreement - Captain William Spry Centre

Following is the recommendation of the Finance and Executive Committee:

1. "That the Mayor and City Clerk be authorized to execute the Memorandum of Agreement attached as Schedule "A" to the September 9, 1985 staff report with the Captain William Spry Community Centre Corporation;
2. the Mayor and City Clerk be authorized to execute the lease attached as Schedule "B" to the September 9, 1985 staff report with the Captain William Spry Community Centre Corporation;
3. the agreement dated May 17, 1984, between the City and the Lions Club be assigned to the Captain William Spry Community Centre Corporation for purpose of negotiation of a sub-lease which shall be returned for Council's consideration; and
4. that an annual application be submitted to the Tax Concessions and Grants Committee for an operating grant which shall include the required offset for real estate taxes on the Captair William Spry Community Centre."

MOVED by Alderman Grant, seconded by Alderman Nolan
that:

1. the Mayor and City Clerk be authorized to execute the Memorandum of Agreement attached as Schedule "A" to the September 9, 1985 staff report with the Captain William Spry Community Centre Corporation;
2. the Mayor and City Clerk be authorized to execute the lease attached as Schedule "B" to the September 9, 1985 staff report with the Captain William Spry Community Centre Corporation;

3. the agreement dated May 17, 1984, between the City and the Lions Club be assigned to the Captain William Spry Community Centre Corporation for purpose of negotiation of a sub-lease which shall be returned for Council's consideration;

4. that an annual application be submitted to the Tax Concessions and Grants Committee for an operating grant which shall include the required offset for real estate taxes on the Captain William Spry Community Centre; and

5. that a copy of the letter received by Alderman Grant from Mr. B. G. Smith, Director of Finance regarding insurance be forwarded to Mr. Darryl Wentzell, Chairman, Spryfield Lions Club and to the Chairman of the Board of the Captain William Spry Community Centre.

Motion passed.

Halifax Community Retrofit Project - Phase IV

MOVED by Alderman Flynn, seconded by Alderman Cromwell that, as recommended by the Finance and Executive Committee, City Council approve the release of the contribution of \$10,000 already earmarked for the Community Retrofit Project in order to tangibly demonstrate Council's support for this project and to encourage and secure appropriate Federal contributions.

Motion passed.

Saint Andrews Community Recreational Centre

MOVED by Alderman Flynn, seconded by Alderman Nolan that, as recommended by the Finance and Executive Committee, Council approach, through a Committee, the Honorable Stewart McInnes, in whose constituency the centre is located, and impress upon Mr. McInnes the dangers of closing the facility.

Motion passed.

Alderman Flynn noted that he and His Worship were to make up the Committee referred to in the motion.

Acquisition - 38 Titus Street

MOVED by Alderman Hamshaw, seconded by Alderman Nolan that, as recommended by the Finance and Executive Committee, the land as shown as Parcel 6 on City of Halifax Plan TT-36-28330 be purchased from Jean K. Horne for the sum of \$11,228.00 as settlement in full and that the June 13, 1985, approval of acquisition of Easement 6P, Plan TT-36-28189, be rescinded.

Motion passed.

9:40 p.m. Alderman Jeffrey joins the meeting

Lease and Management Contract - Richmond Family Court

Following is the recommendation of the Finance and Executive Committee:

1. "That the Mayor and City Clerk be authorized to execute the lease attached as Schedule "A" to the September 15, 1985 staff report, to lease to the Province of Nova Scotia premises at 3380 Acadia Street for purposes of a Family Court;
2. the Mayor and City Clerk be authorized to execute the agreement attached as Schedule "B" to the September 15, 1985 staff report, with HRDA for management and building services at 3380 Acadia Street; and
3. a reserve account be set up for future works of a capital replacement nature, and that a portion of the rental be regularly allocated to this account.

MOVED by Deputy Mayor O'Malley, seconded by Alderman Meagher that:

1. "That the Mayor and City Clerk be authorized to execute the lease attached as Schedule "A" to the September 15, 1985 staff report, to lease to the Province of Nova Scotia premises at 3380 Acadia Street for purposes of a Family Court;
2. the Mayor and City Clerk be authorized to execute the agreement attached as Schedule "B" to the September 15, 1985 staff report, with HRDA for management and building services at 3380 Acadia Street;
3. a reserve account be set up for future works of a capital replacement nature, and that a portion of the rental be regularly allocated to this account; and
4. a clause be included in the lease agreement providing that the building be named the Richmond Family Court and the memorabilia relating to those who suffered and died at the Richmond School facility during the Halifax Explosion be incorporated in a conspicuous location in the building, preferably in the main entrance.

Motion passed.

Sale - 3243, 3249, 3259 Kempt Road

MOVED by Alderman Dewell, seconded by Alderman Hamshaw that, as recommended by the Finance and Executive Committee, the land shown as Parcel C-1 on the sketch attached to the September 9, 1985 confidential staff report and located on the eastern side of Kempt Road between Stairs Street and Stanley Street, be sold to Cono Holdings Limited for the sum of \$21,200, proceeds to be deposited in the Sale of Land Account.

Motion passed.

Nominated Heritage Properties - Dates for Hearings

MOVED by Alderman Downey, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, a date be set for owners' hearings, in accordance with the requirements of Section 14(2) of the Heritage Property Act, for the properties listed in the September 12, 1985 report from the Heritage Advisory Committee.

Motion passed.

The Deputy City Clerk advised that the date for the Heritage Hearings was Wednesday, November 20, 1985 at 7:30 p.m. in the Council Chamber, City Hall.

Acquisition - 19 Alma Crescent & 7 Titus Street

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

1. the land shown as Parcel A-11 on Plan TT-36-28288 be purchased from Capitol Stores Limited for \$15,667.25 subject to a possible claim under Sections 26(c) and 31(1) "Injurious Affection" of the Expropriation Act at a later date; and
2. Council authorize the transfer of \$17,630.00 from Account No. CJ400 (unused funds) to Account No. CA116 (Dutch Village Road - Traffic Improvements) for property acquisitions (subject and 15 Titus Street) and associated costs.

Alderman Jeffrey requested that staff ensure that the driveway presently located on this property not be altered during the sidewalk construction to be carried out at this location.

Motion passed.

Appointments - Task Force - Concerns of Ageing

This matter was forwarded to City Council without recommendation.

Deputy Mayor O'Malley addressed the matter advising that he had contacted the Acting Chairman, Miss D. Fraser, of the Advisory Committee on Concerns of Ageing and arranged to meet with that Committee at their next meeting. Deputy Mayor O'Malley further indicated that Mr. Crowell, Director of Social Planning, and he had been reviewing a number of possible appointments to the Task Force and would have these finalized for the next meeting of City Council.

MOVED by Deputy Mayor O'Malley, seconded by Alderman Dewell that this matter be deferred to the next regular meeting of Halifax City Council.

Motion passed.

Walkway - Kidston Road/Rockingstone Road

This matter was forwarded to Council without recommendation.

MOVED by Alderman Grant, seconded by Alderman Dewell that City Council direct staff to enter into formal negotiations for acquisition of a portion land along the southern boundary of the property of the Estate of John A. Kidston, as shown on the sketch attached to the September 17, 1985 staff report, in order to provide a connection between MacIntosh Park and Rockingstone Road and eventually through to Kidston Lake and report any recommendations to Council.

Motion passed.

Advance Polling Day

This matter was forwarded to Council without recommendation.

Alderman Grant referred to concerns he had received regarding Advance Polling Day and Election Day being only a few days apart. Alderman Grant indicated that the timing of Advance Polling Day was determined by the Election Act. Alderman Grant noted that the Act stated that Advance Polling Day would be held the Tuesday previous to Election Day. Alderman Grant further noted that although the City could have an additional advance polling day, being the Saturday previous to Election Day, the Election Committee in its consideration of this matter felt that would not serve any practical purpose.

Alderman Grant indicated that a number of citizens had contacted him voicing concern with regard to their inability to vote as they would be out of town on both the Advance Poll and Election Day.

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Alderman Grant indicated that Advance Polling Day would be much more beneficial if it were held one or two weeks previous to Election Day and suggested that this matter should be forwarded to the Union of Nova Scotia Municipalities for study and recommendation to the Province. Alderman Grant noted that no changes with regard to this matter could be implemented for the upcoming Election.

MOVED by Alderman Grant, seconded by Alderman Hamshaw that the matter of the timing of Advance Polling Day be forwarded to the Union of Nova Scotia Municipalities for study to result in a recommendation to the Province with regard to putting some distance between Advance Polling Day and Election Day.

A discussion ensued with Alderman Cromwell indicating that he personally did not agree with Election Day being held on a Saturday, noting that this was the Sabbath of certain religious organizations within the City. Alderman Cromwell requested that this matter be included in the study by the UNSM.

Deputy Mayor O'Malley addressed the matter indicating that he felt an indepth study and a full discussion should be held with regard to this matter noting that moving Election Day to a weekday would have widespread ramifications.

MOVED by Deputy Mayor O'Malley, seconded by Alderman Nolan that this matter be deferred to a future Committee of the Whole Council meeting for a full discussion before any recommendations are made to the Union of Nova Scotia Municipalities.

Motion passed.

Municipal Liability Insurance

This matter was forwarded to Council without recommendation.

Alderman Cromwell addressed the matter referring to reports regarding the escalating costs of municipal liability insurance across Canada and requested that staff prepare a report outlining the City's position in regard to the costs of municipal liability insurance.

Alderman Cromwell indicated that he would like included in the report the rate of escalation of costs with regard to liability insurance and the feasibility of a global approach across the province with all municipalities having insurance under one carrier or establishing some sort of self insurance program.

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REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on September 18, 1985, as follows:

Acceptance of Streets Policy

This matter was forwarded to City Council without recommendation.

Alderman Grant addressed the matter referring to the September 17, 1985 information report submitted at Committee of the Whole and noting that although the cost of acceptance of streets to the City was mentioned, no mention of the greater cost to the resident was made.

Alderman Grant indicated that he felt the policy with regard to the acceptance of streets must be changed to enable streets to be accepted in their present condition and then proceed to develop these streets with sewer and curb and gutter as found on other city streets.

Alderman Grant referred to the listing of unaccepted streets noting that certain of the streets no longer had houses located on them and certain others had curb and gutter such as Aurora Avenue. Alderman Grant asked how such things would affect the status of these streets as unaccepted streets and requested that this listing be reviewed with regard to such situations.

MOVED by Alderman Grant, seconded by Alderman Flynn that the information report dated September 17, 1985 be accepted and that staff proceed expeditiously with changes to the Acceptance of Streets Policy with a view to bringing forward a recommendation to Council with regard to changes and a possible priority listing of streets to be accepted.

Alderman Flynn addressed the matter referring to taxes paid by residents of the City for services such as fire, police, garbage collection, street lighting and etc. indicating that all citizens paid taxes and all citizens should be provided with these services. Alderman Flynn indicated that he would like this aspect of the problem addressed in the staff report.

Alderman Nolan addressed the matter noting that 40% of the streets listed were in his ward and further indicating that these streets were maintained by the City. Alderman Nolan suggested that consideration should be given to the definition of 'street' in the policy and indicated that perhaps a different term could be used in relation to the unaccepted streets.

A further short discussion ensued and the motion was put and passed.

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Street Cleaning

This matter was forwarded to Council without recommendation.

Alderman Downey indicated that he had introduced this matter at Committee of the Whole due to complaints he had received with regard to litter in the downtown area, particularly in the Spring Garden Road and South Park Street area. Alderman Downey indicated that since that time he had brought the matter to the attention of staff and the street sweeping machine had been directed to that area.

Alderman Downey indicated, however, that he felt the problem of litter in the downtown area would be better addressed by workers collecting the litter during the day and MOVED, seconded by Alderman Meagher that staff consider the possibility of cleaning the streets during the day rather than at night.

Alderman LeBlanc addressed the matter indicating that other major cities carried out their street cleaning between the hours of 6 and 9 p.m. quite successfully and suggested that this approach should be considered by staff. Alderman LeBlanc further noted that many of the small construction jobs carried out by city staff could also be carried out during this period.

A discussion and questioning of staff with regard to the number of street sweeper operable in the City of Halifax ensued with Deputy Mayor O'Malley indicating that the program of street sweeping established in his area had as yet to show results, noting that sweeping had not been carried out and asked why the program had not been implemented.

Mr. Connell, Director of Engineering and Works addressed the matter indicating that recently two of the street sweepers had been involved in serious accidents and were not in operation. Mr. Connell further advised that it was hoped that these would be in operation within two weeks. Mr. Connell noted that implementation of the street sweeping program in Deputy Mayor O'Malley's area would be followed up after the repair of these sweepers had been completed.

Deputy Mayor O'Malley then referred to the presence of garbage on the sidewalks, particularly in the commercial areas of the city, and noted that sidewalks should be included in the cleaning of streets.

Mr. Connell indicated that abutting property owners were responsible for the cleaning of sidewalks and not the City.

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Deputy Mayor O'Malley indicated that it was obvious this responsibility was not being enforced and requested that staff take steps to ensure that abutting property owners were made aware of their responsibility.

Alderman Grant referred to the health and safety of the street sweeper indicating that he had some concern with regard to the ventilation of these machines and requested that staff address this matter in their report.

Alderman Dewell referred to the street sweeping program to be carried out in his and Deputy Mayor O'Malley's area noting that enforcement of the street cleaning signs was not being carried out and requested that some action be taken in this regard.

Motion passed.

REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS & COMMISSIONS

Amendment to Ordinance Number 132, Respecting the Licensing of Plumbers and Regulating the Installation of Plumbing Systems - SECOND READING

This matter was given First Reading at the City Council meeting held on September 12, 1985.

MOVED by Alderman Flynn, seconded by Alderman Cromwell that, as recommended by the Finance and Executive Committee the proposed amendments to Ordinance No. 132 respecting the Licensing of Plumbers and Regulating the Installation of Plumbing Systems, as follows, be given SECOND READING:

BE IT ENACTED by the City Council of the City of Halifax that Ordinance No. 132 respecting the Licensing of Plumbers and Regulating the Installation of Plumbing Systems as approved by the Minister of Municipal Affairs on March 5, 1969 and as subsequently amended is hereby amended as follows:

1. Paragraph 1.2(d) is repealed and the following substituted therefor:

"National Building Code" means the 9th edition of the National Building Code of Canada, 1985, issued by the Associate Committee on the National Building Code of the National Research Council of Canada being also described as NRCC No. 23174 and its supplement being described as NRCC No. 23178;

2. Paragraph 1.2(e) is repealed and the following is substituted therefor:

"Canadian Plumbing Code" means the 5th edition of the Plumbing Code, 1985 issued by the Associate Committee on the National Building of the National Research Council of Canada being also described as NRCC No. 23176;

3. Section 1.22.2 is hereby amended by deleting the clause "with the exception of subsection 1.8 of the Canadian Plumbing Code entitled 'permits'".

Motion passed.

Amendment to Ordinance Number 131, the Building Code Ordinance
SECOND READING

This matter was given First Reading at the City Council meeting held on September 12, 1985.

MOVED by Alderman Flynn, seconded by Alderman Hamshaw that, as recommended by the Finance and Executive Committee the proposed amendments to Ordinance Number 131, the Building Code Ordinance, as follows, be given SECOND READING:

BE IT ENACTED by the City Council of the City of Halifax, that Ordinance Number 131, the Building Code Ordinance, as approved by the Minister of Municipal Affairs on the 3rd day of February, 1969, and as subsequently amended and approved is hereby amended as follows:

1. Subsection 1.5.11(1) is repealed and the following substituted therefor:

1.51..(1) The fees to be paid for permits, or deposits to ensure completion of work connected therewith, shall be as follows:

Building Permits for New Buildings, Additions
Alterations or Miscellaneous Structures:

Estimated Value - less than \$1,000 - Permit, No Fee
Estimated Value - 1,001 and over - Permit, Fee - \$3.25
per \$1,000
(including the first
\$1,000)

Building Permits for Repairs:
(Repairs means fixing or replacintg what already exists with the same material and in the same style as previously existed)

Estimated Value - up to \$3,000 - No Permit, No Fee
Estimated Value - \$3,00 and over - Permit, Fee - \$3.25
per \$1,000
(including the
first \$3,000)

Occupancy Permits (completion certificate): No Charge

Change of Occupancy Permits: \$35.00

Barricades, Protective Fences, and Covered Ways:

Estimated Value - less than \$1,000 - Permit, No Fee
Estimated Value - \$1,001 and over - Permit, Fee - \$3.25
per \$1,000

Demolition Permits: \$25 per application

Other Permits Related to Construction Activity:

Electrical Work	See Ordinance No. 130
Plumbing Work	See Ordinance No. 132
Blasting	See Ordinance No. 38
Noise	See Ordinance No. 113
Sign License	See Ordinance No. 166

2. Clause (C) of Section 1.13.1 is repealed and the following is substituted therefore:

(c) "National Building Code" means the 9th edition of the National Building Code of Canada, 1985 issued by the Associate Committee on the National Building Code of the National Research Council of Canada, being also described as NRCC No. 23174 and its supplement being described as NRCC No. 23178.

Motion passed.

REPORT - CITY PLANNING COMMITTEE

Mainland Common

MOVED by Alderman Hamshaw, seconded by Alderman Flynn that, as recommended by the City Planning Committee, Council:

- 1) approve the concept of a new City-wide park for active recreation of at least 65 acres in the Mainland North area, to be undertaken within three to five years; and recognize that, if feasible, staff advocate as much as double that acreage, recognizing the unique role such a facility could play in the development of the City;
- 2) direct staff to:
 - (a) identify and examine potential locations in that area of Mainland North recommended in the September, 1985 report, and consult with major landowners in the area with regard to the residential development potential of the area;
 - (b) compare the merits of various means of acquisition and site development in relation to long-term planning strategies; and
- 3) in view of the fact that staff has narrowed the most suitable location for such a Common to an area of 300 or so acres, Council authorize staff to undertake preliminary negotiations with a view to recommending purchase of a specific site within four months.

Motion passed.

Case No. 4062 - Amendment to Contract Development:
Purdy's Wharf Development

MOVED by Alderman Downey, seconded by Alderman Jeffrey that, as recommended by the City Planning Committee, Council:

- 1) amend the contract development agreement dated May 19, 1983, registered at the Registry of Deeds in Book 3717 at Page 1174 to permit the construction of a 22-storey commercial office building on Block 4, Upper Water Street, as shown on Plans No. P200/14310-312;
- 2) Block 2, Upper Water Street, will be subject to contract development approval for any further development; and

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- 3) approve the sale of Block 4, Upper Water Street, to Purdy's Wharf Development Limited according to the terms and conditions set out in the May 19, 1983 agreement.

Motion passed.

Heritage Amendments - Municipal Planning Strategy

This matter was forwarded to City Council without recommendation.

MOVED by Alderman Cromwell, seconded by Alderman Meagher that the heritage amendments contained in the supplementary staff report dated September 10, 1985 be considered in conjunction with those amendments previously scheduled for public hearing on November 6, 1985.

Motion passed.

Case No. 4126 - Contract Development:
5444-50 Victoria Road

This matter was forwarded to City Council without recommendation.

MOVED by Alderman Cromwell, seconded by Alderman LeBlanc that the contract development agreement for 5444-50 Victoria Road, entered into on August 25, 1982, and filed in Book 3605 at Page 742 at the Registry of Deeds, be discharged by Council.

Motion passed.

Case No. 4731 - Contract Development:
286-88 Herring Cove Road

This matter was referred to City Council without recommendation.

MOVED by Alderman Grant, seconded by Alderman Nolan that the matter be deferred to allow the developer an opportunity to meet with residents who have objections to this proposal.

Motion passed.

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Inspection Services

This matter was forwarded to City Council without recommendation.

At Alderman Meagher's request, it was agreed that the matter would be dealt with later in the agenda under Item 20.9, "2069-67 Beech Street."

MOTIONS

Motion Alderman Cromwell Re: Adoption of Ordinance Number 179, the Residential Parking Permit Ordinance - FIRST READING

Alderman Cromwell gave Notice of Motion of his intention to introduce a motion to adopt Ordinance 179, the Residential Parking Permit Ordinance, at the City Council meeting held on September 12, 1985.

The purpose of the proposed ordinance is to permit individuals issued with residential parking permits to park on the street on which they reside irrespective of time restrictions imposed by parking signs, other than parking meters on that street.

MOVED by Alderman Cromwell, seconded by Alderman Downey that the proposed Ordinance 179, the Residential Parking Permit Ordinance, be given FIRST READING.

Motion passed.

Motion Alderman Doehler Re: Amendments to Ordinance Number 147, the Dog Ordinance - FIRST READING

Notice of Motion to introduce amendments to Ordinance 147, the Dog Ordinance, was given by Alderman Doehler at the City Council meeting held on September 12, 1985.

The purpose of the proposed amendments is to implement matters approved by Council some months ago, as well as recent changes in the fee structure.

In Alderman Doehler's absence, it was moved by Alderman Cromwell, seconded by Alderman Flynn that the proposed amendments to Ordinance 147, the Dog Ordinance, be given FIRST READING.

Motion passed.

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Inspection Services

This matter was forwarded to City Council without recommendation.

At Alderman Meagher's request, it was agreed that the matter would be dealt with later in the agenda under Item 20.9, "2069-67 Beech Street."

MOTIONS

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The purpose of the proposed ordinance is to permit individuals issued with residential parking permits to park on the street on which they reside irrespective of time restrictions imposed by parking signs, other than parking meters on that street.

MOVED by Alderman Cromwell, seconded by Alderman Downey that the proposed Ordinance 179, the Residential Parking Permit Ordinance, be given FIRST READING.

Motion passed.

Motion Alderman Doehler Re: Amendments to Ordinance Number 147, the Dog Ordinance - FIRST READING

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The purpose of the proposed amendments is to implement matters approved by Council some months ago, as well as recent changes in the fee structure.

In Alderman Doehler's absence, it was moved by Alderman Cromwell, seconded by Alderman Flynn that the proposed amendments to Ordinance 147, the Dog Ordinance, be given FIRST READING.

Motion passed.

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Amendment to Administrative Order Number 5,
"Stipends" - FIRST READING

This item was added to the agenda by the Deputy City Clerk, and pertains to proposed amendments to Administrative Order Number 5 in conjunction with Council's adoption of a report from the Stipends Committee on September 12, 1985.

MOVED by Alderman Cromwell, seconded by Alderman Flynn that the amendments proposed for Administrative Order Number 5, "Stipends," be given FIRST READING.

Motion passed.

MISCELLANEOUS BUSINESS

Tender #85-126: Re-roofing: University Avenue
Fire Station

A staff report, dated September 18, 1985, was submitted.

MOVED by Alderman Cromwell, seconded by Alderman Hamshaw that, as recommended in the September 18, 1985 staff report:

- 1) Tender #85-126 be awarded to Atlantic Roofers Limited in the amount of \$43,950.00; and
- 2) an amount of \$4,300.00 be allocated for force work, should it be necessary,

funding to be made available from Account Number 222502-20200-BA004.

Motion passed.

911 Study

A staff report, dated September 11, 1985, together with a report dated September, 1985 from the Halifax 911 Study Committee, were submitted.

MOVED by Alderman Jeffrey, seconded by Alderman Nolan that the report from the Halifax 911 Study Committee be tabled, pending receipt of a further staff report.

Motion passed.

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In response to a question from Alderman Grant, the City Manager advised that a timetable for this project is anticipated to be in the area of three months.

Request - Helicopter Landing: Gorsebrook Field
(Red Snapper Films)

A report dated September 24, 1985 was submitted. The Deputy City Clerk advised that, at the request of Red Snapper Films, the proposed landing date had been changed to Thursday, October 3, 1985.

MOVED by Alderman Cromwell, seconded by Alderman Flynn that City Council approve the request of Red Snapper Films to land a helicopter on Gorsebrook Field on Thursday, October 3, 1985, with the following conditions:

- 1) that Red Snapper Films receive appropriate clearances from Transport Canada;
- 2) that Red Snapper Films sign a waiver and indemnity agreement in favor of the City as prepared by the Legal Department; and
- 3) that the landing and filming occur between the hours of 1:30 p.m. and 3:30 p.m.

Motion passed.

His Worship the Mayor retires from the meeting and Deputy Mayor O'Malley assumes the Chair.

QUESTIONS

Question Alderman Jeffrey Re: 54 and 56 Sunnybrae Avenue

Alderman Jeffrey referred to water damage incurred by residents of 54 and 56 Sunnybrae Avenue some months ago. He requested that staff investigate the matter and submit a status report.

Question Alderman Jeffrey Re: 130 Central Avenue

Alderman Jeffrey reported that the owner of 130 Central Avenue has suffered damages to his property as a result of blasting undertaken in that area. He added that, to date, a settlement for these damages has not been reached with the developer, and asked that staff investigate the matter with a view to strengthening the regulations concerning such damages.

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Motion passed.

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Question Alderman Jeffrey Re: Northcliffe Pool

Alderman Jeffrey requested a staff report as quickly as possible regarding the delay in replacing the collapsed roof at Northcliffe Pool and, in particular, the party responsible for the initial damage. He also noted that he had been advised that the locker rooms at this facility are extremely dirty, and asked to be advised as to who is responsible for their maintenance.

Question Alderman Grant Re: Feasibility Study (Metro Transit)

Alderman Grant requested that Metro Transit undertake a feasibility study pertaining to the following proposals:

- (a) a morning express route from the Spryfield Mall to the City's downtown area;
- (b) extending Route 20 so that it could stop at the parking lot of the new Multi-Service Centre;
- (c) amending Route 14 so that it would cover the entire length of the Old Sambro Road, retaining the Spryfield Mall as part of its run; and
- (d) establishing a bus shelter in front of 166 Old Sambro Road for the use of passengers, particularly a large number of senior citizens.

Question Alderman Downey Re: Uniacke Square

Alderman Downey referred to comments made by the Project Manager of Uniacke Square during a recent radio broadcast and noted that many residents of the project had been upset by the tone of those remarks.

The Alderman asked whether the decision in question should be made by the Board or by the Project Manager. The City Solicitor suggested that it was a policy matter, but did not know whether the Manager was authorized to speak on the Board's behalf. Alderman Downey asked that the City Solicitor look into this matter.

Question Alderman Downey Re: Federal Building Site

Alderman Downey asked to be advised by the Mayor's Office as to whether the Minister of Supply and Services had contacted them regarding a meeting date to discuss options for the Federal Building site on Gottingen Street.

Question Alderman Meagher Re: City Field Worker
(Pension Benefits)

Referring to previous correspondence with the City Solicitor regarding pension benefits currently received by the widow of a former City Field worker, Alderman Meagher asked

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that the City Solicitor confirm that, under new legislation proposed for the Spring sitting of the Provincial Legislature, the individual in question would receive increased benefits.

Question Alderman Cromwell Re: Halifax Waterfront

Alderman Cromwell referred to a staff report recently submitted in response to his request concerning the ownership of lands on the Halifax Waterfront. The Alderman asked that larger maps be made available at some future meeting of Committee of the Whole Council so that City-owned lands could be more clearly identified. Alderman Cromwell suggested that it should be determined in what direction the City is proceeding with respect to docking on City-owned lands.

Question Alderman Flynn Re: Halifax West Co-Op

Referring to his comments at a previous meeting of Committee of the Whole, Alderman Flynn inquired as to whether staff have had an opportunity to meet with members of the Halifax West Co-Op regarding garbage removal.

The City Manager advised that staff were currently examining methods by which this garbage could be removed and, upon developing some options, will arrange a meeting with Co-op members.

Question Alderman Hamshaw Re: Ross Street

Referring to the recently-approved development in Rockingham Ridge and the temporary opening of Ross Street, Alderman Hamshaw noted that he has received numerous complaints regarding the use of Ross Street by heavy trucks.

The Alderman requested that signs be erected as quickly as possible prohibiting the use of this residential street by trucks.

Question Alderman Meagher Re: Housing Symposium

Alderman Meagher, referring to a meeting on housing concerns recently attended by His Worship the Mayor, requested that discussion of this matter be placed on the agenda of a future Committee of the Whole Council.

His Worship later advised that the meeting referred to by Alderman Meagher had been convened at the request of the Archbishop. Mayor Wallace added that he had been asked to try to convene a meeting with the Chief Magistrates and that once this meeting was held, he would submit a full report to members of Council.

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Question Alderman Downey Re: City-Owned Property
(Barrington Street)

Alderman Downey referred to a City-owned property on Barrington Street which has been boarded up for the last 11 years. He noted that the adjacent property owner has been prevented from undertaking renovations to his own structure owing to the close proximity of the boarded-up building, and has also complained of rats infesting the area.

Alderman Downey asked for a report as to what the City's plans are for this building, and what measures can be taken to alleviate the problems.

Question Alderman Dewell Re: Trucks on Leeds Street
and Memorial Drive

Referring to construction currently underway at the rear of the NSIT complex, Alderman Dewell noted that trucks associated with this project have been using residential streets, particularly Leeds Street and Memorial Drive. The Alderman asked that the developer be requested to advise his operators to use only designated truck routes.

Question Alderman Grant Re: Zebra Crosswalks

Alderman Grant noted that in the early morning or during foggy weather conditions the black and white crosswalk identifications are difficult to distinguish. The Alderman inquired as to whether consideration has been given to painting such crosswalks in yellow or orange.

Question Alderman Grant Re: Trial Crosswalk -
Herring Cove Road

Alderman Grant referred to a letter previously forwarded to an area resident which implied that a trial crosswalk would be placed on Herring Cove Road in the vicinity of Tim Horton's. The Alderman requested information as to why this crosswalk had not been implemented.

Question Deputy Mayor O'Malley Re: Blasting - Rear
of NSIT Site

Deputy Mayor O'Malley reported that, to his knowledge, no inspections had been carried out prior to the commencement of blasting on the NSIT site.

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The Deputy Mayor requested information as to whether there is a regulation necessitating such inspections and, if so, why these inspections were never carried out.

His Worship the Mayor enters the meeting and reassumes the Chair.

Question Deputy Mayor O'Malley Re: Building at
Bilby and Robie Streets

The Deputy Mayor requested that staff inspect a building located on the northeast corner of Bilby and Robie Streets, the former site of a plumbing business.

Deputy Mayor O'Malley noted that, to his knowledge, this building had been boarded up for a number of years and is now in a very unsightly condition. He requested information as to the owner of this property and what measures could be taken to improve the situation.

Question Deputy Mayor O'Malley Re: Outfall -
Vicinity of Volvo Plant

Deputy Mayor O'Malley advised that he had received complaints concerning the odors emanating from the outfall in the vicinity of the Volvo Plant.

The City Manager advised that, in an attempt to alleviate the problem, additional chlorine would be added to the sewage system.

Question Deputy Mayor O'Malley Re: Seaview
Park Monument

Deputy Mayor O'Malley requested that, with reference to a suitable monument pertaining to the settlement of Africville, staff contact Reverend Donald Skier for his comments and suggestions.

Question Deputy Mayor O'Malley Re: Transit Service
- Saint Mary's University

The Deputy Mayor noted that, at present, there is no bus route to convey students directly to the Saint Mary's University campus.

Deputy Mayor O'Malley requested that staff investigate the feasibility of creating such a route or, should this prove impractical, of establishing a bus shelter at the nearest designated bus stop.

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Question Deputy Mayor O'Malley Re: Repaving - Robie Street

Deputy Mayor O'Malley requested information from staff as to when the repaving of Robie Street would be commenced.

Question Deputy Mayor O'Malley Re: Crosswalk - Agricola and Duffus Streets

Deputy Mayor O'Malley requested a feasibility report on the creation of a crosswalk at the corner of Agricola and Duffus Streets for the particular use of school-children enrolled at St. Stephen's School

Question Alderman Dewell Re: Occupancy Permits

Referring to a number of buildings erected or renovated in his ward by a particular developer, Alderman Dewell asked that staff inspect these premises to ascertain that there are no more than the approved number of units in each building.

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

10:25 P.M. - The meeting reconvened with the same members being present with the exception of Alderman Hamshaw.

NOTICES OF MOTION

Alderman Jeffrey: Notice of Motion to Amend Ordinance 116, Respecting the Regulation of Vehicles Transporting Passengers for Hire

Alderman Jeffrey gave Notice of Motion that at the next regular meeting of Halifax City Council, he intends to introduce a Motion to amend Ordinance 116 to incorporate revisions in the Third Schedule, the Schedule of Rates.

ADDED ITEMS

Statement of Revenue and Expenditure

This item was added to the agenda at the request of the Deputy City Clerk.

A staff report, dated September 20, 1985, was submitted.

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MOVED by Deputy Mayor O'Malley, seconded by Alderman Nolan that the Statement of Revenue and Expenditure for the eight months ending August 31, 1985 be tabled.

Motion passed.

Development - Bayers Lake Area (Halifax Industrial Park)

This item was added to the agenda at the request of the Deputy City Clerk.

A confidential report, dated September 25, 1985, was submitted from the Chairman of the Halifax Industrial Commission.

Deputy Mayor O'Malley noted that to be procedurally correct the matter should be deferred to the next meeting of Committee of the Whole Council in order to afford the City Manager an opportunity to formulate his recommendation.

A discussion ensued during which it was noted that the next regular meeting of Committee of the Whole Council will not be held until October 9. Deputy Mayor O'Malley indicated that the matter was of some urgency and the City Manager therefore advised that he would verbally support the recommendation contained in the September 25 report.

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

- 1) the Halifax Industrial Commission be authorized to proceed with the servicing of Phase 2;
- 2) Council authorize the expenditure of \$500,000 from Phase 1 budget and \$900,000 from Phase 2 budget, to be used to install the 30" waterline from the end of the proposed P.S.C. line to connect to the end of the waterline being installed to service the Nova Scotia Liquor Commission; and
- 3) Council approve the expenditure of \$500,000 from the Industrial Commission Proposed 1986 Capital Budget to install the sanitary sewer, storm sewer, and to complete all required blasting for roadwork in the same area as the 30" watermain.

Motion passed.

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Tender #85-121: Monitoring System Pumping Stations

This item was added to the agenda at the request of the Deputy City Clerk.

A confidential staff report dated September 26, 1985, was submitted.

MOVED by Alderman Nolan, seconded by Alderman Grant that Tender #85-121 for monitoring system pumping stations be awarded to Motorola Limited at a lump sum cost of \$271,254.40 gross (net cost \$230,330.00 after applicable tax refunds); funds to be made available from Account Numbers DD022 and DD016; and funds in the amount of \$29,254.40 be transferred from Account DD016, Upgrade Roach's Pond Pumping Station. Motion passed.

Sale of Coronation Avenue

This item was added to the agenda at the request of the Deputy City Clerk.

A confidential staff report, dated September 25, 1985, was submitted.

MOVED by Alderman Jeffrey, seconded by Alderman Nolan that the closed portion of Coronation Avenue, as shown on Plan TT-32-27244, be conveyed to the Salvation Army in advance of the start of construction, provided that the solicitor for the Salvation Army, Mr. David Ritcey, gives his written undertaking that, if the church is not constructed as planned within a 12-month period, that the land will be returned to the City for the same price at which it is being sold to the Salvation Army.

Motion passed.

Union of Nova Scotia Municipalities - Alderman Flynn

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

Alderman Flynn advised that, as a member of the Executive Committee of the Union, he had received a letter from the Administrative Secretary requesting the appointment of an alternate.

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Tender #85-121: Monitoring System Pumping Stations

This item was added to the agenda at the request of the Deputy City Clerk.

A confidential staff report dated September 26, 1985, was submitted.

MOVED by Alderman Nolan, seconded by Alderman Grant that Tender #85-121 for monitoring system pumping stations be awarded to Motorola Limited at a lump sum cost of \$271,254.40 gross (net cost \$230,330.00 after applicable tax refunds); funds to be made available from Account Numbers DD022 and DD016; and funds in the amount of \$29,254.40 be transferred from Account DD016, Upgrade Roach's Pond Pumping Station. Motion passed.

Sale of Coronation Avenue

This item was added to the agenda at the request of the Deputy City Clerk.

A confidential staff report, dated September 25, 1985, was submitted.

MOVED by Alderman Jeffrey, seconded by Alderman Nolan that the closed portion of Coronation Avenue, as shown on Plan TT-32-27244, be conveyed to the Salvation Army in advance of the start of construction, provided that the solicitor for the Salvation Army, Mr. David Ritcey, gives his written undertaking that, if the church is not constructed as planned within a 12-month period, that the land will be returned to the City for the same price at which it is being sold to the Salvation Army.

Motion passed.

Union of Nova Scotia Municipalities - Alderman Flynn

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

Alderman Flynn advised that, as a member of the Executive Committee of the Union, he had received a letter from the Administrative Secretary requesting the appointment of an alternate.

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Alderman Flynn indicated that he was uncertain of the correct procedure to be followed in this instance and submitted the letter to the Deputy City Clerk for clarification.

Removal of CBC From AM Band - Alderman Nolan

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

Aldermen Dewell and LeBlanc, declaring conflicts of interest, retired from the meeting.

Alderman Nolan expressed concerns regarding the removal of the Canadian Broadcasting Corporation's AM band, citing the important services currently offered by that broadcasting network to marine interests as well as the vital role it plays in times of national emergencies. He also noted that over 55 percent of elderly persons do not have access to FM radios.

MOVED by Alderman Nolan, seconded by Alderman Flynn that Council go on record as being in opposition to the removal of the Canadian Broadcasting Corporation from the AM band.

Motion passed.

Aldermen Dewell and LeBlanc return to the meeting.

Punchbowl - Alderman Nolan

This item was added to the agenda by Alderman Nolan who reported that, owing to construction in the vicinity, the pond commonly referred to as the Punchbowl is being filled in. The Alderman noted that he has received several complaints about the matter, and requested that staff inspect the site and submit a report.

Alderman Grant indicated that he also has received complaints concerning this situation, and asked for staff comment concerning an infilling policy which, it was his understanding, was adopted by Council some time ago.

The City Manager advised that while permits of this nature are issued by a Provincial department rather than by the City, he would have staff investigate the matter and bring it to the attention of the appropriate Provincial authority.

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Alderman Jeffrey noted that the Punchbowl was a neighbourhood landmark enjoyed by many, and that the City should take action to preserve it.

Chebucto Village - Alderman Meagher

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

Alderman Meagher submitted a petition signed by ten property owners on Duncan Street regarding difficulties they are encountering with the apartment complex known as Chebucto Village on the corner of Duncan Street and Chebucto Lane.

In addressing the matter, Alderman Meagher asked that staff also investigate the placement of a four-way stop sign at the intersection of Chebucto Lane and Duncan Street, and that cautionary signs concerning children playing in the area be erected, particularly on Chebucto Lane.

Alderman Meagher requested staff to investigate a portion of the former dairy wall which has not yet been removed and which is becoming a safety hazard. In addition, he requested the City Solicitor's Department to examine the Bylaw with regard to the occupancy of townhouses, noting that the townhouses in question are now inhabited by between six to eight people per unit.

MOVED by Alderman Meagher, seconded by Alderman Flynn that this matter be placed on the agenda of the Committee of the Whole Council scheduled for October 9, and that a staff report pertaining to the petition and to the Alderman's concerns be submitted at that time.

Motion passed.

2069-67 Beech Street - Alderman Meagher

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

Referring to a property located at 2069-67 Beech Street which is currently being renovated, Alderman Meagher raised various concerns regarding the building's pitched roof and the number of units which have been created on the lot.

Alderman Meagher requested that a meeting be arranged with the City's Building Inspector, the Development Officer, residents of the area and himself as quickly as possible to discuss the matter further. Alderman Meagher advised that he would contact the appropriate department to arrange the meeting.

Senior Citizens Bus Service - Alderman Cromwell

This item was added to the agenda at the request of Alderman Cromwell who referred to a recent statement by an aldermanic candidate to the effect that the City is considering halting bus services to senior citizen manors.

Alderman Cromwell noted that the City normally reviews all existing bus routes as part of its annual budgetary process. However, the Alderman emphasized that despite the fact that routes involving senior citizen manors are not extremely profitable, the City has always felt it has a moral obligation to provide this service and is not planning to curtail it in any way.

The meeting adjourned at 10:45 p.m.

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HIS WORSHIP MAYOR RON WALLACE
CHAIRMAN

E. A. KERR
DEPUTY CITY CLERK

DATE APPROVED BY COUNCIL: _____

/sg/*K